



OFFICE OF THE CONTRACTOR-GENERAL

THE TWENTY-FOURTH ANNUAL REPORT OF THE CONTRACTOR-GENERAL



JAMAICA



THE TWENTY-FOURTH ANNUAL REPORT

OF

THE CONTRACTOR-GENERAL OF JAMAICA

JANUARY TO DECEMBER 2010

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OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA



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September 21, 2011

The Hon. Marissa Dalrymple-Philibert, MP
Speaker of the House of Representatives
Houses of Parliament
81 Duke Street
Kingston

Senator Dr. The Hon. Oswald Harding, OJ, CD, QC
President of the Senate
Houses of Parliament
81 Duke Street
Kingston

Dear Hon. Madame Speaker and Hon. 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-Fourth Annual Report of the Independent Parliamentary Commission of the Contractor General of Jamaica for calendar year 2010.

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 2010

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CONTRACTOR GENERAL'S INTRODUCTORY REMARKS

OPENING COMMENTS

In accordance with the requirements that are outlined in Section 28 (2) of the Contractor-General Act, I am deeply honoured to, hereby, submit, to the Honourable Houses of Parliament, the 24th Annual Report of the Commission of the Contractor General of Jamaica for the period commencing on January 1 and ending on December 31, 2010.

As an Independent Anti-Corruption Commission of the Parliament of Jamaica, the Contractor General, by virtue of Section 4 (1) of the Contractor-General Act, is exclusively mandated to monitor the award and implementation of Government of Jamaica contracts to ensure, *inter alia*, that they are awarded impartially and on merit and in circumstances that do not involve impropriety and irregularity.

A Contractor General is also obliged by law to monitor the issuance of prescribed Government licenses and permits to ensure that the *"circumstances of such grant, issue, suspension or revocation do not involve impropriety or irregularity, and where appropriate, to examine whether such license is used in accordance with the terms and conditions thereof."*

Additionally, a Contractor General is en clothed by Sections 15 (1) and 16 of the Contractor General Act with a discretionary power to formally investigate the award of Government contracts, the issuance of Government licences and permits, tender procedures and the registration of Government contractors, and other matters that are associated therewith.

The Office of the Contractor General (OCG) is also mandated to provide the National Contracts Commission (NCC) with the requisite technical and administrative support resources which it requires to enable it to execute its contractor registration and Government contract endorsement functions.

The OCG, which, in 2010, had an average staff complement of 59/60 persons, discharges its mission and core operating functions through four (4) operating divisions. They are the Construction Contracts Inspectorate Division, the Non-Construction Contracts, Licenses and Permits Inspectorate Division, the Special Investigations Unit and the Technical Services Division. The functions of these divisions are supported by the operations of the OCG's two (2) other divisions, the Information Systems Division and the Corporate Services Division.

A Contractor General, in fulfilling his statutory mandates as an Independent Commission of the Parliament, has, by extension, a responsibility to report to the People of Jamaica on the work that he has done. This comprehensive Report fulfills that obligation and will provide a detailed insight into the substantive work that was undertaken by the officers of the OCG throughout calendar year 2010.

As has been the case in previous years, the OCG, while striving to secure probity, transparency, competition and accountability in public contracting in Jamaica, has had to contend with several challenges.

In 2010, these challenges included, but were not limited to, at least one (1) overt threat that was made against the life of a senior member of its staff; misguided and very worrying challenges which emanated from the Administration and others which sought to impose unwarranted jurisdictional boundaries upon the OCG's exercise of its lawful mandates; uninformed positions that were posited which were directed at undermining the integrity of the OCG and the validity of its considered and published positions; and, not surprisingly, and for another year, the recurring decimal of the innumerable remedial Referrals and Recommendations that were made by the OCG to certain State authorities, inclusive of the Executive and the Legislative arms of the State, which were, for the most part, ignored.

However, and despite the said challenges, I am pleased to report that the OCG did, throughout the year, discharge its mandates in a highly satisfactory and commendable manner and will, under my watch, continue to do so fearlessly and dispassionately in its quest to bring transparency, integrity and accountability to the Public Procurement and Contracting Processes in Jamaica.

As was the case during the past five (5) reporting years, the OCG's operating attainments in 2010 were driven primarily by its strategic and operating objectives of (a) transforming itself 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 Process.

In the foregoing regard, it would be remiss of me if I did not highlight the fact of the increasing levels of cooperation that the OCG continues to receive from the heads of entities and the procurement officials of most of the nearly 200 Public Bodies in Jamaica which are subjected to the OCG's contract monitoring jurisdiction.

It is my sincere belief that although Jamaica still has a very far way to go before probity, integrity and public confidence are fully restored in its contract award and licensing issue processes, the continuing efforts of the OCG to vigorously and dispassionately pursue the lawful discharge of its mandates is resulting in substantial inroads being made in the fight to eliminate corruption, waste, fraud, impropriety and irregularity from the Government contracting processes in Jamaica.

As is customary, I have sought to set out, herein below, in my Introductory Remarks, a summary of the OCG's operating accomplishments throughout the year. I have also attempted to bring to the fore a number of concerns, observations and positions of the OCG that are directly related to the discharge of my Statutory mandate to "ensure" probity and propriety in Government contracting and licensing in Jamaica.

CONTRACTS MONITORED AND INVESTIGATIONS COMPLETED

For the year 2010, the OCG monitored a total of nine hundred and seventy-two (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.

Let me take this opportunity, however, to highlight the fact that 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, the OCG continues to surpass the number of contracts that were monitored and investigated in previous years and has demonstrated, over the past 5 years, a relentless commitment to the discharge of its Statutory mandates that is both unmatched and unprecedented.

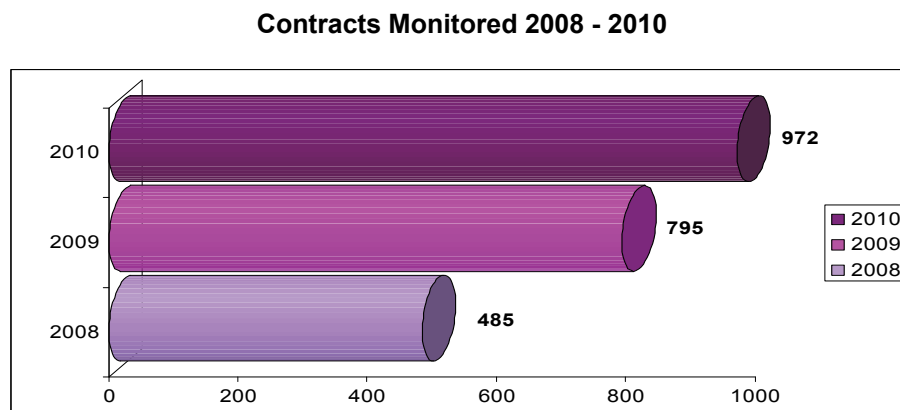


Chart indicating the number of contracts monitored by the Inspectorate Division between 2008 and 2010

The OCG's contract monitoring activities for 2010, particularly those which related to the monitoring of Construction contracts, have revealed, among other things, that procuring entities are awarding contracts to contractors that are not within the permissible work limit which is stipulated in Clause (5) of the Appendix to the National Contracts Commission's Contractor Application Form.

Other issues of concern, that were identified during the course of the OCG's contract monitoring activities, include the relative long time periods which have elapsed between a tender opening and the contract award date; the poor performance of entities in executing their responsibilities during the pre and post contract award phases of construction contracts; the continuing issue of costs and time overruns on Government Works contracts; and the improper application of the Government's Procurement Guidelines.

The OCG's 2010 contract monitoring activities have also revealed that inadequately trained Public Sector procurement personnel have resulted in challenges being experienced and deficiencies being recorded in the proper discharge of the procurement activities of some Public Bodies.

The OCG's contract monitoring activities, which continue to be subjected to significant year over year improvements in reach, effectiveness and efficiency, also encompassed, in 2010, the monitoring of the procurement activities of the five (5) Public Bodies that are exempted from all or a part of the Government's Procurement Procedures, namely Jamaica Vacations Ltd, the Jamaica Tourist Board, the Port Authority of Jamaica, Petrojam Limited and Air Jamaica Ltd.

Also falling within the purview of the OCG's contract monitoring activities, were the 353 consultancy contracts that were reported as being awarded by Public Bodies in 2010, and the six (6) Parliamentary Exemption Motions that were moved and approved in the Parliament in respect of Government contracts which reportedly fell within the purview of Section 41 of the Constitution of Jamaica.

New contract monitoring initiatives, that were undertaken by the OCG throughout the year, 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.

In addition to the foregoing, the OCG undertook ten (10) comprehensive Procurement Audits of Public Bodies in 2010 and, in its capacity as an observer on the Government's Land Divestment Committee (LDAC), 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.

The continued administration of the OCG's Enquiry Management Portfolio also played a major role in the OCG's 2010 contract monitoring activities. An Enquiry will typically emanate from a complaint or representation that is made to the Contractor General which alleges impropriety or irregularity in the procurement process, and/or in respect of the award or grant of a Government Contract or Prescribed Licence.

A Contractor General, pursuant to Sections 4 and/or 15 of the Contractor-General Act, has the discretionary power to conduct what he considers to be a preliminary Enquiry into the matter, prior to his making a decision as to whether or not a full-fledged Special Investigation under Sections 15 (1) and 16 of the Act should be initiated if any at all.

During the 2010 calendar year, a total of seventy-seven (77) allegations were reviewed and/or enquired into by the OCG's Enquiry Management Team. The referenced allegations alluded, *inter alia* to (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.

Further, during the period which is under review, 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.

As is now well known, the OCG's QCA Regime was designed and implemented by me, effective May 2006, with the specific objective of bringing transparency, accountability and full publicity to those Government contract awards which fell beneath the NCC's then \$4 million contract value threshold and which, consequently, was totally hidden from public view. The NCC contract value threshold was elevated to \$10 million effective September 22, 2008.

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.

Detailed particulars of all of the foregoing matters are fully discussed in the sections of this Report which are entitled **Monitoring of Construction Contracts** and **Monitoring of Non-Construction Contracts, Licences, Permits and Concessions**. Further details of the said contract monitoring activities are also outlined in tabular form in **Appendices II, V, VI and VII to this Report**.

QUARTERLY CONTRACT AWARDS (QCA) REPORT SUBMISSIONS

As was previously stated, during calendar year 2010 the OCG's QCA Report Regime enabled the OCG's Inspectorate Division to monitor in excess of 10,000 Government contracts awards which were valued at more than \$14.3 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.

It is instructive to record that prior to the implementation of the OCG's ground-breaking QCA initiative in May of 2006, the OCG's capacity to monitor Government contract awards was limited to less than 350 contracts per year.

The QCA Report regime, which requires all Procuring Public Bodies to submit QCA Reports, containing brief particulars of contract awards, to the OCG within 30 days of the ending of each calendar year quarter, was conceived and implemented by me as a major plank of my strategic plan to significantly reduce corruption in public procurement in Jamaica, and to secure a marked improvement in probity, competition, accountability and transparency in the Government's contract award process.

The OCG's QCA Report form is designed in a simple spreadsheet format and is specifically structured to force the disclosure of the material particulars of contracts which have been awarded by Public Bodies beneath the NCC's contract endorsement value threshold of \$10 million.

The Report form is also designed to disclose whether and to what extent a Procuring Public Body has breached the Government's Procurement Procedures, or is engaged in 'contract splintering'.

A Zero Tolerance Policy which was first introduced 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 2010, succeeded in producing an unprecedented and record 100% compliance rate for the eighth consecutive quarter running.

At the outset of the OCG's introduction of its Zero Tolerance Policy, the compliance rate was a mere 13%.

The OCG's QCA Zero Tolerance Policy dictates that a failure or refusal, on the part of any Public Body, to comply with the OCG's QCA Requisition, results in the automatic referral of the head of the delinquent Public Body to the Director of Public Prosecutions for criminal prosecution under Section 29 (b) of the Contractor General Act. No exception to the application of the Policy has ever been allowed by me in the four (4) years that the Policy has been in force.

During 2010, 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 2010. An aggregate average of eighty-three (83) Public Bodies attained a Level 1 compliance rate and an average of three (3) Public Bodies attained Level 4 compliance rate. The other Public Bodies attained Level 2 and 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 2010 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**.

SPECIAL INVESTIGATIONS

The Special Investigations Unit of the Office of the Contractor-General has, as its core function, the responsibility for conducting Statutory Investigations into allegations or, in some cases, suspicions of impropriety, corruption or irregularity, in the award of Government contracts, licenses and permits.

The discretionary Statutory power which has been conferred upon me to authorize the conduct of OCG Special Investigations is embodied in Sections 15 (1) and 16 of the Contractor General Act.

In keeping with the provisions that are contained in Sections 17 and 18 of the Act, once an OCG Special Investigation is instigated, extremely wide discretionary powers of subpoena, enquiry, search, and investigation procedure, inclusive of the powers of a Judge of the Supreme Court of Jamaica, are vested in the Contractor General.

Ten (10) Special Investigations were completed by the OCG in calendar year 2010. Nine (9) of the associated Reports of Investigation were submitted by me to Parliament in accordance with the provisions that are embodied in Sections 21 and/or 28 (2) of the Contractor-General Act.

The Special Investigation performance of the OCG, in 2010, continues from the 5 Special Investigations that were completed in 2009, the 11 Special Investigations which were completed by the OCG in both 2008 and 2007, and the record 15 Investigations that were completed in 2006.

These performance numbers contrast strikingly with the three (3) year period of 2003, 2004 and 2005, which preceded the commencement of my tenure as Contractor General, when only two (2) Special Investigations, in totality, were completed by the OCG.

The Special Investigations that were concluded by the OCG in calendar year 2010 were initiated to enquire into the following matters:

1. The Award of Contracts to Taylor and Associates for the Supply of Ammunition.
2. The Air-lift Guarantee Agreements which were entered into between American Airlines (AA) and Jamaica Vacations Limited (JAMVAC) and the Associated Matter Concerning the Retention of Legal Services by the Law Firm, DunnCox, by JAMVAC.
3. The Procurement Practices of the Ministry of Health and Environment and/or its Regional Health Authorities.
4. The Auction Process for Abandoned Motor Vehicles by the Jamaica Customs Department (JCD) on June 30, 2009 and July 1, 2009.
5. The Alleged Conflict of Interest on the Part of Dr. Henry Lowe, Former Chairman of the Bureau of Standards Jamaica (BSJ), in the Procurement of Health Insurance Services for BSJ, whilst he was the Chairman of Blue Cross of Jamaica Limited.
6. The Award of Contracts for the Olympic Athletes Homecoming Week of Celebrations – October 3-10, 2008.
7. The Alleged “*Sweetheart Deals*” Involving the Government of Jamaica and Dehring, Bunting and Golding (DB&G) Limited.
8. The Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer.
9. The Award of a Multi-Million Dollar Consultancy Contract to Mr. Aubyn Hill and/or his company, Corporate Strategies Limited.
10. The Complaint by Vehicles and Supplies (Industrial Division) Limited regarding the Procurement of Motor Vehicles by the Ministry of Agriculture (MoA) and the National Works Agency (NWA).

In keeping with those of my responsibilities that are prescribed by Sections 20 and 21 of the Contractor General Act, and/or acting in furtherance of Section 29 of the Act, several formal remedial Recommendations and Referrals were made by me, to the relevant Ministers of Government, State Agencies and Law Enforcement and Prosecutorial Authorities, following the completion of the said OCG Special Investigations.

For ease of reference, the Executive Summaries of the foregoing Special Investigations have been reproduced, verbatim, in **Appendix I to this Report**.

At the end of the 2010 calendar year, there were fourteen (14) other Special OCG Investigations which were being undertaken by the OCG.

Among the more than 50 major Special Investigations which have been conducted and completed by the OCG since I assumed office as Contractor General on December 1, 2005, and in respect of which formal written Reports of Investigations have been submitted by me to the relevant State Authorities, are the following:

1. Kingston and St. Andrew Corporation (KSAC) (April 2006)
2. Social Development Commission (SDC) (April 2006)
3. Portmore Municipality (April 2006)
4. Social Development Foundation (SDF) (April 2006)
5. Sandals Whitehouse Hotel (June 2006)
6. Petroleum Company of Jamaica (PETCOM) (December 2006)
7. National Solid Waste Management Authority (NSWMA) (January 2007)
8. Government Employees Administrative Services Only (GEASO) Insurance Scheme (October 2007)
9. Jamaica Tourist Board (December 2007)
10. Jamaica Fire Brigade (December 2007)
11. Highway 2000 Concession Agreement (December 2007)
12. University Hospital of the West Indies (December 2007)
13. 4M Light Bulb (Cuban Light Bulb) Project (February 2008)
14. Petrojam Divestment (June 2008)
15. Betting, Gaming & Lotteries Commission (September 2008)
16. Air Jamaica Limited (September 2008)
17. Universal Access Fund (September 2008)
18. Development Bank of Jamaica (October 2008)
19. Jamaica Urban Transit Company (JUTC) (November 2008)
20. Caymanas Track Limited (CTL) (January 2009)
21. GOTEL (March 2009)
22. Air Jamaica London Heathrow Slots (March 2009)
23. N.E. St. Catherine Constituency (July 2009)
24. Mabey and Johnson Bridge Building Corruption Allegations (October 2009)
25. American Airlines Airlift Agreements (February 2010)
26. Ammunition Supply Agreements (February 2010)
27. Ministry of Health (March 2010)

28. Bureau of Standards Jamaica (May 2010)
29. Olympic Athletes Homecoming Celebrations (June 2010)
30. Trafigura Beheer Oil-Lifting Contracts (August 2010)
31. Dehring, Bunting and Golding Ltd. Alleged "Sweetheart Deals" (August 2010)
32. Ministry of Agriculture/Aubyn Hill Contracts (September 2010)

Copies of all of the foregoing Special Reports of Investigation can be freely perused on, or downloaded from, the OCG's official website at www.ocg.gov.jm.

AUDIT OF GOVERNMENT ENTITIES' PROCUREMENT PRACTICES

The OCG initiated ten (10) new Procurement Audits for the year 2010. An additional six (6) were brought forward from 2009. As at the time of the initial writing of this Report, seven (7) of the referenced Audit Reports had been completed, and the respective Public Bodies were advised of the Findings and related Recommendations that were advanced by the OCG in connection therewith. The remaining Audit Reports were at varying stages of completion and are scheduled to be completed in 2011.

The OCG intends to conduct Audits of all 190+ Procuring Public Bodies by the end of the year 2015. The Audits are being conducted in an effort to assess the internal procurement methodologies and procedures of Public Bodies, and their levels of compliance with the prescribed Government of Jamaica Procurement Procedures.

The Findings of the Audits are usually communicated to the respective Public Bodies, along with remedial Recommendations that are designed, among other things, to improve their levels of compliance.

The responsibility, therefore, rests with each Public Body to implement the Recommendations that have been offered by the OCG. I would, therefore, respectfully encourage the country's Public Body Heads to make every good effort to take same on board for, in the final analysis, it is by this route that irregularity, impropriety, waste, corruption and fraud will be excised from the Government's Procurement and Contract Award Processes.

As a part of the OCG's Strategic Objectives for 2011, the OCG will also be commencing a comprehensive Audit of the Contract Award and Procurement Processes of all of the country's Parish Councils.

Full particulars of the results of the above-referenced Audits of Public Bodies are discussed in the section of this Report which is entitled **Monitoring of Non-Construction Contracts, Licences, Permits and Concessions**.

OCG'S FACILITATION AND SUPPORT OF THE NCC, ITS MEETINGS, ITS CONTRACT ENDORSEMENTS AND ITS CONTRACTOR REGISTRATIONS

The Technical Services Department (TSD) of the OCG, which partly serves as the NCC's Secretariat, 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 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.¹

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.

The full particulars of the TSD's activities throughout 2010 are comprehensively presented in the section of this Report which is entitled **Technical Services Division**. Additionally, the 2010 particulars of the NCC's 348 contract endorsements are outlined in **Appendix IV to this Report**.

THE OCG's DISSEMINATION OF INFORMATION TO ITS STAKEHOLDERS AND ITS UTILIZATION OF MEDIA RELEASES

The OCG's official website, which can be accessed at www.ocg.gov.jm, is the primary portal through which a wide variety of information regarding the operations of the OCG and the NCC can be accessed by the OCG's stakeholders at any time.

The OCG, in 2010, issued 5 Letters to the Editors of the Print Media, and 67 official OCG Media Releases, exclusive of the OCG's monthly Press Releases of NCC contract endorsements. This compares with 4 Letters to the Editors of the Print Media and 37 Media Releases, which were issued by the OCG in 2009. Once they are issued, OCG Media Releases are typically published on the OCG's website within minutes.

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. The initiative was specially designed by me to educate, update and/or to inform the Nation about certain OCG issues, initiatives, positions and concerns – inclusive of matters that are related to OCG Special Investigations and Public Sector procurement related issues – which the OCG has deemed to be of sufficient public interest to warrant immediate publication to its stakeholders.

The Media has a critical, if not indispensable, role to play in ensuring that the operations and work of the OCG, it being an Independent Anti-Corruption Commission of Parliament, is subjected to constant public scrutiny. I not only welcome, but must also openly encourage this scrutiny in the public interest.

Again, I am obliged to utilize this medium to publicly thank the members of the Jamaica Media Fraternity for their continued and invaluable support in making public the matters that are the subject of the OCG's Media Releases. I must also thank them for the heightened interest that they have displayed in the fight against the scourge of corruption in Jamaica in 2010.

For ease of reference, and to provide an insight into the extent to which the OCG has gone to keep its stakeholders constantly apprised and updated on its work, its concerns and its positions on a variety of pertinent issues, I have set out, hereunder, the titles of the 67 Media Releases and the 5 Letters to the Editors of the Print Media that were published by the OCG in 2010.

¹ The OCG's records indicate that the referenced numbers are the lowest that have been recorded since 2005. Based upon the empirical data which the OCG has before it, I am, however, of the view that the relatively low overall number of contracts that were endorsed by the NCC, and the subsequent dollar value which was produced, in 2010, were partly as a result of the down-turn in the economy during the year, as well as the omission from the subject NCC data of the Government of Jamaica's Jamaica Development Infrastructure Programme (JDIP) contract, which was valued at approximately US\$400 million dollars or J\$35.6 Billion. The contract in question was awarded by the National Works Agency (NWA), via the Sole Source Procurement Methodology, to the Chinese contractor, China Harbour Engineering Company Limited (CHEC). The NCC, at its meeting of January 13, 2010, 'NOTED' that the contract was a Government to Government Agreement, between the Government of China and the Government of Jamaica, in the amount of US\$400 million, and expressed its concern that a contract of that size and value was not subjected to competitive tender process, to secure value for money.

The content of all of the referenced documents can be viewed or downloaded from the OCG's official website at www.ocg.gov.jm.

Media Releases

1. 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)
2. 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)
3. OCG Hands Over Seventy-Four Exhibits Of Evidence To Fraud Squad In Ongoing Investigation Into National Housing Trust Contractors (January 12, 2010)
4. Contractor General Selected To Represent Jamaica In Corruption Control Programme In Singapore (January 26, 2010)
5. OCG Formally Responds To Letter Received From "Air Jamaica Staff" (February 2, 2010)
6. 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)
7. 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)
8. 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)
9. 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)
10. 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)
11. OCG Concludes Special Investigation Into Award Of Contracts By The Security Forces To Taylor And Associates For The Supply Of Ammunition (February 25, 2010)
12. Office Of The Contractor General Concludes Special Investigation Into The Procurement Practices Of The Ministry Of Health (March 3, 2010)
13. Contractor General Responds To Comments Made By Minister Edmund Bartlett Regarding The American Airlines Airlift Guarantee Agreements (March 4, 2010)
14. 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)
15. Important Media Notification From The Contractor General Regarding A Matter Of Public Interest (March 11, 2010)
16. 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)

17. 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)
18. Contractor General Makes Recommendations For The Establishment Of An Independent National Anti-Corruption State Agency (March 22, 2010)
19. 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)
20. 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)
21. 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)
22. 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)
23. 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)
24. Architect Raymond McIntyre Appointed As New Chair Of The National Contracts Commission (April 20, 2010)
25. 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)
26. 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)
27. Court Actions Brought By Former Office Of The Contractor General Employees Struck Out By Supreme Court On Procedural Grounds (May 1, 2010)
28. 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)
29. Office Of The Contractor General Registers Unprecedented 100% QCA Report Compliance Rate For The Fifth Consecutive Quarter (May 4, 2010)
30. Office Of The Contractor General Takes Decision To Launch Special Investigation Into Security Contract At Norman Manley International Airport (May 6, 2010)
31. OCG Senior Director Selected To Represent Jamaica At Commonwealth Secretariat Conference On Public Procurement (May 11, 2010)
32. Statement Of The Office Of The Contractor General Regarding The Manatt, Phelps And Phillips Matter (May 16, 2010)
33. 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)

34. Open Statement Of The Contractor General, Greg Christie, Regarding Prime Minister's Commitment To Fight Corruption (May 19, 2010)
35. 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)
36. Contractor General Launches Special Investigation Into Government's Divestment Of Its 45% Stake In Jamalco (June 1, 2010)
37. Contractor General Proposes Introduction Of 'Anti-Corruption Clause' To Stem Corruption In The Award Of Government Contracts (June 3, 2010)
38. Contractor General Invites Attorney General To Reconsider Positions On OCG's Jurisdiction In Light Of Legal Opinion Of Queen's Counsel (June 4, 2010)
39. 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)
40. OCG Makes Public Issues, Concerns And Findings Regarding Arrangements Between Government And Us Airways (June 10, 2010)
41. Contractor General Cautions Minister Bartlett And Permanent Secretary About Denying Representations Made By Them To The OCG (June 11, 2010)
42. OCG Concludes Investigation Into Government Contract Awards For The Olympic Athletes Homecoming Week Of Celebrations (June 17, 2010)
43. Contractor General's Letter To Gleaner Editor In Response To Editorial Entitled: The Controversial Cap Shares (June 19, 2010)
44. OCG Conducts Unannounced Audits At The Petroleum Corporation Of Jamaica And The Ministry Of Energy To Sequester LNG Contract Records (June 22, 2010)
45. OCG Expresses Concern Regarding Statements Made By Former Permanent Secretary In The Ministry Of Information, Culture, Youth And Sports (June 28, 2010)
46. Statement Of The Contractor General In Response To Media Report (July 12, 2010)
47. OCG Registers Record 100% QCA Report Compliance Rate For The Sixth Consecutive Quarter - Contractor General Challenges Public Officers (August 9, 2010)
48. Office Of The Contractor General Launches Major Investigation Into Contract Award Irregularities At The St. Catherine Parish Council (August 16, 2010)
49. OCG Expands Ambit Of Investigation Into Government Contracts Awarded To Strathairn Construction - Accepts Apology Of MP Warmington (August 19, 2010)
50. Office Of The Contractor General Concludes Special Investigation Into Oil-Lifting Contracts Between PCJ And Trafigura Beheer (August 23, 2010)
51. OCG Concludes Investigation Into Alleged "Sweetheart Deals" Involving The Government And The Former Dehring, Bunting And Golding (DB&G) Ltd (August 26, 2010)
52. Office Of The Contractor General Concludes Special Investigation Into Award Of Multi-Million Dollar Consultancy Contract To Aubyn Hill (September 13, 2010)

53. 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)
54. Contractor General Submits 2009 Annual Report To Parliament (September 21, 2010)
55. Media Inference That DPP Did Not Acknowledge Receipt Of OCG Statutory Referrals Is Inaccurate (September 24, 2010)
56. OCG Issues Preliminary Response To Rulings Of The Director Of Public Prosecutions In The OCG's JUTC Investigation (September 27, 2010)
57. 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)
58. Transparency International's Jamaica 2010 CPI Standing To Be Welcomed With Caution As There Is Much Work To Be Done (November 2, 2010)
59. Office Of The Contractor General Registers Unprecedented 100% QCA Report Compliance Rate For The Seventh Consecutive Quarter (November 3, 2010)
60. Contractor General To Attend 14th International Anti-Corruption Conference (IACC) In Bangkok, Thailand (November 3, 2010)
61. OCG's Response To Gleaner Column Entitled "Calamity At Caymanas Track - OCG Lured Into Unauthorized Probe" Written By Gordon Robinson (November 15, 2010)
62. Contractor General Denies News Report Carried By Nationwide News Network (November 17, 2010)
63. OCG Raises Alarm About Propriety And Legality Of Cabinet Directive - Unable To Support Contractor Registration Moratorium (December 1, 2010)
64. Keynote Presentation By The Contractor General On "Key Leadership Qualities" - UWI Mona School Of Business 2010 Graduate Awards Ceremony (December 8, 2010)
65. Public Statement Of The Office Of The Contractor General On International Anti-Corruption Day (December 9, 2010)
66. OCG Writes To Government To Query Veracity Of Newspaper Article Alleging Secret Negotiations For Sale Of Sandals Whitehouse Hotel (December 13, 2010)
67. Director Of Public Prosecutions Concedes That Her Ruling In The OCG's JUTC Investigation Regarding Susan Simes Was Factually Flawed (December 23, 2010)

Letters to the Editor of the Print Media

1. Letter to the Editor Of The Sunday Herald Newspaper - Re Article Entitled - "Chin's Construction Gets Millions In Contracts" (January 11, 2010).
2. Letter to the Editor Of The Sunday Herald Newspaper - Re Article Entitled - "Discord Increases Between OCG And DPP" (April 18, 2010).
3. Letter to the Editor Of The Gleaner Newspaper - Re Editorial Entitled - "The Controversial Cap Shares" (June 19, 2010).

4. Letter to the Editor Of The Observer Newspaper - Re Column "Heart To Heart" - A High Price To Pay For Integrity (August 24, 2010).
5. 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)

THE PERCEPTION OF CORRUPTION IN JAMAICA THROUGH THE EYES OF TRANSPARENCY INTERNATIONAL AND WHAT IT PORTENDS FOR JAMAICA

In October 2010, the global anti-corruption watchdog, Transparency International (TI), released its 2010 Corruption Perception Index (CPI) Standings in which Jamaica was singled out as having received a CPI score of 3.3 and a country ranking of 87 out of 178 countries. The country's 2010 performance represented an improvement over its 2009 standing of a CPI score of 3.0 and a country ranking of 99 out of 180 countries.

It is instructive to note that no reasons were given by TI for the improved standing. Consequently, no one knows for certain to what specific anti-corruption efforts, if any, was the perceived improvement attributable or what are the areas in which major improvement is now perceived to be required.

More significantly, however, although Jamaica's 2010 CPI performance has temporarily halted the three (3) year decline in the negative CPI standings which have plagued the country since 2007, in the grand scheme of things the 2010 CPI score of 3.3 and the 87th country ranking is really a meagre and modest gain.

Indeed, in the past nine (9) years, Jamaica has never scored higher than 4.0 on the CPI where 10 is perceived to be least corrupt and 1 as most corrupt.

Transparency International Annual Corruption Perceptions Index

Year	CPI Score	Country Rank	Total Countries Ranked	Independent Surveys Used
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

Table showing Jamaica's Corruption Perception Index (CPI) ranking over a 9 year period

To put things in another perspective, Barbados, one of Jamaica's regional counterparts, in 2010, achieved a CPI score of 7.8 and a world ranking of 17 out of 178 countries, and thus stands as a vivid reminder of how deep the relative perception of corruption is in Jamaica.

The OCG, from its unique vantage point, is of the considered view that corruption is very much alive and kicking in Jamaica today. It follows, therefore, that we should not allow the 2010 TI ranking, although promising, to deflect our attention away from the magnitude of the task that lies ahead.

With Jamaica's current and historical rankings on the Transparency International Corruption Index, one wonders whether the Parliament and the Executive are fully understanding of the adverse implications of this continued plague on the nation's image, and the negative prospects that it poses for any chance that the country might have otherwise had for achieving an acceptable level of sustained economic development, and for attracting much needed foreign direct investment to our shores.

Indeed, the OCG continues to question the depth and the sincerity of the Government's stated commitment and Political Will to dealing with the problem of corruption in Jamaica and in 'cleaning-up', in particular, the Government of Jamaica Public Sector Procurement, Contract Award and Contractor Registration processes.

To be candid, the OCG is frustrated with the Administration's seeming indifference to its pleas for the referenced matters to be addressed. In keeping with its Statutory mandates under the Contractor General Act, countless remedial and corrective Recommendations have been made, time and time again, by the OCG, under my watch, and under that of my predecessors in office, to the Executive and the Legislative arms of the State, but, to date, very little has been accomplished.

The truth is that there is much work to be done by the Executive and the Legislature to effectively fight the scourge of corruption in Jamaica which, by its very nature, is a cancer which becomes increasingly pervasive if it is not surgically checked and excised in an aggressive and expeditious manner.

I have, for example, also sought to bring to the public fore the fact of the arrest, prosecution and/or conviction, in other jurisdictions, of senior public officials for acts of corruption – acts of corruption which, by our own shockingly low standards in Jamaica, would either be classified as an acceptable business practice, or otherwise to be apparently too insignificant or *de-minimis* to warrant either the implicated public official stepping down from office², or the attention of our criminal law enforcement or prosecutorial authorities.

The referenced matters represent clear examples of countries that are truly committed to (a) the eradication of corruption in any shape or form from within their borders, (b) good governance practices, transparency and accountability in Government and (c) a firm, unswerving and dispassionate adherence to the Rule of Law.

Regrettably, however, the efforts of the OCG to highlight these best practice examples have apparently gone unnoticed by our duly elected and appointed officials who, so far, have failed to take the required decisive and aggressive steps to eradicate corruption from our shores once and for all.

Urgent and decisive action needs to be taken to review and to strengthen the efficiency and the effectiveness of the country's anti-corruption institutional and legislative frameworks, and to significantly increase the sanctions which currently exist for breaches of the anti-corruption laws, inclusive of breaches of the Corruption Prevention Act, the Parliament (Integrity of Members) Act, the Contractor General Act and the Government's Procurement Regulations.

We must urgently get to the point where breaches of the country's anti-corruption laws are efficiently detected, promptly and comprehensively investigated, and expeditiously and effectively prosecuted before the courts, without fear and without favour. Criminal convictions must be secured and examples must be set so that an environment of fear and deterrence is established. A clear signal must be sent that absolutely no one, irrespective of his colour, his economic standing, his social status, his political connections, his address or his station in life, is above the law.

² During the final editing of my Remarks, I came across an Associated Press (AP) story, dated September 14, 2011, that was entitled '**Brazil's tourism minister resigns amid scandal**'. The story read thus: "*Brazil's tourism minister has resigned amid allegations of misusing public funds. Pedro Novais is the fifth minister to resign since June. No replacement has been named. The newspaper Folha de S. Paulo ran articles accusing the minister of allowing his wife to use a government driver for errands. He's also accused of using congressional funds to pay for a maid. The president's chief of staff resigned in June amid questions about a spike in his wealth. The minister of transportation was removed in July because of corruption allegations. The minister of defense was removed from office early in August after he openly criticized President Dilma Rousseff's government. And the minister of agriculture quit that month amid corruption allegations.*"

Without prejudice to my proposal for the establishment of a Single Independent Anti-Corruption State Agency for Jamaica, it is my considered belief that until these remedial actions, amongst others, are demonstrably realized for all to patently see, no meaningful progress will be made in the long and tough battle which must be fought to overcome the monster of corruption which continues to stalk Jamaica and which is currently obstructing the majority of the Jamaican People from attaining their full socio-economic potential.

PROPOSAL FOR A SINGLE INDEPENDENT ANTI-CORRUPTION STATE AGENCY IN JAMAICA

On March 22, 2010, I wrote an open letter to the Hon. Prime Minister, the Most Hon. Leader of the Opposition, the Hon. Speaker of the House of Representatives and the Hon. President of the Senate, recommending the establishment of a Single National Independent Anti-Corruption State Agency for Jamaica.

It was proposed that, at a minimum, the Agency would embrace the functions and mandates of the Integrity Commission, the Corruption Prevention Commission and the Office of the Contractor General, and would be vested with the power, under the Constitution, to, *inter alia*, “*criminally investigate and to independently prosecute all corruption and corruption related criminal offences.*”

It is my considered view 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 anti-corruption institutional framework – a framework that 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.

While my letter was acknowledged by at least one (1) of the parties, and the proposed concept was the subject of widespread public support, the proposal, as at the time of the writing of this Report, appears to have been ‘shelved’. This is an unfortunate development, since any effort on the part of the Administration, and/or the Opposition, to establish such an Agency, would have demonstrated a clear commitment by the State to come to grips, once and for all, with the grave and ominous threat which corruption now poses for the future socio-economic fortunes of our beloved Jamaica and its People.

Although the OCG believes that 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 is an undeniable and incontrovertible fact that it simply does not go far enough. For although the concept of the Office of the Special Prosecutor, as presently conceived, will have criminal arrest and limited prosecutorial powers, it has curiously sought to merge only the Jamaica Parliamentary Integrity Commission, and the Corruption Prevention Commission, but has excluded, from its purview, the OCG.

The referenced omission is cause for grave concern, for it is a trite and 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-owned assets. How then, in such circumstances, can an Office of the Special Prosecutor be seriously advanced by any Government as the State’s all-embracing National Anti-Corruption Agency when it has not been constructed to deal with corruption in public contracting?

The Administration’s exclusion of the OCG from the purview of the concept of the proposed Special Prosecutor, and its inexplicable failure to otherwise give the OCG real teeth in the form of criminal arrest and prosecutorial jurisdiction, is, in the above-referenced circumstances, not only mind-boggling, but has raised very worrying questions about the depth of the Political Will of the Executive and the Parliament to deal forthrightly, comprehensively and convincingly with the problem of corruption in Jamaica.

The OCG is of the strong belief that, given Jamaica's unique corruption challenges, any single National Independent 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 Jamaican 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.³

ANTI-CORRUPTION PROPOSAL FOR MANDATORY DISCLOSURE OF BENEFICIAL OWNERS OF PRIVATE ENTITIES DESIROUS OF BIDDING ON GOVERNMENT CONTRACTS

My mandate under Section 4 (1) of the Contractor General Act, requires me to “ensure” that Government contracts are awarded impartially and on merit, and in circumstances that do not involve impropriety or irregularity. I, along with every officer of the Office of the Contractor General, have subscribed to a solemn oath to do this.

As a certified ISO 9002 International Quality Systems Implementer and Lead Auditor, I am of the firm belief that my mandate, under the Contractor General Act can be easily discharged if whenever I identify breaches, deficiencies, loop-holes, gaps, or lacunas in the application of the Government's Procurement Procedures, or in the laws which govern public contracting, my response is to undertake a root-cause analysis of the issue and, thereafter, develop and propose a suitable remedial or corrective action which will ensure that the subject mischief is effectively cured.

The OCG has, during my tenure, developed and presented to the Executive and Legislative arms of the Jamaican State, innumerable Recommendations and proposals in the foregoing regard.

One such proposal was advanced by me on February 19, 2010, when I wrote to the Government to outline a detailed proposal for the mandatory disclosure of particulars of the beneficial owners of all Private Entities that are desirous of bidding or tendering on Government contracts which exceed \$275,000 in value.

I was prompted to do this as the OCG has been observing a very worrying and growing trend of on-shore and off-shore incorporated private companies that are receiving Government of Jamaica contracts but whose human shareholders, and/or beneficial owners, are substantially unknown.

No one knows, for example, whether these persons are politicians, Parliamentarians, senior public officials, their nominees, their relatives, or simply persons who are being ‘paid back’, via the award of Government contracts, for favours done or political campaign contributions made.

³ The case for a Single Independent Anti-Corruption State Agency for Jamaica was comprehensively documented in a Keynote Presentation that was delivered by me, on March 23, 2011, at the First Regional Law Enforcement Anti-Corruption Conference that was convened in Kingston between March 21 and 23, 2011. The title of the Presentation was: “*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*”. The full text of the Presentation is available for download from the OCG's official website at www.ocg.gov.jm.

The anti-corruption proposal that was advanced by the OCG was, therefore, designed to combat what the OCG viewed as a corruption-enabling facility which was, and is still, enjoying the colour of law. Simply put, the measure was designed to significantly improve transparency in Government contracting by revealing the true identities of the true owners of companies and other private business entities that are receiving Government of Jamaica contracts.

In an OCG Media Release which was issued regarding the matter, the following observation was also made:

“Once the appropriate election campaign financing laws are enacted to, among other things, force the disclosure of the identity of political campaign donors and financiers, the OCG and other State anti-corruption agencies will have the ability to cross-check these names against an electronic database of persons who are the beneficial recipients of Government contracts. The OCG has already discussed the matter with the leadership of the Citizens Action for Free and Fair Elections (CAFFE) and will commit to the development of that electronic database”.

Full particulars of the proposal, inclusive of a specimen of the Disclosure Form, were formally conveyed by me to the Financial Secretary. My letter was also copied to the Prime Minister, the Minister of Finance and the Cabinet Secretary. In addition, the proposal was formally tabled, by the OCG, before the Committee which was established by the Prime Minister to review the Government's Procurement Policy, Procedures and Regulations.

However, and despite the OCG's efforts, it is worthy of note that the Cabinet of the Government of Jamaica failed to include the proposed provision in the approved Revised Handbook of Government Procurement Procedures. The new handbook was brought into force effective January 2, 2011, via a Ministry of Finance and Public Service Circular, No. 34, which was dated December 10, 2010.

PROPOSALS FOR (A) AN ANTI-CORRUPTION CLAUSE IN THE BODY OF GOVERNMENT CONTRACTS, (B) THE IMPOSITION OF A 'FIT AND PROPER' TEST FOR CONTRACTORS AND (C) THE REGULATION OF SUB-CONTRACTORS

Another very important anti-corruption measure that was formally proposed by me, to the Administration, in 2010, was the introduction of what is called an 'Anti-Corruption Clause' to be inserted in the body of Government contracts.

The concept, as proposed, was designed to create a powerful disincentive for Private Sector contractors who may otherwise be inclined to illegally collude with corrupt politicians and Public Sector officials to obtain Government of Jamaica contract awards.

In essence, the proposed Anti-Corruption Clause is a written warranty which every contractor, who tenders on a Government contracting opportunity, would be required to give warranting that no one has received or will receive a commission, fee, or benefit of any kind in order to influence the award of the contract.

The warranty, which would be embodied in both the tender and the contract documents, would be underpinned by a further contractual undertaking, given by the bidder or contractor, to pay to the Government a fixed penalty of say 15% of the contract value in the event that the warranty is later discovered to have been breached.

The Clause, which has been successfully used in a number of other jurisdictions, would also render the contract null and void.

I also called for legislation to be urgently enacted to allow the Jamaica Constabulary Force (JCF) to determine who is a 'Fit and Proper Person' to be awarded a Government contract and to subject such certifications to re-evaluation and renewal each year. If a contractor is not in possession of a valid JCF 'Fit and Proper Person' certificate at the time of tendering, then his tender would be deemed null and void.

Finally, it was also proposed to the Government that sub-contractors who are engaged on high value Government Works projects should be subjected to the same 'checks and balance' regime to which Government contractors are subjected.

Under law, a Government contractor is the contractor who is directly awarded a Government contract by a Public Body. Such a contractor must not only be tax compliant but must also be assessed, graded and registered each year by the National Contracts Commission (NCC) in respect of its resource and performance capabilities. Additionally, the award of a Government contract to a Government contractor is also subjected to a plethora of regulatory laws, inclusive of the Government's Procurement Regulations and the Contractor General Act.

A sub-contractor, however, to whom a Government contractor can now freely issue a substantial portion of a Government contract award, is exempted from all of the foregoing checks and balances. At the time, the following observation was made by me:

"We believe that the situation is untenable and is inimical to the public interest. Not only does it provide a loop-hole through which Government contracts can be legitimately directed to unqualified, under-resourced and unregulated persons, but it also constitutes a perfectly legal conduit through which corrupt politicians and public officials can direct substantial portions of State contracts to their cronies and supporters".

STATEMENT ISSUED BY THE CONTRACTOR GENERAL ON INTERNATIONAL ANTI-CORRUPTION DAY, DECEMBER 9, 2010

Below, is a full transcript of the Statement that was issued by me to the Media on International Anti-corruption Day, December 9, 2010.

"As the global community celebrates International Anti-Corruption Day today by focusing upon how to overcome the challenges which continue to plague nation States in their respective fights against the scourge of corruption, Jamaicans may have very little to celebrate and much to be concerned about.

The United Nations has said that corruption is a global concern not only because it is found in both rich and poor countries, but because there is abundant evidence that it hurts poor people disproportionately, contributes to instability and poverty, and is a dominant factor which, if not checked, will drive fragile countries towards State capture or State failure.

The United Nations has also opined that corruption is a major international and national problem which has the capacity to undermine democracy and the Rule of Law.

Defined generally as the abuse of public office for private gain, corruption, which is often driven by individual greed, will manifest itself in ways which are inimical to the national security and political and socio-economic interests of the world community of countries, of which Jamaica is a part. Its impact is incredibly wide.

Corruption erodes the quality of life, leads to human rights violations, steals political elections, distorts financial markets, reduces investor confidence, increases the price of goods and services, undermines or destroys confidence in critical public institutions, and enables organized crime, terrorism and other threats to human security to flourish.

For developing countries such as Jamaica, the magnitude of the potential for the adverse socio-economic consequences which corruption portends can be substantial.

When unscrupulous business-men agree to pay corrupt public officials kick-backs for the award of lucrative State contracts, when public assets are sold below value to connected parties, when Government contracts or licences are awarded to politically connected persons or to corporate entities in return for political campaign donations, or when foreign financial aid is illegally diverted into the private bank accounts of public officials, it simply means that there will be less public funds 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.

In consequence, and although everyone in the society will suffer because of corruption, the most vulnerable – the poor – will suffer first and suffer the worst. Ultimately, the prospects for improving the socio-economic plight of an entire country are, at one and the same time, summarily impeded, compromised and undermined.

In an attempt to monetize the massive costs that corruption in procurement can exact from a People, Transparency International (TI), the International Anti-Corruption Watchdog, has 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, is an average of 10-25% and, in the worst cases, as much as 50%. In the case of Jamaica, it is instructive to note that more than \$90 billion was expended in 2009 alone in the procurement of Government works, goods and services contracts.

Corruption in public procurement also kills. According to TI, this happens, for example, when the execution of construction contracts are flawed, leading to the collapse of public buildings, or when substandard or counterfeit medicines fail to attend to People's health. Studies, which have been published by TI, have partly blamed the high death tolls of the devastating earthquakes in Turkey (1998), India (2001), China (2008) and Haiti (2010), on alleged corruption in the construction of public buildings, including schools and hospitals.

If corruption is to be effectively fought, it is also extremely critical that the environment in which it thrives is clearly delineated and understood. Corruption will almost, invariably, flourish in any or all of the following circumstances:

1. Where institutional checks and balances on governmental power are missing;
2. Where good governance and regulatory structures exist on paper only or do not exist at all;
3. Where there is an absence of transparency in governmental decision-making;
4. Where the rule of law is not fully enforced or respected;
5. When politicians, ministers of government or public servants are not held accountable for their actions;
6. Where civil society is thin on the ground;
7. Where the media is not independent, or is influenced or controlled by special interests;
8. Where there are no independent anti-corruption institutions;
9. Where anti-corruption institutions are inadequately resourced, are ineffective, are capable of being influenced or controlled by the political directorate, or are led by men and women who fail to understand what is the true import of their mandate;
10. When citizens become indifferent, lose courage, become fearful or fail to speak out despite the clear evils which they see; and
11. Where there is a failure to rigidly prosecute and to enforce national anti-corruption laws.

Today, as we review the issue of corruption in Jamaica, it is arguable that we may have already arrived at a critical cross-roads – a cross-roads at which the political will and the courage of the leadership of the State's key organs to decisively fight the scourge of corruption should be openly questioned, and quite rightly so. For it is no secret that a majority of Jamaicans may have already resigned themselves to the painful realization that corruption has probably become irrevocably and irretrievably ingrained in most, if not all, of Jamaica's political and socio-economic spheres.

It is against this background, therefore, and as the world focuses upon the debilitating consequences of corruption, and considers the measures which can be implemented to defeat it, that the Office of the Contractor General (OCG) feels obliged to respectfully call upon the Leadership of our Government, Her Majesty's Loyal Opposition, our Parliament, our Private Sector Associations, the Media, Civil Society Groups, and all right-thinking Jamaicans, to ensure that a defined and aggressive National Agenda is urgently set in place, and implemented, to effectively fight the perceived and rising levels of corruption which, from all indications, are presently casting a dark and long shadow over Jamaica.

Paramount among our key objectives must be a national anti-corruption institutional framework which should assure integrity, transparency and accountability in Government, and the strict enforcement of the rule of law.

A comprehensive National Anti-Corruption Agenda must also, of necessity, include, as one of its major planks, a substantially resourced single National Anti-Corruption Agency. Such an 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 over all corruption offences, as well as over offences which are associated with the award of Government contracts and the filing of declarations of incomes, assets and liabilities of public officers; and (c) possess special police powers of arrest.

The idea of a single National Anti-Corruption Agency for Jamaica, as outlined above, is not new and was first formally proposed by the OCG to the Hon. Prime Minister and the Most Hon. Leader of the Opposition by way of an open letter which was dated March 22, 2010. The proposal was also discussed and rationalized in the OCG's 2009 Annual Report that was tabled in Parliament in September 2010.

It is also the OCG's respectful and considered view that special provision should be made, as a matter of course, for the expedited adjudication of corruption offences through our national courts system, and for the imposition of significantly tougher criminal sanctions, inclusive of mandatory custodial and economic based penalties, for all corruption related offences.

If we are truly resolved to eradicating the cancer of corruption from our fair Isle, anything less is likely to prove ineffective, and will only lead to a further questioning of the State's continuing failure, or refusal, to abandon expediency in favour of bringing to book the corrupt among us who, because of their insatiable greed, have already placed the collective security and socio-economic future of an entire nation at risk."

RULINGS MADE BY THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS IN RESPECT OF REFERRALS MADE BY THE OFFICE OF THE CONTRACTOR-GENERAL

Pursuant to Sections 21 and 29 of the Contractor-General Act, a Contractor-General may make or may become obliged to make certain formal Referrals to the Office of the Director of Public Prosecutions (ODPP) for the appropriate action to be taken.

In this regard, and in relation to those of its Findings that were arrived at during or upon the completion of its Special Investigations, the OCG, in 2010, made a number of Referrals to the Director of Public Prosecutions (DPP) for her determination.

To be specific, the DPP ruled on the matters that were presented to her in 2010 regarding the OCG's Findings in its Trafigura Beheer Oil Lifting Contracts and the Ministry of Agriculture/Aubyn Hill Consultancy Contracts Investigations. The Learned DPP, Ms. Paula Llewellyn, QC, CD, also issued her Ruling in respect of certain Findings which had been previously referred to her upon the submission, in 2008, of the OCG's Report of Investigation into the Jamaica Urban Transit Company (JUTC) matter.

The OCG, although it was pleased that the Learned DPP had ruled on the matters that were properly referred to her, was, nevertheless, concerned about certain specific elements of the Rulings. The OCG was also extremely concerned about those of the DPP's Rulings that were curiously made in respect of matters that had not been referred to her by the OCG and, more importantly, in respect of which she had no lawful authority or basis upon which to issue a Ruling.

The latter matter, in particular, was of very grave concern to the OCG as it casted doubt upon, and discredited, the Findings of the subject Investigation Report in its entirety. All of the referenced matters were addressed, in detail, in a letter which was written by me to the Learned DPP on October 14, 2010, and in which clarification, regarding the said matters, was respectfully sought by the OCG from the Learned DPP.

At a formal sitting of a **Joint Select Committee of the Parliament**, which was convened on February 17, 2011 to review the Reports of the OCG, I responded to a 'question' which had been previously posed to me by Member Gregory Mair of the ruling Jamaica Labour Party (JLP). Mr. Mair's 'question' was raised in the following terms: *"Challenging the Director of Public Prosecutions (DPP)"*.

My considered and written response to Member Mair's 'question', which was embodied in a formal OCG document that was tabled before the Committee, and in which I addressed, among other things, the above-referenced Rulings of the Learned DPP, is now reproduced hereunder, with very minor edits, as follows:

"The OCG would have preferred not to publicly comment on this matter any further than it has in the past. However, the OCG feels obliged to respond to the specific questions and issues which have been raised by the Committee and to do so in a forthright and candid manner.

The OCG's positions, as regards matters which it has referred, to date, to the Office of the Director of Public Prosecutions (ODPP), have been concerned with either (a) the OCG's formal submission of its Annual Reports to the Parliament of Jamaica regarding the execution of its functions as is prescribed by Section 28 (2) of the Contractor General Act, (b) efforts on the part of the OCG to point out, for the benefit of the ODPP, certain erroneous misstatements of fact, and of law, upon which the ODPP had publicly premised its formal Rulings in relation to the Investigation Reports of the OCG and/or (c) attempts by the OCG to seek from the ODPP clarification as regards certain very important elements of its public Rulings which, if they are not addressed or satisfactorily resolved, will portend serious and grave implications for the integrity and effectiveness of the work of the OCG going forward.

Before addressing any of the said positions, however, it is important that the OCG records, up front, the fact that it fully recognizes and accepts the lawful authority of the ODPP, under the Constitution, to commence or to stop any criminal proceeding in any matter as it alone shall deem fit.

As the ODPP will itself confirm, the OCG, in all of its formal Referral communications to that Office, has never failed to unequivocally acknowledge, in writing, that it *"recognizes, respects and fully accepts the constitutional authority of the Office of the Director of Public Prosecutions to proceed in this matter as it alone, in its discretion, shall deem fit."*

However, and without prejudice to the foregoing, it must also be understood, on the other hand, that the Commission of the Contractor General is an Independent and Quasi-Judicial Authority which has been expressly established under the Laws of Jamaica with the powers of a Judge of the Supreme Court of Jamaica.

Included among the OCG's powers, is the expressed statutory authority, under the law, to arrive at a Quasi-Judicial Finding of Fact 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"* (Ref. Section 21 of the Contractor General Act).

In light of the foregoing, it is, therefore, evident that although the ODPP, in its sole discretion, may choose not to proceed with the prosecution of a matter because of what it might deem to be insufficient evidence, this does not, and cannot, by itself, nullify the lawful legitimacy of the Statutory and Quasi-Judicial Findings of the OCG.

With that being said, the OCG's primary positions, to date, regarding matters which have been referred by the OCG to the ODPP, are outlined hereunder as follows:

- A. **Annual Report of the OCG for 2009** – This is the means by which the OCG has formally reported, to the Parliament of Jamaica, on, among other things, the status of the various matters which were pursued by it throughout the referenced calendar year in the discharge of its functions under the Contractor General Act.

Having made certain Referrals to the ODPP, pursuant to Section 21 and Section 29 of the Contractor General Act, as well as to other designated State Authorities, such as the Auditor General, the Attorney General, the Commissioner of Police and the Corruption Prevention Commission, the OCG was obliged to report to Parliament on the progress and status of the said Referrals.

It should also be noted that information which was presented to the Parliament, by the OCG, in the foregoing regard, formed a critical part of the bases upon which the OCG has made its considered Recommendations for the urgent establishment of a Single National Anti-Corruption Agency in Jamaica having independent criminal investigative and prosecutorial powers under the law.

In the foregoing regard, please refer to the OCG's 2009 Annual Report for further details of the said matters as follows:

- (i) Pages 11 to 12 - *"Formal Statutory Recommendations and Referrals Made By The OCG"*;
- (ii) Pages 12 to 15 – *"Formal OCG Referrals Made To The Office Of The Director of Public Prosecutions (ODPP) – Issues Regarding The Enforcement Of The Laws Of Jamaica"*;
- (iii) Pages 15 to 17 – *"The Consequences Of The Failure Of The Jamaican State To Deal Decisively With Corruption – The Perception Of The International Community"*;
- (iv) Pages 17 to 19 – *"A Proposed New Approach In The Fight Against Corruption In Jamaica"*.
- (v) Pages 153 to 174 – *"Summary of Special Investigation Referrals"*.

- B. **JUTC Investigation Report** – The Learned DPP, in her public Ruling, regarding the issue of the criminal culpability of Ms. Susan Simes, made a critical and material misstatement of fact with respect to the date on which Mr. Douglas Chambers, the deceased Chairman of the JUTC, was murdered.

The DPP's Ruling had erroneously suggested that Mr. Chambers was murdered during the first or second week of August 2008, a date which was in point of fact several weeks after he was brutally killed on June 27, 2008, in what was a highly publicized event.

In delivering her Ruling, which was published on September 27, 2010, the DPP held that the OCG's Finding, that Mr. Chambers was murdered on June 27, 2008, was inaccurate and, on that basis, she ruled that there was no criminal culpability on the part of Ms. Susan Simes.

Because of the implications that the DPP's flawed public Ruling had for the credibility of the OCG's Report of Investigation, as well as for Ms. Susan Simes, whose culpability in the matter was implicitly deemed by the DPP to hinge upon whether she had acted before or after the date of Mr. Chambers' death, the OCG wrote to the DPP on September 27, 2010, and again on October 14, 2010, to advise her of her grave misstatement of fact regarding the matter.

Not receiving a response, the OCG wrote to the DPP again on December 16, 2010, to express its strong concerns about her failure to publicly revise her Ruling, whereupon the DPP conceded her error to the OCG in a letter that was dated December 22, 2010. The DPP's admission of her error in the matter was, however, publicly disclosed not by her, but by the OCG on December 23, 2010, via the issue of an official OCG Media Release.

Secondly, in her public Ruling, the Learned DPP purported to adversely "rule" on matters, and on persons, which were never referred to her by the OCG.

In particular, with respect to two (2) members of the then JUTC Board of Directors, Mr. Dennis Chung and Mr. Rae Barrett, the Learned DPP ruled that *"there was no material to suggest that there was any conspiracy on the part of persons to commit any criminal act"*. By so doing, the Learned DPP publicly inferred that the OCG had conveyed a criminal Referral to her, regarding the two (2) men, that was unsubstantiated.

However, neither of these men was in fact referred by the OCG, to the Learned DPP, for any criminal conduct whatsoever. The matters in respect of which they were referred were **civil law matters** which had to do with clear breaches of their fiduciary and statutory duties, as JUTC Board Directors, under the common law and the provisions of the Public Bodies Management and Accountability Act.

Indeed, the matters in question were properly and formally referred, by the OCG, to the Office of the Attorney General for its consideration. They were not referred to the ODPP for the simple reason that the Learned DPP has no authority or power to make a lawful ruling with respect to civil law matters.

The OCG's concerns regarding the matter were heightened by the fact that this was not the first time that the Learned DPP had misguided the public on matters which were referred to her by the OCG. Indeed, in a letter to the Learned DPP, which was dated October 14, 2010, regarding the matter, the OCG expressed its concerns in the following terms:

"It is without doubt that in instances where the ODPP proceeds to rule on matters which were neither Referred by the OCG and/or contemplated in the OCG's Report of Investigation, it creates an indelible aura regarding the legitimacy, substance and form of the OCG's considered Findings, Referrals and Conclusion, when, in fact, no such Findings were reported by the OCG."

The seeming expansive divergence between that which is referred to the ODPP by the OCG and certain of those Rulings by the ODPP has served to fuel unfair and unwarranted criticisms of the OCG regarding its diligence, professionalism and the veracity of those of its documented Findings which are informed by sworn statements. In point of fact, the belief has been publicly inferred that the OCG has overreached, opined on de minimis matters and/or recklessly discharged its statutory mandate – matters which cannot be credibly supported by the documented facts which exist."

The compounded effects of the ODPP's Rulings on matters which have not been referred to it, and their consequential exponential implications for Jamaica's systems of governance, have warranted the OCG's concerns, not only as it pertains to the implications for the credibility of the Commission of the Contractor General, but also as regards the principles of accountability and the wider rule and appreciation of the written law."

(NB. A copy of the OCG's letter of October 14, 2010, which was directed to the DPP in the foregoing regard, was produced to the Committee as an exhibit).

- C. Ministry of Agriculture & Fisheries (MAF)/Aubyn Hill Consultancy Contract Investigation Report** – Subsequent to (a) the OCG's formal submission of its Report of Investigation in the captioned matter, (b) the publication of the DPP's Rulings thereon, (c) the making of certain public statements by the MAF and the three (3) MAF officials who were implicated in the matter, and (d) the raising of a number of adverse questions in the public domain, regarding the OCG's Report, which were premised upon erroneous information and widely published misstatements of fact, the OCG felt constrained to issue a formal Statement to the Parliament of Jamaica in its efforts to address the issue and to publicly clarify its positions regarding the said questions. The referenced Statement of the OCG was dated October 5, 2010.

The OCG, in issuing its Statement, believed that the public interest would be best served if its positions, in respect of the above-referenced questions, were lucidly, forthrightly and dispassionately articulated.

In issuing its Statement, the OCG was careful to acknowledge the constitutional authority of the ODPP when it clearly commented as follows:

"After considering the OCG's Report, the ODPP determined that there was no basis for commencing criminal proceedings against any of the three (3) men. That is the right of the ODPP. Indeed, in referring the said matters to the ODPP, the OCG in no way directed or attempted to direct the ODPP or made any recommendation whatsoever to the ODPP but clearly expressed that the matter was being referred "to the Learned Director of Public Prosecutions for such further action as she may deem to be appropriate".

One of the questions which had been raised in the public domain, regarding the OCG's Report of Investigation, was whether the OCG had "over-reached" in the discharge of its statutory mandates, or had acted unlawfully or with indiscretion.

The OCG responded by stating that it was firmly fortified in its view that it had faithfully and lawfully discharged its mandate under the Contractor General Act and that it had dispassionately arrived at its positions after having conducted a thorough Investigation into the matter, inclusive of an objective assessment of the sworn evidence and all of the circumstances of the case as was presented to it.

The OCG also stated that it was acutely aware that it was likely to be criticized and ridiculed for taking a stand which some may have regarded as a stand which was not in keeping with the popular grain of public opinion. However, the OCG emphasized that taking a popular stand was not what the OCG was supposed to be about, nor was it what the OCG was about.

The OCG stated that its sole objective was about discharging its mandate, faithfully and dispassionately, and fairly but fearlessly, in accordance with the law and in the interests of the People of Jamaica. The OCG also stated that, in the final analysis, its job must be about the search for the truth.

A copy of the OCG's Statement of October 5, 2010 has already been made available to every Member of both Houses of Parliament. Consequently, the OCG will submit only one (1) copy of its Statement to the Committee for its record.

(NB. The above-referenced Statement can be found on the OCG's website at www.ocg.gov.jm in the form an OCG Media Release, which was issued on October 5, 2010. The Release is entitled: *"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"*).

- D. **Trafigura Beheer Investigation Report** – In the instant matter, the OCG, by way of a letter, which was dated October 14, 2010, sought clarification from the Learned DPP with respect to several aspects of her Ruling.

In her public Ruling, which was dated October 8, 2010, the DPP provided reasons as to why she felt that she could not commence criminal prosecution proceedings against Mr. Colin Campbell, despite conceding that she had established the presence of the fundamental elements of the *mens rea* and the *actus reus* of the crime in question.

Four (4) of the six (6) reasons which the DPP gave in her public Ruling, for not proceeding, related to the lapse of time (viz. four years) between the commission of the alleged offence/offences and the date upon which same was referred by the OCG to the ODPP.

The OCG was concerned about the matter since **it is a trite principle of Jamaican law that there is no statute of limitations regarding the prosecution of criminal offences**. Consequently, the OCG wrote to the ODPP on October 14, 2010 to seek its clarifications regarding the matter, particularly in light of the implications that the Ruling could have on the future work of the OCG.

Further, the DPP had also relied upon what was a patent misstatement of the applicable law as one of her reasons for not proceeding to prosecution. She ruled that the offence in question, which is prescribed by Section 29 of the Contractor General Act, *"... is a summary offence and one for which the maximum penalty is \$5,000.00"*.

In actuality, however, and contrary to the Ruling of the DPP, Section 29 of the Contractor General Act provides for a penalty of *"... a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment."*

The OCG was also very concerned, and continues to remain very concerned, regarding the matter, as the Ruling of the DPP inferred that because the prescribed sanctions for the offences were, in her view, *de minimis*, she could not proceed to prosecution despite the fact that the said offences are matters which have been legislated by the Parliament as criminal offences.

To put the implications of the DPP's Ruling into their full perspective, it is instructive to note that the foregoing penalty is the only one which is specified under Section 29 of the Contractor General Act, by the Parliament of Jamaica, for (a) wilfully making a false statement to mislead or attempting to mislead a Contractor General, (b) obstructing, hindering or resisting a Contractor General and/or (c) failure to comply with a lawful requirement of a Contractor General.

It must also be emphasized that the said prescribed sanctions form a critical and indispensable plank of the substratum of the OCG's compliance mechanisms.

Consequently, if, as the Learned DPP has inferred, the '*de minimis*' nature of the offences are such that she is not likely to prosecute them, then the obvious question which remains to be answered is what will this portend for the work of the OCG going forward, and its ability to effectively enforce compliance with the provisions of the Contractor General Act in its quest to stamp out corruption, impropriety and irregularity from the Government of Jamaica contract and licence award processes?

It is important to record that, despite the gravity of the issues which the OCG has raised with the DPP, the passage of 9 months (as at mid-2011), and two (2) further OCG letters, dated March 25 and April 1, 2011, that were written to the ODPP regarding the matter, the DPP is yet to formally respond to the OCG's requests for clarification as regards the referenced issues of concern.

Special Note

The OCG's stated concerns, regarding the patently flawed and questionable Rulings of the DPP, of October 8, 2010 in the Trafigura Beheer matter, as regards not prosecuting Mr. Campbell, were given credence by at least three (3) germane events – all having to do with the ODPP – which took place subsequent to the said October 8, 2010 Rulings. They are as follows:

- (1) In direct contradiction to the DPP's Ruling of October 8, 2010, that she could not proceed against Mr. Colin Campbell because of, among other things, the long passage of time that had elapsed between the time of the alleged commission of the offence and the date that the report was made (viz. 4 years), the ODPP did, however, proceed to prosecute and secure the conviction on July 21, 2011, of a 71 year-old man who some 40-odd years before had allegedly sexually molested his 50 year-old stepdaughter when she was 4 years old.

A Jamaica Gleaner news story of July 15, 2011, that is entitled: '**Stepdad to pay for sex crime decades later**', quoted DPP Paula Llewellyn as saying: "*This case is a positive reinforcement of the fact **that notwithstanding the lapse of time, the justice system still works***".

The news report also stated that '**Llewellyn said although the complainant waited for a long time before making the report, she renewed her focus because she felt she had to get justice. Llewellyn said there is no time limit in the law in which to report criminal matters**'. (My emphases).

- (2) What is even more contradictory, however, is that despite the DPP's Ruling of October 8, 2010 that she could not proceed against Mr. Colin Campbell because of, among other things, the long passage of time that had elapsed between the time of the alleged commission of the offence and the date that the Report was made by the OCG (viz. 4 years), the OCG was astounded to discover (by way of a Media publication of November 23, 2010, in the Daily Gleaner Newspaper, which was headlined '**Dutch want truth**') that the ODPP, under the direct leadership of DPP Paula Llewellyn, had proceeded to make an Application in November 2010, under the Mutual Assistance (Criminal Matters) Act, for the issue of a Court Order.

Quite alarmingly, the objective of the Court Order was to facilitate the conduct, in Jamaica, of criminal investigations by the Dutch Authorities into the very same matter in respect of which the OCG had investigated Mr. Colin Campbell four (4) years before, but in respect of which the DPP had just, one (1) month earlier, ruled that she could not proceed because of 'the lapse of time'.

(3) Further, and in direct contradiction to the DPP's Ruling of October 8, 2010 that she would not prosecute Mr. Colin Campbell because, among other things, the offence under Section 29 of the Contractor General Act ***"is a summary offence and one for which the maximum penalty is \$5,000.00"***, Mr. Harold Brady, a prominent Attorney at Law, was, however, within less than five (5) months thereafter, in February 2011, criminally prosecuted under Section 11 of the Commissions of Enquiry Act for his refusal to testify before the then ongoing Manatt Commission of Enquiry. The offence, in question, carries a ***"a fine not exceeding \$500"*** – a fine which is 10 times smaller than the ***"\$5,000"*** that the DPP had found was too low to warrant a criminal prosecution in the case of Mr. Campbell.

To compound the issue even further, it is also of vital importance to record that the offence for which Mr. Brady was prosecuted under Section 11 of the Commissions of Enquiry Act was almost identical to that for which Mr. Campbell was referred for prosecution, by the OCG, under Section 29 of the Contractor General Act.

- E. **The Effect of a Ruling of the ODDP on a Finding or Referral of the OCG** - As was previously stated, the OCG is a Quasi-Judicial authority, having the powers of a Judge of the Supreme Court of Jamaica. It is expressly empowered by law to come to a Quasi-Judicial Finding of Fact 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."*** (Ref. Section 21 of the Contractor General Act).

Consequently, the fact that the ODPP may choose not to proceed with the prosecution of a matter, that has been referred to it by the OCG, because of what the ODPP might deem to be 'insufficient evidence', does not, and cannot, by itself, nullify the lawful legitimacy of a Statutory and Quasi-Judicial Finding of the OCG.

Further, and contrary to what has been publicly inferred, it is worth noting that the ODPP is not a Court of Law, nor is it a Judicial Tribunal. The ODPP is simply the criminal **prosecutorial** arm of the State.

Accordingly, while the ODPP is entitled to constitutionally rule that the evidence with which it is seized does not, in its view, reach the 'threshold' for it to commence a criminal prosecution into a given matter, the ODPP, however, has no lawful authority under the law to ***"exonerate"*** any one from possible criminal culpability, contrary to the claims that were for example made on behalf of the Minister of Agriculture, the Hon. Christopher Tufton, following the Ruling of the ODPP in the OCG's Investigation of the Ministry of Agriculture & Fisheries (MAF)/Aubyn Hill Consultancy Contract matter.

Only a Court of Law has the power to ***"exonerate"*** someone from a criminal charge or accusation, or to find a person 'not guilty' of a criminal offence.

The claim about a DPP 'exonerating' someone is not only one which has no foundation in law, it is also one which has no basis in practice, for there is always the possibility, for example, that a matter which was previously classified as 'closed' by a sitting DPP, could very well be reopened and prosecuted by the same DPP, or by a succeeding DPP, should fresh evidence, which tips the scale in favour of a prosecution going forward, is subsequently un-earthed.

Further, and has been recently and vividly seen in Jamaica, there is also always the possibility that a Foreign Jurisdiction may very well succeed in criminally investigating, prosecuting and convicting a Jamaican national, using the same evidence that is available to local Jamaican law enforcement and prosecutorial authorities, even in instances where the said local authorities have not seen it fit, for whatever reason, to criminally investigate or prosecute that person in Jamaica.

Finally, it must also be recognized that in referring matters to the ODPP, or to any other State Authority, such as the Auditor General, the Attorney General, or the Commissioner of Police, all that the OCG would have done is to simply fulfill those of its Statutory responsibilities and obligations that are mandated by Parliament.

Section 21 of the Contractor General Act expressly 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”***. (My emphasis).

Accordingly, in such circumstances, it would be ludicrous to suggest culpability on the part of the OCG for doing what Parliament has expressly directed it to do.

It is for this very reason, among others, that the Contractor General Act expressly provides, at Section 23 (1) of the Act, that *“...no proceedings whatsoever shall lie against a Contractor General or any person concerned with the administration of the Act, for anything he may do or report or say in the performance of his functions under this Act”*.

OCG’S JURISDICTION QUESTIONED IN RELATION TO DIVESTMENT OF STATE-OWNED ASSETS

Once again, and quite regrettably, the OCG’s jurisdiction, in relation to the divestment of State-owned Assets, was questioned and publicly challenged by the incumbent Administration in 2010.

Specifically, challenges were launched, against the OCG, during the course of the reporting year, in relation to the OCG’s considered and expressed concerns as regards the Government’s then proposed divestment of its 45% stake in the jointly-owned GOJ/Alcoa JAMALCO Alumina Refinery, to the Chinese company, Zhuhai Hongfan Non-ferrous Metals and Chemical Engineering Limited (Hongfan).

Among the OCG’s concerns, was the fact that, despite the magnitude of the value of the asset that was the subject of the divestment, it was not put to competitive tender. Instead, the deal was directly negotiated by the Government with an entity, Port Reliant Limited, which is a little known off-shore British Virgin Islands registered entity that was held out as being Hongfan’s exclusive agent.

The issues concerning the ‘arrangement’, which raised very serious questions for the OCG regarding the public interest, transparency, value for money, competition, conflicts of interest, propriety and the merit and impartiality of the prospective contract award to Hongfan, were outlined in detail in an OCG Media Release which was issued on May 17, 2010.

The Permanent Secretary in the Ministry of Energy and Mining, despite the persistent urgings of the OCG, went to apparent great lengths to stymie the OCG’s scrutiny of the process. Indeed, it eventually came to the OCG’s attention that the Attorney General had given an Opinion that the OCG had no jurisdiction to investigate the sale of the referenced shares.

Upon learning of the referenced development, via an article which had appeared in the June 4, 2010 edition of the Financial Gleaner, I wrote to the Office of the Attorney General on the same day and (a) challenged the Opinion of the Learned Attorney General; (b) forwarded a courtesy copy of a Legal Opinion, dated January 25, 2000, that had been secured by the OCG from eminent Senior Counsel Dr. the Honourable Lloyd Barnett, OJ, and which had ruled contrary to the Attorney General’s Opinion; and (c) served formal notice upon the Office of the Attorney General that the OCG had every intention of continuing with its Special Investigation into the matter unimpeded.

In my letter to the Learned Attorney General and Solicitor General, I stated, *inter alia*, thus:

"In light of the above, and in an effort to avoid unnecessary civil litigation in this matter, I would respectfully invite you, in the public interest, to reconsider your Opinion and to let me know if you are prepared to be persuaded to a view which concurs with the Learned Queen's Counsel.

To facilitate your re-consideration of the matter, I am enclosing, herewith, for your perusal, a courtesy copy of the referenced Legal Opinion of Queens Counsel.

I would ask that you treat the issue with utmost urgency as it is my intention to issue the first Statutory Requisitions in this matter no later than Wednesday, June 9, 2010, in keeping with my mandate under the Contractor General Act and in the exercise of the quasi-judicial powers of investigation that are vested in me thereby.

I have taken the liberty of copying my letter, to you, to Dr. Barnett and the OCG's current Attorney of Record, Mrs. Jacqueline Samuels-Brown, QC.

I have also copied my letter to the Director Public Prosecutions in light of the fact that the Contractor General Act imposes, inter alia, certain criminal sanctions in respect of a refusal on the part of any person, without lawful justification or excuse, to comply with the lawful requirements of a Contractor General."

An OCG Media Release, dated the same day, June 4, 2010, was also promptly issued by me in an effort to ensure that the positions which had been advanced by the OCG, regarding the matter, and the reasons and justifications therefor, were made public.

To date, no response has been forthcoming from the Office of the Attorney General, or from the Government, to the positions that I had raised in my letter.

Subsequently, during the reporting year, the jurisdiction of the OCG was again, and not surprisingly, challenged by the Administration when the OCG sought to enquire into the sale of two (2) A320 aircraft by Air Jamaica Limited. The matter is addressed in further detail by me in another section of this Report which is entitled **Monitoring of Non-Construction Contracts, Licences, Permits and Concessions.**

I will, again, for the record, state without reservation, that it is the OCG's considered view that it does in fact have lawful jurisdiction to investigate the divestment of all Government Asset transactions.

Section 2 of the Contractor-General Act, which grants a Contractor General monitoring and investigative jurisdiction over 'Government contracts', states, quite unequivocally, 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, therefore, in the OCG's respectful opinion, no credible, logical, legal or sustainable basis upon which a contention can be properly founded that the term "government contract" was intended by the Parliament to exclude Government asset divestment contracts, particularly when there is no provision, anywhere, in the Contractor General Act, which states so, and particularly when one considers that the clear mischief that the Act was designed to cure was impropriety and irregularity in the award of Government contracts.

In any event, the question will inevitably arise as to why would anyone wish to seek to exclude, from the purview of the law, lucrative State asset divestment contracts which are ripe game for corruption addicts.

Further, the continuing posture of the Office of the Attorney General to seek credence for its positions in the case of *Wright v. Telecommunications of Jamaica Limited (1989) 26 JLR 411*, is not only flawed, but is wholly misguided, for, among other things, the case has nothing to do with the divestment of a State asset but, rather, the **acquisition**, by a Public Body, of private property.

As I have previously stated, in writing, to the Government, the OCG, under my watch, is prepared, in protection of the interests of the Taxpayers of Jamaica, to vigorously defend those of its positions, as are stated above, in the courts.

A separate and additional issue, regarding this matter, which must again be put squarely in the public domain, is that the OCG is concerned that an Administration which has spoken repeatedly about securing transparency in the affairs of Government, 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 same OCG to investigate matters in relation to the divestment of Government Assets.

The matter, which is a source of great dismay and disappointment for the OCG, was previously commented upon by me at pages 8 to 10 of my Annual Report to the Parliament for calendar year 2008.

At the time, I drew specific attention to the fact that less than three (3) months after the then Minister of Agriculture, Dr. 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 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 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, during his closing speech in the Budget Debates, 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 then no word 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 incumbent Administration, therefore, needs to be publicly reminded of its postures of April 2008, when it called upon the OCG to launch an Investigation, under the Contractor General Act, into a matter which involved the divestment of a State-owned asset by the Opposition People's National Party (PNP). I say this with the deepest of respect, but with the hope that when the OCG seeks, in the future, to exercise its lawful jurisdiction to investigate the divestment of even more valuable State assets, no objection will be forthcoming from the State.

In concluding my comments on this matter, I wish also to be very clear about the positions of the OCG. The OCG is an Independent Anti-Corruption Commission of the Parliament of Jamaica, and must be respected as such. It is not a 'political football'.

Consequently, and until the Contractor-General Act is amended to conclusively address the issue of the Contractor General's jurisdiction in relation to the divestment and acquisition of State-owned Assets, the OCG, under my watch, will continue to monitor and to investigate, at will, and at its sole discretion, any transaction which involves the divestment of publicly owned assets. It will do so without fear and without favour, and it will do so solely in the interest of the People and Taxpayers of Jamaica.

A further discussion regarding some of the foregoing issues is set out in the section of this Report that is entitled **Monitoring of Non-Construction Contracts, Licences, Permits and Concessions**.

OPPOSITION TO THE OFFICE OF THE CONTRACTOR GENERAL'S DISCHARGE OF ITS MANDATE

As has become customary on a yearly basis, the OCG, in 2010, attracted its fair share of detractors with politicians and one or two misguided Media commentators being the main antagonists.

The criticisms and objections that were directed at the OCG, in 2010, were, for the most part, concerned with the OCG's publication of its intention to initiate Investigations into questionable Government-related contracting matters, or the publication, in the Parliament, of the OCG's Reports of Investigations, as is required by Sections 21 and 28 of the Contractor General Act.

I was publicly criticized, on more than one occasion, by the Minister of Information, The Hon. Daryl Vaz, for the manner in which I discharged my Statutory mandates as Contractor General. To be specific, I was accused by Mr. Vaz of being 'overzealous' and 'scaring off public servants'. A similar criticism was reported as having emanated from Mr. Peter Bunting, the General Secretary of the Opposition People's National Party (PNP).

However, Mr. Bunting promptly issued a Media Release in which he stated, among other things, that the subject Media report had misrepresented the PNP's position on the OCG, that the PNP's support for the OCG has been unconditional, and that the Contractor General has contributed to improving the level of probity and transparency in the contract award and procurement processes in Jamaica. (See Gleaner/Power 106 News Story, dated July 13, 2010, and entitled: ***'Comrades reaffirm support for Christie'***).

I will make no further comment on the issue at this juncture except to reproduce, hereunder, the entire transcript of the Media Release that was issued by me, on July 12, 2010, in response to the referenced criticisms.

"The Office of the Contractor General (OCG) and myself have taken very careful note of certain comments which have been attributed to the Information Minister, the Hon. Daryl Vaz and Mr. Peter Bunting, the General Secretary of the Peoples National Party, regarding the alleged manner in which I have been discharging my statutory mandate and responsibilities as the Contractor General of Jamaica.

The referenced comments are published in today's edition of the Jamaica Daily Observer in a front page article which is entitled "Should Christie be kept? Contractor General overzealous, scaring off public servants, say political parties".

It is imperative that it is publicly understood that the primary mandate of a Contractor General, as is dictated by the Parliament of Jamaica in Sections 4 (1) and 15 of the Contractor General Act, is to monitor and to investigate the award of Government contracts to ensure that such contracts are awarded impartially and on merit and in circumstances that do not involve impropriety or irregularity.

It is also critical for it to be understood that, for good reason, a Contractor General is not a part of the Executive arm of the State who reports to or who is subject to the directives of the Executive since his job, in essence, is to monitor the conduct of the Government itself in its award of contracts and its issue of licences.

A Contractor General is an Independent Anti-Corruption Commission of the Parliament of Jamaica who is sworn to discharge his mandate under the Contractor General Act solely "on behalf of Parliament". By extension, this means that a Contractor General is mandated by law to discharge his mandate solely on behalf of and solely in the interests of the People and Taxpayers of Jamaica.

It is also instructive to publicly record that a Contractor General and every single employee of the OCG, are bound by a STATUTORY OATH, on the pain of criminal prosecution, to solemnly and faithfully discharge the said mandate in the manner that is prescribed by the law – a Law which the OCG did not write.

So powerful and unyielding is this constraint that Section 5 (1) of the Contractor General Act mandates, in very lucid and expressed terms, that "In the exercise of the powers conferred upon him by this Act, a Contractor General shall not be subject to the direction or control of any other person or authority".

As Contractor General, I have always discharged my statutory mandate and responsibilities lawfully, independently, faithfully, fairly and fearlessly, for and on behalf of the People of Jamaica. All of my decisions and pronouncements, as Contractor General, over the past four and one-half years, are considered positions which have been measured solely by this standard. For good reason, they have all been articulated in written form and have been adequately substantiated by documented evidence and I will not resile from any of them.

Having read the comments which have been attributed by the Daily Observer to the referenced public officials, 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.

Were I to do so, I would be acting not only contrary to the provisions of the Law and the solemn OATH to which I have subscribed to serve only the collective interests of the Jamaican People, but, above all, I would be acting contrary to the dictates of my own conscience – a conscience which is immune to breach.

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 except a Court of Law.”

THE OCG’S ISSUING OF MEDIA RELEASES ANNOUNCING THE COMMENCEMENT OF AN INVESTIGATION

As I have indicated in the previous section, the OCG was criticised, in 2010, by certain members of the Administration for its publication of its intention to initiate Investigations into questionable Government-related contracting matters.

With the greatest of respect, the OCG is obliged to state, and has already formally stated to a Joint-Select Committee of the Parliament of Jamaica, on February 17, 2011, that it has absolutely no intention whatsoever of discontinuing the above-referenced practice of issuing Media Releases, announcing its intention to commence an Investigation, and will view any attempt, by any person or authority, to direct it in this regard to be an unlawful and unwarranted incursion upon the discretionary authority and independent powers which are reserved to the Commission of the Contractor General by the expressed provisions of the Contractor General Act.

Section 5 (1) of the Contractor General Act is particularly instructive on this matter. It lucidly provides as follows:

“In the exercise of the powers conferred upon him by this Act, a Contractor-General shall not be subject to the direction or control of any other person or authority”.

Section 17 (1) of the Contractor General Act also makes it clear that “A Contractor General may adopt whatever procedure he considers appropriate to the circumstances of a particular case”, which is the subject of an Investigation under Sections 15 (1) and 16 of the Act.

Further, Section 24 (1) (b) of the Act vests in a Contractor General the exclusive discretionary authority to make any “disclosure which a Contractor General thinks necessary to make in the discharge of his functions...”.

It is also vitally important to recognize that the Parliament of Jamaica, via its recent promulgation of the **Independent Commission of Investigations (Indecom) Act of 2010**, has reproduced, in that Act, several of the provisions that are currently outlined in the Contractor General Act as regards (a) the independence of the Contractor General and (b) his discretionary powers to make public any matter which, in his discretion, he deems to be appropriate for publication, inclusive of Media Release disclosures announcing the commencement of his formal Investigations and his reasons therefor.

Indeed, it may come as a surprise to some Parliamentarians, Senior Administration Officials and at least one local Media House, all of whom have frowned upon the OCG's issue of its Media Releases in which the commencement of OCG Investigations have been announced, that the Parliament of Jamaica has already gone one step further to expressly authorize **Indecom**, at its exclusive discretion, to issue Media Releases regarding its Criminal Investigations.

For the avoidance of doubt, Section 17 (3) (a) of the Indecom Act provides, verbatim, as follows:

"During the course of the investigation the Commission shall- (a)unless it is satisfied as to the necessity for confidentiality, issue a press release at the commencement of the investigation and at intervals thereafter as it considers appropriate;"

The matter, the OCG would respectfully submit, speaks eloquently for itself by reflecting what will certainly become a glaring and curious double standard should the unwarranted and misguided objections regarding the OCG's issue of Media Releases be pressed any further.

Be that as it may, and although the OCG is not obliged to provide any reasons for the exercise of any of its discretionary powers, the OCG wishes to state that, as a matter of course, and in the interest of public transparency, it has always advised the People and Taxpayers of Jamaica of the commencement of most of its major Special Investigations and the conclusion of all of its major Special Investigations. This has been routinely done via the issue of a standard OCG Media Release, a practice which can be traced as far back as to October 10, 2006.

It should also be noted that although the Government awards as much as 11,000 contracts each year with values which exceed \$275,000 per contract, the OCG, under my watch, only investigates an average of 10 to 20 of the said 11,000 contracts annually. The OCG believes that transparency is promoted by the issue of its Media Releases, particularly as they provide the public, whose interests the OCG was established to serve, with the reasons why the said 10 to 20 matters have been singled out for investigation as opposed to the other referenced 10,990/10,980 contracts.

The critical question which must be asked, however, is exactly whose interest is being served when a lucrative Government contract award, which exhibits patent or suspected signs of irregularity, impropriety or corruption, is kept under the blanket of darkness, away from the knowledge of the OCG and the Taxpayers of the country, but whilst being known only to (a) the public officials who are involved in the award and (b) the persons who stand to benefit from the award.

Indeed, the OCG had reason to issue a public statement regarding this very matter when a January 31, 2011 **Editorial of the Observer Newspaper** sought to instruct and direct it on the exercise of its discretionary Statutory powers to publicly announce its intention to commence a Special Statutory Investigation.

Not surprisingly, the Observer's seeming self-serving comments – comments which were further elevated by it in a subsequent Editorial which it issued on February 2, 2011 – came on the heels of the OCG's Media Release of January 19, 2011, in which the OCG had dared to advise the Taxpayers and People of Jamaica of (a) its intention to investigate the Government's proposed sale of the Sandals Whitehouse Hotel to Gorstew Limited (a company which was and is still owned and controlled by the Hon. Gordon 'Butch' Stewart – the very owner of the Observer Newspaper itself); and (b) the OCG's considered reasons for doing so.

It is instructive to note that the Observer's misplaced and patently conflicted admonishment of the OCG's actions, was brazenly 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, the OCG had also already established the veracity of the subject allegation as an incontrovertible fact, prior to the issue of its public announcement on the matter.

It was also established by the OCG, as an undisputed fact, that the referenced “*secret negotiations*” had indeed been taking place, without the knowledge of the OCG, and literally behind its back, 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 – a Requisition that was curiously never complied with in respect of the proposed Sandals Whitehouse divestment.

In responding to the comments of the Observer, the OCG, in its Media Release of January 31, 2011, stated, *inter alia*, as follows:

“The Observer Newspaper, and other observers, should come to understand that the OCG is an independent and quasi-judicial anti-corruption commission of the Parliament of Jamaica, which was established by law with one primary mandate only – namely “to ensure”, “on behalf of Parliament”, that Government contracts are awarded “impartially and on merit” and in “circumstances that do not involve impropriety or irregularity”.

It stands to reason, therefore, that in fighting dishonesty, unethical behaviour, irregularity and outright fraud and corruption in government contracting, the OCG is expressly required by the provisions of the Contractor General Act to give pride of place to the interests of the public over that of the individual.

The Inspectorate and Investigative staff of the OCG, some of whom have received specialized training in anti-corruption and corruption detection and prevention methods, are only too aware that the most effective weapon that exists against the formidable scourges which are called corruption and irregularity in the award of government contracts, is transparency, for neither can thrive where there is light or public scrutiny.

It must also be made clear that information regarding prospective or actual government contract awards are not the exclusive province of the persons who stand to benefit from them, nor are they the sole prerogative of the politicians or the public officials in whom the Taxpayer has reposed its trust to act in such matters on its behalf.

The award of Government of Jamaica contracts, which in 2009 exceeded more than JA\$90 billion in value, is the People’s business and, consequently, the Jamaican Taxpayer has an inalienable right to know when the OCG, in the lawful exercise of its quasi-judicial authority, has come to the considered view that it possesses credible evidence which warrants that a particular Government contract should be investigated for possible irregularity or impropriety.

The OCG, from its unique vantage point as Jamaica’s primary anti-corruption commission, seized with the information that it alone has, is only too well aware that there are many elements and special interests in Jamaica today who would prefer if the OCG conducted absolutely no investigations at all, much less announce that it intends to conduct an investigation into a specified government contract award matter, especially knowing full well that the OCG does not have the power, under the law, to stop a government contract award that is suspected to be tainted with impropriety and/or irregularity.

Consequently, and with respect, should the Observer Newspaper and others who share its views be allowed to have their way, there is absolutely no question that we will, as a country, fall back to the status quo which has prevailed for decades in Jamaica where corruption and irregular conduct in the award of government contracts were permitted to run rampant under the cover of darkness, away from the glare of public light and scrutiny, and immune to the disinfectant of transparency, never to be brought to light, or only to be brought to light after the horse had bolted from the gate and when it was too late to do anything about it.”

Finally, it is instructive to note that the OCG had previously communicated, to the Speaker of the House of Representatives, its positions regarding the issue of OCG Media Releases. This was done via a formal letter, which was dated September 16, 2010. The letter was copied to the President of the Senate, the Clerk to the Houses and the Leaders of both Government and Opposition Business in the House of Representatives.

THE MISGUIDED CHARGE THAT THE OCG IMPUGNS THE REPUTATION AND INTEGRITY OF PERSONS

One of the implicit and expressed criticisms that has been launched at the OCG by the above-referenced critics and, in particular, by the Hon. Daryl Vaz, the incumbent Minister of Information, Dr. the Hon. Christopher Tufton, the then Minister of Agriculture, and by the Observer Newspaper, is that the OCG, despite the fact that it is discharging its lawful mandates, 'damages' the 'reputation' and 'integrity' of persons when it publicly announces its intention to commence its Special Investigations, or when it submits its Reports of Investigations to the Parliament as it is required to do.

Any such criticism, however, is either borne out of ignorance or is driven by a special or suspect conflicting interest. It is a misguided and flawed posture which cannot be credibly or logically substantiated.

A dispassionate examination of the pertinent facts and, more importantly, the law and the very mandate that has been imposed upon a Contractor General by the Parliament itself, and which a Contractor General is sworn, under oath, to faithfully discharge, will disclose the fallacy of the criticism.

What is particularly instructive is that the OCG has noted that the referenced criticism has been only directed against the OCG when certain individuals who are regarded to be of 'high' standing in the Jamaican society are directly or indirectly implicated by the OCG's Special Investigations.

The clear concern which appears to lie at the root of the criticism is, therefore, not about the substantive issues, but rather about the fact that the Office has dared to publicise matters in which prominent Jamaicans may have become involved.

The preservation of the seeming pristine character of the individuals who are concerned, appears to be more important than the public interest and the inherent issues of national importance that are involved, particularly the need to ensure probity, propriety, regularity and, above all, transparency and accountability in matters that are associated with the expenditure of the Taxpayers' money.

The bone of contention is, therefore, about the perceived effect of the OCG's pronouncements upon the integrity and character of these 'prominent' persons, many of whom are apparently deemed in certain quarters to be 'untouchables' or above the law.

In discussing the issue before a Joint-Select Committee of the Parliament of Jamaica on February 17, 2011, which was convened to review the Reports of the OCG, I made a number of observations.

The question that had been posed by a Member or certain Members of the Committee for the OCG's response was:

"Should the law be amended to require public vindication of a person's integrity by the OCG where the OCG does not find evidence of dishonest conduct (as opposed to finding that procedural guidelines were not adhered to) on the part of that person?"

My edited response to the Committee's question was as follows:

First, it is very important to recall that the primary function of a Contractor General, as is expressly mandated by Sections 4 (1) and 15 of the Contractor General Act, is to monitor and to investigate the award of Government contracts and licences "to ensure" that they are awarded 'impartially and on merit' and in 'circumstances which do not involve impropriety or irregularity'.

Having said that, it is, therefore, self-evident that it is the statutory responsibility of the OCG, as mandated by Parliament itself, to investigate allegations of impropriety or irregularity in the award of Government contracts, for that is precisely what the OCG was established to do.

Public allegations which prompt OCG Investigations are not allegations that are made by the OCG

The OCG does not make allegations against persons or entities. Rather, the OCG, as a Quasi-Judicial Anti-Corruption Commission, seeks to unearth or to determine, via its Investigations, the veracity of the inferences or allegations of impropriety or irregularity, in the issue of Government contracts or licences, which have come to its attention.

In point of fact, and not surprisingly, in the overwhelming majority of instances, the OCG's Special Investigations are actually either prompted by adverse allegations which have already been publicly made by Members of Parliament and politicians themselves, or by disclosures which have been previously brought into the public domain via the Media.

Indeed, a Matrix of twenty-one (21) major OCG Investigations which have been initiated and/or completed over the past 4 ½ years (as at February 2011), and which was formally submitted to a Joint Select Parliamentary Committee, by the OCG, on February 17, 2011, clearly establishes what is a glaring double-standard regarding this issue of the making of the said allegations and what has been deemed by some to be damage done to the integrity of the persons who are implicated therein.

The Matrix, a portion of which is reproduced hereunder, clearly discloses that it was Parliamentarians and politicians, and not the OCG, that had made the allegations that had prompted eight (8) of the referenced OCG Special Investigations. The Hon. Bruce Golding of the Jamaica Labour Party (JLP) had made four (4) of the subject allegations, the Hon. Audley Shaw of the JLP had made two (2), the Hon. Clive Mullings of the JLP had made one (1), and Mrs. Angela Brown-Burke of the People's National Party (PNP) had made the other.

In all of the eight (8) cases excepting two (2), the allegations, although damning, were **publicly** made by their authors. Further, it is worthy of note that seven (7) of the eight (8) sets of allegations, which gave rise to the referenced OCG Investigations, were made by persons who are currently Ministers in the ruling JLP Administration – the very Administration which has now sought to publicly malign the OCG for announcing that it intends to commence Investigations which emanate from allegations which have been similarly made.

It is also worthy of note that in eight (8) of the remaining 13 instances, the allegations which prompted the OCG Investigations were allegations that were publicly made in the Print and Electronic Media. It was in this way that the matters were brought to the attention of the OCG – that is, after the public had already become aware of them. In the remaining five (5) instances, the allegations which prompted the OCG's Investigations were made directly to the OCG by certain persons under the pain of criminal prosecution.

In order that the facts of this extensively misaligned matter are publicly known, a compacted version of the referenced Matrix, of the subject 21 OCG Special Investigations, is reproduced hereunder.

OFFICE OF THE CONTRACTOR GENERAL OF JAMAICA

Matrix of Third Party Allegations Prompting Commencement of the Office of the Contractor General's (OCG's) Special Investigations

NO	Name of OCG Investigation	Date Investigation Initiated	Person Making Allegations &/or Source of Allegations	Place Allegations Made & Outline of the Nature of Allegations
ALLEGATIONS MADE BY MEMBERS OF PARLIAMENT &/OR POLITICIANS				
1	Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer	Oct. 9, 2006	The Hon. Bruce Golding, Prime Minister (then Opposition Leader)	Outside of Parliament. On October 3, 2006, the Hon. Bruce Golding accused the then ruling People's National Party (PNP) of financing its annual conference with a J\$31 Million largesse, which was provided by an overseas oil trader, and had called for the immediate resignation of the entire governing administration.
2	Universal Access Fund Company Limited	Jan. 5, 2007	The Hon. Bruce Golding, Prime Minister (then Opposition Leader)	On December 1, 2006, the then Leader of the Opposition, Mr. Bruce Golding, made representations to the Contractor General via a telephone conversation, in which he adverted to the possibility of a conflict of interest involving Ms. Minett Palmer, a Board Director at the Universal Assess Fund (UAF), who had also provided legal services to the UAF at a cost of JA\$25Million.
3	Divestment of the Shares of Petrojam Limited	May 24, 2007	The Hon. Bruce Golding, Prime Minister (then Opposition Leader)	Outside of Parliament. The Hon. Bruce Golding alleged, via the Media, that the Petrojam Ltd. shares were sold below market value and that the market value for the shares was in the region of US\$300 Million.
4	4M Energy Saving and Light Bulb Distribution Project	Oct. 24, 2007	The Hon. Clive Mullings (then Minister of Energy, Mining and Telecommunications)	In Parliament. On October 23, 2007, under cover of letter of even date, the Prime Minister, the Hon. Orrett Bruce Golding, provided the Contractor General with an advance copy of a report which the then Minister of Energy, Mining and Telecommunications, the Hon. Clive Mullings, had prepared on the 4M Energy Saving Project. The Hon. Clive Mullings tabled the referenced report in his presentation to Parliament later that same day. In his presentation to Parliament the Hon. Clive Mullings, invited the OCG to investigate, <i>inter alia</i> , the contract award process which was utilized for the procurement of contractors for the 4M Energy Saving and Light Bulb Distribution Project. The allegations in his presentation to Parliament alluded to impropriety, lack of fairness & transparency in the award of contracts.
5	Sale/Divestment of Air Jamaica Ltd.'s London Heathrow Slots	April 23, 2008	The Hon. Audley Shaw, Minister of Finance & the Public Service	On April 8, 2008 under cover of a letter of even date, Senator the Hon. Don Wehby, the then Minister without portfolio in the Ministry of Finance and the Public Service (MOFPS), provided the Contractor General with a brief on the facts which surrounded the sale of Air Jamaica Ltd.'s slots at the London Heathrow Airport. In his letter to the Contractor General, the then Minister Wehby stated that <i>"In keeping with the need for transparency and accountability in the disposal of public assets I am referring the matter to your offices such that any appropriate review and action may be taken."</i> On April 23, 2008, in his closing speech of the Budget Debates, the Hon. Audley Shaw, the Minister of Finance and the Public Service, reiterated the concerns which had been raised by then Minister Don Wehby regarding the sale of the AJLHS. In Parliament, Mr. Shaw made several allegations about the sale of the AJLHS & the propriety of the actions taken by senior Public Officials with regard to the divestment.

NO	Name of OCG Investigation	Date Investigation Initiated	Person Making Allegations &/or Source of Allegations	Place Allegations Made & Outline of the Nature of Allegations
6	Issuance of Licences to Index Communications Network Limited Trading as 'GOTEL'	April 22, 2008	The Hon. Bruce Golding, Prime Minister & Mr. George Neil, Chairman of GOTEL, via the Media	<p>April 14, 2008 letter to the OCG from the Prime Minister, the Hon. Orette Bruce Golding, where the Prime Minister provided the Contractor General with copies of documents relating to telecommunications licences that were issued to GOTEL.</p> <p>April 11, 2008 letter signed by George Neil alleging impropriety and bribery, which was published in the media.</p>
7	Alleged "Sweetheart Deals" Involving the GOJ and Dehring, Bunting and Golding (DB&G) Ltd.	May 22, 2008	The Hon. Audley Shaw, Minister of Finance & the Public Service	<p>In Parliament.</p> <p>On April 23, 2008, Mr. Shaw alleged that the GOJ & DB&G entered into "Sweetheart Deals" which were executed by the MOFP under circumstances which may have been irregular, improper or lacking in transparency and fairness.</p>
8	Contracts to be Performed in the North East St. Catherine Constituency by the National Works Agency (NWA) and Rural Agricultural Development Authority (RADA)	June 15, 2009	Angela Brown-Burke & the Peoples National Party (PNP)	<p>Outside Parliament.</p> <p>Issue of Media Release and Letter to the OCG dated June 12, 2009, from the PNP.</p> <p>Alleged breaches of the procurement guidelines.</p>
ALLEGATIONS MADE IN THE MEDIA				
9	Award of Contracts by the Jamaica Urban Transit Company (JUTC)	July 8, 2008	Media	<p>Article in the July 6, 2008 edition of the Sunday Herald Newspaper, raising questions of irregularity & impropriety in the award of contracts.</p> <p>The article also raised questions of a possible conflict of interest.</p>
10	Proposal by SportsMax Limited to Supply Satellite Services for Simulcast Racing from South Africa and the United Kingdom to Caymanas Track Limited (CTL)	July 18, 2008	Media	<p>Article in the July 6, 2008 <i>Sunday Herald</i> which was entitled "Rousseau in powwow: SportsMax deal shrouds CTL Chairman in 'conflict of interest' rap"</p>
11	Air-lift Guarantee Agreements which were entered into between American Airlines (AA) and Jamaica Vacations Limited (JAMVAC) and Supplemental Report of Investigation into the Retention of the Legal Services of the Law Firm DunnCox, by JAMVAC	Sep. 5, 2008	Media & Letter from Concerned Citizen	<p>On August 12, 2008 the OCG received a letter from a concerned citizen raising questions of irregularity in the award of certain contracts.</p> <p>On September 5, 2008 the Daily Gleaner published an article, which was entitled "Air Jamaica livid- Pennicook criticizes Government-Tourism minister defends American Airlines deal."</p>
12	Award of Contracts to Taylor and Associates for the Supply of Ammunition	Oct. 21, 2008	Media	<p>September 7, 2008 article which was entitled "Arms broker violated US law", published in the <i>Jamaica Gleaner</i> newspaper.</p> <p>The article raised questions of irregularity & impropriety in the award of contracts.</p>

NO	Name of OCG Investigation	Date Investigation Initiated	Person Making Allegations &/or Source of Allegations	Place Allegations Made & Outline of the Nature of Allegations
13	Award of Contracts for the Olympic Athletes Homecoming Week of Celebrations – 2008 October 3-10	Oct. 22, 2008	Media Articles	<p>Articles published in the Media, including an article published by the Jamaica Information Service (JIS) which was entitled “<i>Olympic Homecoming Celebration Fund Launched</i>” on September 18, 2008.</p> <p>The OCG's decision to commence the Investigation was taken against the background of a Cabinet Decision, which was dated August 25, 2008 that exempted “<i>Artistic and cultural products and services – works of art, performance services and other cultural and creative products/services</i>” from the GPPH.</p>
14	Auction Process for Abandoned Motor Vehicles by the Jamaica Customs Department (JCD) on 2009 June 30 and 2009 July 1	July 2, 2009	Media & Complaints made to the OCG from several members of the public	The Investigation was initiated following, <i>inter alia</i> , the publication of several electronic media reports, newspaper articles and complaints which were made, to the OCG, by concerned citizens, regarding the conduct of the Public Auction for Abandoned Vehicles, which was conducted by the JCD, on June 30 2009 and July 1, 2009 respectively.
15	Award of a Multi-Million Dollar Consultancy Contract to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd.	Oct. 16, 2009	Media	<p>The OCG's decision to commence the formal Investigation followed upon certain allegations, which were initially aired over the electronic media on October 15, 2009.</p> <p>Subsequently, on October 16, 2009 another article, which was entitled “<i>\$27M for Aubyn Hill</i>”, was posted on the website of the <i>Sunday Herald</i> newspaper. The article alleged that Mr. Aubyn Hill's company, Corporate Strategies Ltd., had been paid \$27 million for consultancy services.</p> <p>The October 16, 2009 article raised critical questions and concerns for the OCG, because of the reports that approximately \$27 Million had already been paid out under the contract since July 2008 & the fact that Mr. Aubyn Hill was also the Chairman of the Board of Directors of the SCJ Holdings Ltd., which then held the GOJ's assets which were being divested.</p>
16	Sandals Whitehouse Divestment	Jan. 19, 2011	Media	Article was published in the December 12, 2010 edition of the <i>Sunday Herald</i> Newspaper, which was entitled “ <i>Secret Talks – Butch goes after Sandals Whitehouse</i> ”, and which stated, <i>inter alia</i> , that “ <i>Government is having secret talks with the Sandals chain for the sale of the controversial Sandals Whitehouse hotel in Westmoreland. Businessman R Danny Williams is leading the negotiations between the parties.</i> ”
ALLEGATIONS MADE BY OTHER THIRD PARTIES				
17	Government of Jamaica Bridge Building Contracts that were Awarded to the British Firm of Mabey & Johnson Ltd.	Jan. 7, 2009	Request from Jamaica Constabulary Force (JCF) & Media	<p>On November 26, 2008, certain oral representations were made to the OCG by the Jamaica Constabulary Force (JCF), the U.K. Serious Fraud Office (SFO), & representatives of the British High Commission in Jamaica.</p> <p>Representations included alleged bribery of a GOJ Public Official in the award of certain GOJ bridge building contracts.</p> <p>On January 6, 2009, ACP Les Green wrote to the OCG & sent certain documentation for its consideration.</p>
18	Award of Security Contracts at the Norman Manley International Airport Ltd. (NMIA)	May 6, 2010	Guardsman Limited	A Letter of Complaint, dated May 4, 2010, was sent to the OCG, from Guardsman Limited, one of the tenderers for the referenced Government contract. In its letter, Guardsman alleged, among other things, (a) that “ <i>the Shareholder and Chief Executive Officer of Protection and Security Limited is a member of the Board of Directors for NMIA</i> ”, (b) “ <i>that Protection & Security, having a member on the Board of NMIA, would have privileged information about the tender process which would not be available to outsiders and, as such, presents a conflict of interest</i> ”, and (c) that “ <i>the awarding of Government contracts to serving (Public Body) Board members violates the edict of the Prime Minister</i> ”.

NO	Name of OCG Investigation	Date Investigation Initiated	Person Making Allegations &/or Source of Allegations	Place Allegations Made & Outline of the Nature of Allegations
19	Sale\Divestment of the GOJ's 45% Stake in JAMALCO	June 1, 2010	Representations made by Public Officials of Ministry of Mining and Energy (MEM)	Indicative representations made to the OCG by the then Permanent Secretary in the MEM, Mrs. Marcia Forbes and by prominent public official, Mr. Howard Mitchell, in a meeting which was convened at their request, and purportedly at the Prime Minister's direction, at the OCG, on April 24, 2009, regarding the GoJ's then prospective business arrangements with both Hongfan and Port Reliant.
20	Proposal for the Financing, Development, Ownership, Operation of an FSRU LNG Re-gasification Terminal and Natural Gas Transmission System	June 22, 2010	Anonymous complaint received by the OCG, against the background of other information and documentation, which were in the possession of the OCG. In addition, the OCG received multiple complaints, reports & allegations from highly credible sources & members of the public.	The OCG's decision to commence the Investigation was taken against the background of other information and documentation, which were in its possession. The Anonymous complaint received on June 16, 2010, in which it was asserted that <i>"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"</i> .
21	Alleged Contract Award Irregularities at the St. Catherine Parish Council	Aug. 16, 2010	Concerned Citizen-Sworn statement given to the OCG	Statement given to the OCG in December 2008 & formally executed in writing in March 2009, under oath, which alleged impropriety in the award of contracts.

It is also instructive to note that in many of the referenced instances, regarding the public announcement of its Special Investigations, the OCG will first conduct a preliminary enquiry into the matter, as was the case in the Sandals Whitehouse matter, away from the public's view, before it decides whether or not it should proceed to the level of a full blown Special Investigation.

In light of all of the foregoing, it is, therefore, simply ludicrous to suggest that the OCG imputes motive and/or tarnishes the *"integrity"* of individuals, or that the OCG should be held responsible for the *"public vindication of a person's integrity..."*, when it publicly announces that it has launched an Investigation into certain Government contract award matters, particularly those matters in respect of which public allegations of impropriety, irregularity or corruption have already been made by the very group of politicians some of whose members now see it fit to muzzle the Contractor General.

All OCG Investigation Findings under Section 21 of the Contractor General Act must be made public

As regards the OCG's Findings, Recommendations and Referrals that are formally reported at the end of its Investigations, it must also be made explicitly clear that Section 21 of the Contractor General Act mandates that once there is a Finding, by a Contractor General, of *"evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of public body"*, he *"shall lay a special report before Parliament"*.

There is, therefore, no 'ifs' or 'buts' about the matter. The law is unequivocally clear. In all such instances, the matter must be made public and, consequently, unless a critic has a specific or questionable agenda, it is, therefore, preposterous and senseless to suggest that the OCG must be berated and censured for what Parliament has ordered and mandated that it must do.

The Double-Standard – What about Parliamentarians who make spurious or adverse allegations from the Floor of the House of Representatives?

It must also be recognized that those of the OCG's Findings, Conclusions, Recommendations and Referrals that are set out in its Reports of Investigation, are based upon sworn statements and documentary evidence which are formally conveyed to it by witnesses who do so under the pain of criminal prosecution, under the Contractor General Act and/or the Perjury Act, should their testimony prove to be false or misleading.

Accordingly, when an individual makes an allegation or representation directly to the OCG, that individual exposes himself to criminal prosecution in the event that his allegation or testimony is subsequently proven to be unfounded.

When, however, on the other hand, a Parliamentarian makes a similar allegation, from the floor of the House of Representatives, which imputes improper conduct to another person (as was the case with certain matters that are disclosed in the Matrix), that Parliamentarian is shielded by his Parliamentary Cloak of Privilege from criminal prosecution and civil suit.

Where then are the concerns of the Administration, the Observer Newspaper and the Joint Select Committee of Parliament, or its proposals, for "*amending*" the law to address this obvious and inexplicable double standard and to require Parliamentarians to "*publicly vindicate*" those persons whose integrity they tarnish when the allegations that they make are subsequently proven to be unfounded?

The OCG is, in fact, empowered, under the law, to conduct its Special Investigations in the full glare of the public light – just like Commissions of Enquiry

On a separate point, it is also critically instructive to note that Section 18 (3) of the Contractor General Act stipulates that "*For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents*".

Further, Section 17 (1) of the Contractor General Act empowers a Contractor General "*to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit*".

Additionally, Section 24 (1) (b) of the Act vests in a Contractor General the exclusive discretionary authority to make any "*disclosure which a Contractor General thinks necessary to make in the discharge of his functions*".

I have specifically alluded to the foregoing provisions of the Contractor General Act, as it is critically important for the unknowing and misguided to recognize that the OCG is in fact empowered by law to conduct its Investigations in public, and before the full glare of the Media, in much the same way that the **Manatt Commission of Enquiry** was being conducted, pursuant to the provisions of the Commissions of Enquiry Act, at the time of my appearance before the Joint Select Committee of Parliament in February 2011.

Notwithstanding, and so as not to invite pre-mature speculation or judgment about the testimony of the witnesses who are called upon to give sworn testimony during the course of an OCG Investigation, the OCG has, however, consistently conducted its Investigations in absolute secrecy, away from the glare of the public and the Media.

Indeed, the OCG will not, as a general rule, even comment upon any of its Investigations, or provide any information to the public, or to the Media, once an OCG Investigation has been commenced. Nothing of substance is said or disclosed until the Investigation has been completed and the Report thereon is formally laid in both Houses of Parliament.

These are critical considerations and distinctions which appear to have been overlooked, or deliberately side-stepped, by those members of the Administration, and the Observer Newspaper, among others, who have criticized the OCG for 'jumping to conclusions' by simply announcing that it intends to commence a Special Investigation.

The point must be further emphasized, particularly since at the time of my appearance before the Joint Select Committee of Parliament, there was no public outcry or expression of concern, from the usual sources, about the public 'damage' which was being inflicted upon the *"integrity"* of some of the individuals who had been 'implicated' by the public testimony which was being given before the Manatt Commission, although the Commission was yet to deliver its formal findings and recommendations in the matter.

More instructively, the question was posed to the Committee, by me, as to whether the Manatt Commissioners, at the end of the day, would be asked by the Committee to *"publicly vindicate"* any person who claimed that his or her integrity had been tarnished, in the event that the Commission did *"not find evidence of dishonest conduct"* on the part of such a person. After all, this was the very question that was being raised by the Committee, to the OCG, with respect to the outcomes of the Statutory Investigations of the Commission of the Contractor General.

The double standards that are inherent in the two (2) approaches are glaring and disturbing, and should not be ignored. They must be highlighted in this Report.

Finally, it must be made explicitly clear that in instances in which an allegation is made against a person, and the OCG finds that there is no evidence of the truth of the allegation, a Finding to that effect will be either expressly or implicitly outlined in the relevant OCG Report of Investigation.

A further follow-up, but very curious, question was posed, to the OCG, by a Member or certain Members of the Joint Select Parliamentary Committee of Parliament. The question posed was as follows:

"If not, should the OCG nevertheless adopt an explicit policy of public vindication in such cases, given that the mere fact of an investigation by the OCG may be misused by some politicians as a means to besmirch the integrity of an opponent or a person perceived to be sympathetic to the "other side?"

The question was answered by me in the following way:

"The OCG cannot be swayed or guided by what politicians do or are likely to do with the information which is presented in the OCG's Investigation Reports. The OCG is an Independent and Quasi-Judicial Anti-Corruption Commission of the Parliament of Jamaica and would obviously be obliged to vigorously resist any veiled or other attempt which is made to politicize its activities, or the manner in which it discharges its statutory mandates.

The OCG's Investigation Reports present the facts of the matter, based upon the sworn statements and documentary evidence that it receives from witnesses and respondents. The OCG's Findings in any of its Investigations – Findings which the OCG is empowered by law, in its Quasi-Judicial capacity, to determine – will either dispassionately disprove or prove the allegations which have been levied.

The onus, therefore, cannot obviously be placed upon the OCG to 'vindicate' individuals, since (a) the OCG is not the maker of the allegations which it investigates, and (b) the OCG is in point of fact empowered under law to make a Quasi-Judicial Finding as to whether *"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"* and, if and when such a Finding is made, to publicly report same to the Parliament of Jamaica. (Ref. Section 21 of the Contractor General Act)."

In concluding my written response to the Joint Select Committee of Parliament, 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.”

THE ‘SEPARATION’ OF THE NATIONAL CONTRACTS COMMISSION FROM THE OFFICE OF THE CONTRACTOR GENERAL

As was stated in the OCG’s 2009 Annual Report, the National Contracts Commission (NCC), in late 2009, formally resurrected an earlier proposal that it had made that it should operate independently of the OCG. The NCC’s campaign was carried over into 2010 and, after several meetings with the respective parties, and despite the strong, unrelenting and documented positions of the OCG against the ‘separation’, given the reasons which had been advanced by the NCC and the Government for same, the decision was taken by the Government to ‘separate’ the two entities.

The NCC, in reality and in law, is a distinct and separate Commission from the OCG. However, its administrative and technical support services have, for the past 12 years, been provided by the OCG’s Technical Services Department (TSD).

Despite suggestions which have been made to the contrary, the OCG, by law, cannot and does not make decisions for the NCC. The Government contract endorsement and contractor registration decisions of the NCC can only be lawfully made by a majority of a quorum of the NCC’s eight (8) appointed Commissioners sitting in the NCC’s duly convened weekly meetings.

Notwithstanding the OCG’s acknowledgement that it is the inherent right of the Executive arm of the State, and not that of the OCG, to decide on the matter, the OCG has consistently objected to the proposed ‘separation’ of the OCG and the NCC on the primary grounds that (a) the proposed ‘separation’ will not be a cost-effective one as it is likely to cost the Taxpayers as much as an additional \$80 million annually – this at a time when the Government itself has argued that it has no money; (b) the ‘separation’ would result in a duplicity of administrative and technical functions between the OCG and the NCC and; (3) the reasons that have been advanced, from the very outset, for the ‘separation’, are, in the considered view of the OCG, questionable.

The OCG’s positions, in the foregoing regard, are amply documented going back to a detailed nine (9) page letter, dated October 31, 2007, which was directed by me to a number of pertinent State authorities.

In its ensuing proposals, that were made in late 2009 and early in 2010, the NCC’s posture was that it should, in essence, (a) retain the OCG’s Technical Services Division staffing positions to the detriment of the OCG, (b) share other OCG staffing positions to provide continuing administrative support to the proposed new NCC; and (c) share the same secure and restricted physical space and facilities as the staff of the OCG, while at the same time insisting that it must be fully autonomous and independent of the OCG.

The NCC's propositions were strongly resisted by the OCG. The OCG also insisted that once the proposed 'separation' took place, the OCG's technical and human resource capacity to continue to monitor the activities of the new NCC should in no way be reduced, diminished, undermined or compromised.

Consequently, at a meeting of all stakeholders which was convened on July 22, 2010, by the Prime Minister, the Hon. Bruce Golding, to resolve the matter, the following undertakings and assurances were given by the Prime Minister.

1. That the institutional and resource capacity of the OCG must in no way be weakened and/or undermined by the 'separation';
2. That the 'separation', whenever implemented and prosecuted, must be complete with no sharing of physical office space, staff, assets or other resources as between the OCG and the new NCC;
3. That the OCG's existing staffing organization, inclusive of its Technical Services Department, would remain intact and undisturbed by the 'separation';
4. That nothing would be done to make the OCG's monitoring of the NCC less easy;
5. That a fundamental pre-condition for the proposed 'separation' is that adequate measures, inclusive of the requisite institutional arrangements and legislation, must be first set in place **to ensure the complete independence of the NCC, under the law, including the insulation of its support staff from any undesirable external or political interference** (My emphasis).

The Decision by the Cabinet to legally 'separate' the two entities was reportedly approved on November 8, 2010 and was subsequently publicized, on November 18, 2010, via an official Media Release which was issued by the Office of the Prime Minister.

As at the time of the final editing of this Report, the NCC had secured office space for its new and intended operations on the ground floor of the PIOJ Building. The OCG currently occupies the 1st Floor of the PIOJ Building.

However, and as far as the OCG is aware, the requisite institutional arrangements and legislation to facilitate the lawful 'separation' of the NCC, from the OCG, in the manner that was contemplated by the assurances that were given by the Prime Minister, have not yet been realized. Consequently, this is a matter which should be of major concern to all Jamaican Taxpayers.

The OCG, which, upon completion of the 'separation' of the two (2) Commissions, intends to vigorously monitor the Government contract endorsement and contractor registration functions of the new NCC – since both are critical components of the country's public contracting and procurement processes, will also continue to closely observe the ensuing OCG/NCC 'separation' process and report to the public any serious concerns that it may have regarding same.

POOR PERFORMANCE OF CONTRACTORS

There are several NCC registered Contractors who have been found culpable of performing poorly on Government works projects, but who, notwithstanding, continue to legitimately receive Government contracts. This has occurred widely as a result of the failure of Public Bodies to document and to report the offending contractors' under-performance to the NCC.

While the NCC possesses the lawful authority, under the Contractor General Act, to de-list contractors for poor work quality or Government contract breaches, and thus prevent them from bidding on future Government contracting opportunities, it cannot do so without the requisite supporting documentation and information which it must have to enable it to make an informed and legally defensible decision.

Public Bodies have a responsibility to ensure that where a Government contractor fails to faithfully perform its obligations in accordance with its contractual arrangements with the Government, the matter is carefully documented and reported to the NCC.

When contractual procedures, terms and conditions are not adhered to by the contractor, Public Bodies should be forthright and dispassionate in imposing the sanctions that are dictated or allowed by the contract, bearing in mind that the matter is one which concerns the Taxpayers money.

Additionally, as a part of the effective monitoring of construction projects, proper safety procedures must, at all times, be stringently enforced. Negligence on the part of either the contractor or a Public Body cannot be excused. There should be absolutely no room for the negotiation of issues of safety and, ultimately, of the lives of site workers and the members of the general public.

Public Bodies must, themselves, also dutifully discharge their own obligations, under the contract, to the contractors and also to the People and Taxpayers of Jamaica.

On a separate but very critical point, it is also the OCG's view that it is desirable for Public Bodies to ensure that all Works contractors, once contracted, only engage sub-contractors who are approved and registered by the NCC.

Contractual agreements should, therefore, explicitly speak to whether sub-contractors may be engaged by the contractor and, if so, the capacity in which they will operate. The contractor should also be required to provide proof of the sub-contractor's registration with the NCC, in the appropriate category and at the appropriate grade level.

The foregoing approach, it is submitted, will aid in ensuring that the hard-earned money of the Jamaican Taxpayer is not wasted away owing to poor and sub-standard work quality on Government Works projects. This will inevitably lead to unavoidable costs and time overruns, or the need for corrective work to be done at additional and unnecessary cost to the Taxpayer.

I also have grave concerns about the massive workload of some contractors and the fact that they continue to receive additional Government contract awards, despite the obvious impossible work load that they already have, and the fact that their human, technical, financial and equipment resources are already stretched thin.

It is critical that Public Bodies conduct the necessary due diligence to ensure that contracts are not awarded to contractors who have exceeded the permissible workload limit, as is specified by the NCC's rules.

It is also of vital importance that contracts are not awarded to contractors who are not registered with the NCC in the appropriate work category and/or at the appropriate grade level.

The necessary due diligence, if systematically undertaken by each Public Body, will safeguard the Government and, by extension, the Taxpayer, against (a) poor quality of work, (b) delays in the implementation and execution of the works, (c) the unavailability of the required resources, whether financial, technical and/or human, by the contractor, and (d) will ensure value for money for the Taxpayer.

Once again, and in closing, I am, therefore, obliged to call upon the Government to urgently take the requisite steps to formally institutionalise the 'blacklisting' of under-performing Government contractors. This is a best practice of the World Bank and other major Development Banks world-wide who continuously strive to ensure that the developmental projects which they finance are administered and executed at the most optimum cost-effective and cost-efficient levels possible.

If accepted, this Recommendation, I strongly believe, will dramatically increase the levels of efficiency and effective performance of Government contractors in Jamaica, particularly those who are recipients of contracts in the Construction Sector.

The foregoing matters are further discussed in the section of this Report which is entitled **Monitoring of Construction Contracts**.

UNACCEPTABLE PERFORMANCE OF CONSULTANTS AND PROJECT MANAGERS

The aforementioned concerns are not only confined to contractors. Consultants and Project Managers, who are routinely engaged on Government contracts, have also been found to be wanting.

The performance of consultants and Project Managers need to be closely monitored by Public Bodies, for too often the OCG has found that these professionals have abandoned or have failed to perform their duties satisfactorily.

As is the case with contractors, whose performance is found not to be in compliance with the conditions of the contract, Public Bodies should not hesitate to apply the prescribed sanctions or penalties in any instance in which the work of a Government engaged consultant or project manager falls beneath the required standard.

It is not enough to verbally indicate the shortcomings to the offending party, as there is no guarantee that the improvement will be realised. The importance of documentation cannot be over-emphasised, particularly where there is a deviation from the terms and conditions of the contractual agreement.

That said, Public Bodies are strongly advised to ensure that consultants and project managers are suitably qualified to perform the works or services in respect of which they are to be engaged.

Similarly, Public Bodies should also be vigilant in their oversight of these persons, ensuring not only optimum delivery of service, but that all possible debilitating 'situations' are anticipated and spoken for in the contractual agreement which is to be executed between the Government and the consultant or project manager.

The foregoing matters are further discussed in the section of this Report which is entitled **Monitoring of Non-Construction Contracts, Licences, Permits and Concessions**.

IGNORANCE OF THE GOVERNMENT PROCUREMENT PROCEDURES

The year 2010 saw several procurement processes being terminated for a number of reasons, chief among them being budget-related issues.

The OCG, in monitoring the procurement processes that are administered by the country's 190+ Procuring Public Bodies, upon identifying deviations, would have communicated same to the offending Public Body.

Unfortunately, however, in some instances, the extent of the deviations did result in the OCG recommending the termination and re-tendering of the procurement opportunity. Re-tendering usually requires the revision of the Tender Document and re-advertising, both of which are costly undertakings.

In an effort to prevent this occurrence, it is recommended that all Public Bodies familiarise themselves with the Handbook of Public Sector Procurement Procedures and the Standard Bidding Document, along with the accompanying Annexes. These may be found on the OCG's website at www.ocg.gov.jm or on the website of the Ministry of Finance and the Public Service at www.mof.gov.jm.

Another breach that has been identified by the OCG, is the continuing failure of Public Bodies to secure the appropriate approvals for contract award recommendations. There were many instances, throughout the year, in which either the required Procurement Committee or Head of Entity/Accounting Officer approval was not received prior to the award of contract. Deviations such as these clearly demonstrate ignorance or indifference, on the part of the offending Public Bodies, to the relevant Procurement Procedures which are detailed in the aforementioned Handbook.

Public Bodies that have been identified for this breach have been routinely advised of the deviation and warned against a recurrence of same. In all instances, the relevant Permanent Secretary (or in the case of the Ministry of Finance and the Public Service, the Financial Secretary) has been copied on the pertinent OCG correspondence.

Public Bodies are reminded that the required approvals are guided by the value of the contract to be awarded, and the procurement methodology which is to be utilised by the Public Body in any given case. In all instances, the approval of the Head of Entity/Accounting Officer is required.

With the limited funds that are available to Public Bodies for procurement purposes, it is of vital importance that proper due diligence is consistently conducted to ensure that internal budgetary, planning and procurement practices are being executed at the appropriate levels and are, at all times, in full compliance with applicable Government of Jamaica laws, regulations, policies and procedures.

CORRUPT DISCLOSURE OF THE 'COMPARABLE ESTIMATE'

The OCG continues to maintain that the non-disclosure of the Comparable Estimate, to **all** potential bidders, prior to the tender-opening ceremony, creates an opportunity for the undermining of the legitimate procurement process, and is, in point of fact, a corruption enabling facility.

Corrupt contractors will attempt to ascertain the amount that is earmarked by the Public Body for expenditure on a contract (otherwise called 'The Comparable Estimate'), in collusion with corrupt employees of the awarding Public Body, and, in so doing, will ensure that their bids so closely correspond with the Comparable Estimate that, all things being equal, they will win the contract. Consequently, if they are successful in their corrupt endeavours, these Contractors would have had a competitive, though corrupt, advantage over other bidders.

Indeed, the OCG has received information that the trend of strategically disclosing the Comparable Estimate to a tendering contractor, is a deeply entrenched practice in the Public Sector Procurement Process in Jamaica, and has been criminally utilized as a latent device to direct lucrative state contracts to specified contractors.

It is also my understanding that some agents of Public Bodies have been allegedly approached and offered bribes to disclose the Comparable Estimates to certain contractors.

As an anti-corruption measure, one significant benefit that is to be derived from disclosing the Comparable Estimate to all bidders is the full transparency of the measured or market value of the contracting opportunity. This will obviously engender a greater level of competition, as contractors will seek to bid as close to the amount that has been budgeted and stipulated as the real value of the works that are to be undertaken or the goods that are to be procured.

In light of the foregoing, the OCG, in 2010, submitted a formal Recommendation to the Government in which it was proposed that there should be a full disclosure of the Comparable Estimate, to all bidders, as a part of the Invitation to Tender process. However, the proposal was not considered for inclusion in the Revised Handbook which was brought into force by the Government on January 2, 2011.

I am, therefore, again, calling upon the Government to dispassionately re-consider the Recommendation.

Quite apart from the foregoing, the OCG has also taken note of the fact that several Public Bodies have been initiating procurements without first establishing a value baseline for the procurements that are to be undertaken. It has also been noted that many Public Bodies have failed to reveal the Comparable Estimates at their Tender Opening Ceremonies. This is a practice which violates the Government of Jamaica (GOJ) Procurement Procedures. It is also one which flies in the face of the principle of *'transparency'* in the procurement process.

Comparable or Comparative Estimates are absolutely necessary for all procurement activities, as they enable the Public Body to determine whether they will get value for money. Having a Comparable Estimate also allows for proper planning, as it enables the Public Body to estimate the duration of the pre-contract phase of the procurement, allocate appropriate funding, and identify the required grade level for Works Contractors.

It is, therefore, imperative that a fully informed Comparable Estimate is prepared prior to Tendering, as it will ultimately serve to guide the process which is to be undertaken, including the procurement methodology that is to be utilised.

The OCG obviously cannot attend all Tender Opening Ceremonies to ensure compliance by the country's 190+ Public Bodies in revealing their Comparable Estimates. Consequently, I am obliged to use this medium to respectfully remind the Accounting Officers of the country's Procuring Public Bodies that Public Bodies do have an obligation to disclose the Comparable Estimate at Tender Opening Ceremonies. A failure to comply with this requirement will constitute a breach of the Government of Jamaica Procurement Procedures.

The foregoing matters are further discussed in the section of this Report that is entitled **Monitoring of Construction Contracts**.

REVIEW OF THE PUBLIC SECTOR PROCUREMENT PROCEDURES HANDBOOK

A Multi-Agency and Multi-Disciplinary Committee was established by the Prime Minister, the Hon. Bruce Golding, to revise the Government of Jamaica Revised Handbook of Public Sector Procurement Procedures (November 2008). The Committee met throughout the year which is under review and painstakingly reviewed the Handbook.

The OCG was ably represented on the Committee by Mr. Craig Beresford, its Senior Director of Monitoring Operations, Corporate Communications and Special Projects, and was routinely issued with drafts of the proposed Handbook for its review and comments. The drafts were reviewed and written Recommendations were promptly posited by the OCG's review team for amendments to be effected to the respective drafts, prior to final approval.

As the State's sole Anti-Corruption Commission, which is vested under the law with the exclusive mandate to ensure compliance by Public Bodies, with the Government's Procurement Procedures and Laws, the Recommendations of the OCG that were proffered were guided not only by its vantage point knowledge of, and experience in, procurement practices in Jamaica, but also by its peculiar knowledge of the challenges, difficulties and issues that are faced, on a daily basis, by Public Bodies and Procurement Practitioners, in their interpretation and application of the Government's Procurement Procedures.

For example, the need for lucidity in the new Handbook could not be over-emphasised, as the misinterpretation of the Guidelines as were set out in the previous Handbook (November 2008), had resulted in many instances of inadvertent deviations by Public Bodies.

Additionally, there were numerous instances of inferences having to be made, as there were significant and far-reaching substantive omissions and oversights in the old Handbook. Furthermore, the general layout of the old Handbook was not user-friendly. Consequently, some of the Recommendations that were made by the OCG were directed at addressing these matters.

In so far as the substance of the Handbook is concerned, surprisingly, several of the significant anti-corruption measures that were proposed by the OCG, and which had found favour with the Multi-Agency and Multi-Disciplinary Committee, were not included in the ensuing Cabinet approved Revised Handbook which resulted from the deliberation process. The new Handbook was brought into force effective January 2, 2011, via a Ministry of Finance and Public Service Circular, No. 34, which was dated December 10, 2010.

The foregoing matters are further discussed in the section of this Report that is entitled **Monitoring of Non-Construction Contracts, Licences, Permits and Concessions**.

CORRUPTION IN THE GOVERNMENT CONTRACTOR REGISTRATION PROCESS

In the Introductory Remarks that I made last year in the OCG's 2009 Annual Report to the Parliament, I reported, *inter alia*, as follows:

"In April 2009, the OCG uncovered attempts by unscrupulous contractor applicants and other persons to corrupt the National Contracts Commission (NCC) Government contractor registration process.

The matter was promptly made public by me, via the issue of an official OCG Media Release which was dated May 6, 2009. The Release was issued after the police had conducted preliminary investigations and immediately after clearance was received by me, from them, to proceed with my public statement.

To qualify to bid on Government contracts, a prospective contractor must first secure registration with the NCC as a works, goods or services contractor, after filing the appropriate application with the OCG. Existing registered NCC contractors must also seek re-registration with the NCC every year.

Once an application for registration is filed with the OCG, the OCG, on behalf of the NCC, undertakes a due-diligence evaluation of the application form and verifies the contractor's particulars in accordance with the NCC's prescribed procedures. This, in turn, forms the basis for the classification, grading and registration of the contractor by the NCC. A contractor is classified or graded depending upon its resources, experience and competence levels.

If the NCC's contractor registration or re-registration process is in any way corrupted or compromised, contractors could potentially receive Government contract awards for which they are not qualified, competent or adequately resourced to execute. This, in turn, could result in additional costs being borne by the tax-payer arising from poor or defective work on construction projects, costs and time over-runs on works contracts, or the supply of goods or services which do not meet contract specifications.

In late April 2009, a semi-completed contractor re-registration application form was received by the OCG for preliminary due-diligence evaluation and processing, prior to submission to the NCC.

Included among the application supporting documents, was what appeared to be a forged sworn Voluntary Declaration which had purportedly been executed before a Justice of the Peace by the contractor, attesting to the truth of the particulars which were embodied in the application form.

Preliminary investigations, which were carried out by the OCG, found that the application had been allegedly prepared and submitted, on behalf of the contractor, by a former long-serving member of the OCG staff, for a fee of \$10,000. The former OCG staff-member was asked by me to resign from the OCG in April, 2008, on suspicion of her involvement in corrupt activities. The allegations, at the time, were reported, in writing, by me to the Police High Command.

The OCG has, since April 23, 2009, intercepted several other contractor registration and re-registration application forms which appeared to be irregular or contain misleading, forged or fraudulent information. Many of the applications seemed to have been completed by the same person and/or attested to before the same Justice of the Peace.

In many instances, interviews were conducted by the OCG with representatives of the implicated contractors and statements were taken. In all cases, the OCG has handed over the affected contractor application forms and files to the Fraud Squad in consequence of which the applications will not be processed by the NCC.

Section 15 of the NCC's Works Contractor Application Form provides 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."

Since its calling in of the Fraud Squad in April, 2009, the OCG has taken several decisive and deliberate steps in its continuing effort to root out the scourge of corruption from its midst and from the Government contractor registration process. These have included:

- (1) The re-organization of the staffing structure of the OCG's Technical Services Department (TSD), the interim revision of the critical operating and process functions of the Department, and the re-assignment of the said functions to new staff members.*
- (2) The conduct of an exhaustive and comprehensive evaluation of the OCG's TSD functions and processes to re-assess its strengths and weaknesses and to develop recommendations for the revamping of the said processes – all in an effort to enhance efficiency and effectiveness in the processes, whilst insulating same from criminal acts of corruption and impropriety. The Report was completed and handed over to the NCC.*
- (3) The handing over of suspicious information, together with tainted contractor files, to the Fraud Squad.*
- (4) The implementation of more stringent security measures to protect the OCG's official documentation and information from unlawful use or disclosure, inclusive of the re-organization and re-staffing of the OCG's Registry.*
- (5) The formal issue of Anti-Corruption and Associated Disciplinary Warnings to all existing OCG staff members and the erection of no less than six (6) laminated Anti-Corruption Warning and Prosecution Signs throughout the public areas of the OCG's offices.*

The referenced heightened anti-corruption mechanisms and procedures which were implemented by the OCG, did in fact bear fruit as several other irregular, forged and fraudulent contractor re-registration applications have been identified and pulled from the system during the year.

Some of the irregularities which have been identified by the OCG, and particularly those which were associated with works contractors' applications, are indicative of the magnitude of fraud and corruption that has permeated Government contracting in Jamaica. They include:

- (1) Forged contractor re-registration applications, supporting documentation and certification;*
- (2) Falsified information regarding the human, physical, financial and technical resources of contractors;*
- (3) Falsified information about construction projects which contractors allege that they have executed;*
- (4) Irregular and forged Voluntary Declarations attesting to the veracity of application forms; and*
- (5) Contractor representatives who are unable to accurately verbalize to the OCG the information which is stated on the application forms which they themselves have submitted to the OCG".*

In furtherance of the OCG's efforts to clean up the Government's Contractor Registration system, the Technical Services Division (TSD) of the OCG, upon my instructions, in September 2010, implemented a 100% Zero Tolerance compliance audit of all applications for registration and re-registration for all Grades 1 to 4 Works contractors that are submitted to the NCC.

The exercise was structured to secure the detailed verification of all of the information that is entered upon the contractor application forms, particularly as it relates to information that is represented about the human, financial and technical resources of the applicant.

The OCG's implementation of its 100% due diligence initiative resulted in delays in the NCC contractor registration and re-registration processes that were not unexpected. This, in turn, led to a heightened displeasure amongst contractors who, not surprisingly, complained of the varying inconveniences which they were facing.

The delays also prompted the intervention of the Hon. Prime Minister, who convened a meeting with himself, the Chair of the NCC, the President of the Jamaica Master Builders Association, the Senior Director of the OCG, and me, on November 17, 2010.

The need for additional staff within the OCG's TSD had been previously communicated to the authorities so that the delays that were anticipated from the OCG's heightened scrutiny of the Works contractors' application forms would have been minimized. These requests, however, were ignored. At the meeting with the Hon. Prime Minister, a further request was made by me for three (3) additional personnel, but all to nought.

The OCG was, however, not prepared to compromise the need to obliterate the pervasive corrupt and unscrupulous elements that it had identified in the Government Contractor Registration Process merely to preserve the pre-existing 4 week NCC contractor application registration time frame. This position was firmly, but respectfully, communicated by me to the Hon. Prime Minister.

The Hon. Prime Minister discussed with the meeting what appeared to be the Government's temporary solution to the registration and re-registration delay problem.

Rather than explore the possibility of granting the OCG's request for three (3) additional members of staff, what was instead raised was a Government proposal to have the NCC impose a Moratorium to enable Government Works contractors, whose registration certifications had already expired, to be deemed to be registered in their pre-existing categories and grades through to February 28, 2011. Excepted from the ambit of the proposed Moratorium would be those contractors whose registrations had expired, and whose applications were the subject of OCG reports to the police for investigation for fraud.

In essence, the Moratorium was intended by the Government to 'validate' the registration of contractors whose registrations had already lapsed by operation of law. It would also 'validate' the registration of contractors whose grading and categorization *bona fides* would have not yet been legitimately established in keeping with the NCC's own existing rules and procedures.

I respectfully advised the Prime Minister that, as the Contractor General, and as a registered Attorney-at-Law, I could not support the proposed Moratorium for a number of considered reasons, chief among them being:

(a) that to do so would be unlawful, having particular regard to the provisions of the Contractor General Act which require the NCC to register contractor applicants only if it was "*satisfied that an applicant meets the prescribed requirements*";

(b) that the Moratorium would undermine and compromise the integrity of the processes that had been established, under the law, to ensure that Works contractors who are permitted to bid on Government contracts, have been properly graded and certified as having the requisite physical assets, financial resources, professional expertise, and prior Works experience to execute the contracts that were likely to be awarded to them; and

(c) that the Moratorium would have introduced a grave element of irregularity and impropriety into the Government Contractor registration process, in clear violation of my mandate as Contractor General, under Section 4 (1) of the Contractor General Act, by which I am circumscribed, and which requires me to “*ensure*” that Government contracts are “... *awarded impartially and on merit and in circumstances which do not involve impropriety or irregularity*”.

Notwithstanding the objections of the OCG, the issue of a Policy Directive of the Cabinet of the Government of Jamaica was publicly reported by way of a Jamaica Information Service (JIS) Release, which was dated November 29, 2010. The JIS Release alluded to a Statement which was made on November 24, 2010, at a Post-Cabinet Press Briefing, by the Minister of Information, the Hon. Daryl Vaz.

The JIS Release stated quite unequivocally that “***except for contractors ... whose registration has expired and whose applications were the subject of reports to the police for investigation for fraud ... the eligibility period for the award of Government of Jamaica contracts to all contractors registered with the National Contracts Commission (NCC) has been extended to February 28, 2011***”. (My emphasis).

The public Statement that was made by Minister Vaz also seemed to have usurped and over-ruled a private letter from the Cabinet Secretary, dated November 25, 2010, that was directed to the Chair of the NCC, and copied to me, in which the matter had been purportedly submitted for decision of the NCC. Minister Vaz’s Statement had suggested to the public that the matter was already a ‘done deal’.

The Cabinet Secretary’s letter, in part, stated that “... *Cabinet agreed that a number of policy considerations (regarding the matter) should be placed before the National Contracts Commission (NCC) in relation to its statutory responsibility for the registration and classification of contractors*”.

On November 30, 2010, I wrote to the Chair of the NCC, advising him that “*in light of the OCG’s concerns about the impropriety and illegality of the Moratorium under the provisions of the Contractor General Act, the OCG wishes to use this opportunity to formally disassociate itself from any decisions of the NCC and the Government of Jamaica which may be taken which are in keeping with the terms of the said Moratorium*”.

I further advised the NCC’s Chair that the OCG, which is an Independent Commission of Parliament, would “*continue to lawfully discharge its statutory mandate, under the Contractor General Act, to provide to the NCC such technical and administrative support as the NCC may require to enable it to lawfully discharge its own mandates under the said Contractor General Act*”.

My letter was copied to the Speaker of the House of Representatives, the President of the Senate, the Chair of the Joint Select Committee of Parliament which was then examining the Reports of the Contractor General, the Hon. Prime Minister, the Cabinet Secretary, the Financial Secretary, the Solicitor General and the President of the Jamaica Master Builders Association. A full transcript of my letter was also appended to an OCG Media Release which was issued, regarding the matter, on December 1, 2010.

In the Media Release, the OCG expressed its alarm that “*the Cabinet, despite being warned, has chosen the route of this highly irregular and apparently unlawful ‘Moratorium’ as the way for resolving the subject crisis. The Cabinet’s Directive will, as a matter of certainty, (a) expose the Government Contractor registration process to corruption, irregularity and impropriety – the very mischief that the OCG has been working assiduously to cauterize, (b) unleash uncertified, incompetent and under-resourced contractors upon the Jamaican Taxpayer and (c) pose significant threats to property, life and limb, since the integrity of the work which the referenced Contractors will carry out in their execution of public works contracts cannot, in any circumstances, be assured*”.

It is instructive to report that, as at the time of the editing of this Report in mid-2011, no steps had been taken by the NCC, or by the Government, to actually implement or to proceed with the subject Moratorium – thus suggesting that the OCG’s objections to the Moratorium had some bearing on the Government’s and/or the NCC’s final decisions.

DELISTING OF NCC REGISTERED WORKS CONTRACTORS DUE TO FRAUD

It is also important to record that the OCG's revamping of the NCC's contractor registration process, though tedious and challenging, resulted in at least sixty (60) contractors being investigated by the OCG for NCC registration and re-registration irregularities, and at least twenty-five (25) of that number being forwarded to the NCC for removal or de-listing from its list of NCC Registered Government Contractors.

For example, by way of letter, which was dated March 31, 2010, the particulars of 19 named Works contractors were formally conveyed by the OCG, to the Chair of the NCC, with a formal Recommendation that their applications for registration or re-registration with the NCC should not be approved by the NCC.

The OCG's Recommendation was based on the fact that its internal investigations, all of which involved formal and recorded OCG interviews with representatives of the subject contractors, had revealed documented evidence that the applicants had submitted incorrect, erroneous and/or misleading information on their NCC registration and/or re-registration application forms, in contravention of Provision #15 of the NCC's own Terms of Application.

Provision #15 of the NCC's Works Application Form provides 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."

By way of letters that were dated June 9 and July 7, 2010, a further Recommendation was made, by the OCG, to the NCC, for the immediate revocation of the registration of a then registered Works contractor, **Incomparable Enterprises Limited**. Incomparable Enterprises Limited is a contracting entity that, at the time, was being featured prominently in the news in Jamaica, and was alleged to be closely associated with one **Mr. Christopher 'Dudus' Coke**.

In the referenced case of Incomparable Enterprises Limited, the OCG, after being approached by the Jamaica Constabulary Force for a copy of the company's NCC file, conducted a forensic investigation of the file and found evidence which suggested that, at a minimum, the company's annual re-registrations, as a NCC Works contractor, going back to 2005, had been irregularly and/or fraudulently acquired.

Full particulars regarding the OCG's Findings were formally conveyed to the Chair of the NCC, in writing, under cover of the above-referenced OCG letters of June 9 and July 7, 2010.

Despite the OCG's Recommendation however, the NCC, instead of taking decisive action regarding the matter, referred same to the Solicitor General, Mr. Douglas Leys, by way of letter, from the Chair of the NCC, which was dated July 20, 2010.

As at the date of the editing of this Report, in mid-2011, the OCG had not been advised as to whether the Solicitor General had responded to the Chair of the NCC and, if so, what advice had been rendered by him to the NCC.

The OCG also wishes to record that copies of the identical documents, regarding Incomparable Enterprises Limited, that were forwarded by the OCG to the NCC, were also formally conveyed by the OCG to Senior Superintendent Fitz Bailey, the Head of the Organized Crime Investigations Division of the Jamaica Constabulary Force (JCF), under cover of letters which were respectively dated June 9 and July 7, 2010.

Additionally, at the request of Senior Superintendent Fitz Bailey, following a meeting which was convened at his instance with OCG officials on June 2, 2010, complete copies of (a) the official NCC files for Incomparable Enterprise Limited, containing 114 listed documents and, (b) the official NCC files for Bulls Eye Security Services Limited, containing 16 listed documents, were formally conveyed to the Senior Superintendent, under cover of letter that was dated June 4, 2010.

Incomparable Enterprises Limited ceased to be a NCC registered contractor, effective November 10, 2010, not by any overt or decisive act on the part of the NCC, but, rather, by the effluxion of time. (NB. November 10, 2010 was the date that the company's then subsisting annual registration, as an NCC Works contractor, naturally expired).

Based upon the OCG's documented Government contract award records, all of which for some time have been freely available for scrutiny on the OCG's website at www.ocg.gov.jm, Incomparable Enterprises Limited (a) has been awarded a grand total of 55 contracts which fall under the NCC's value thresholds (of \$4 million prior to September 22, 2008, and \$10 million thereafter), and which bear an aggregated value of \$77.3 million; and (b) has had endorsed in its favour, by the NCC, nine (9) contract award recommendations totalling \$144.86 million.

The 55 contracts in category (a) were awarded during the period of September 2006 to February 2010, while the nine (9) NCC contract endorsements, that are referenced in category (b), were recorded during the period of May 2008 to August 2009.

As is the case with all Government contractors, inclusive of Incomparable Enterprises Limited, which the OCG's internal Investigations have revealed have secured their NCC contractor registrations and/or re-registrations fraudulently or corruptly, the critical questions which now arise for answer by the Learned Attorney and Solicitor Generals is what of the legitimacy and legal validity of the Government contracts that have been awarded to such contractors, and whether and to what extent does the State has a right to trace and to lawfully reclaim the Taxpayer monies that have been paid out under the said contracts.

The unrelenting and bold steps that the OCG has initiated and prosecuted to eradicate corruption from the Government's Contractor Registration Process, have resulted in a significant reduction in the false, misleading and fraudulent information that was previously being presented in the Works contractor application forms that were being submitted to the NCC.

Corrupt and unscrupulous contractor applicants are now thinking twice about 'testing' the integrity of the OCG's 100% Zero Tolerance due-diligence system, and that is precisely how it should be.

The OCG's Zero-Tolerance approach to fraud, in any shape or form, will not be relaxed at any time, as the OCG continues on its mission to diligently impose and to uphold the foundation principles of integrity, accountability, transparency, competition and value for money in the Government of Jamaica Procurement and Contract Award Processes.

To the extent that delays in the NCC contractor registration and re-registration time-frames are persisting, the OCG would, once again, respectfully call upon the powers that be to do the right thing by providing no more than three (3) additional members of staff to the OCG's TSD – this, as opposed to doing what is, in essence, tantamount to forcing the OCG to turn a blind eye to corruption by relaxing its scrutiny of the referenced Works contractors' registration and re-registration application forms.

Of course, one of the most valid and pre-eminent concerns that the OCG now has is that once the Government 'separates' the NCC from the OCG, the administration of the NCC's contractor registration functions is likely to become so lax, or susceptible to corrupt external influences, that it could very well encourage the return of the same elements of fraud, as well as the bogus, corrupt and criminal contractors, that the OCG, for the past two (2) years, has been working assiduously to expunge from the system.

Consequently, the process that the Government pursues to 'separate' the NCC from the OCG, and the extent to which the structure that embodies the new NCC will be immune to the influence and dictates of the political directorate and other external influences, must, therefore, be closely observed and scrutinized, for in absolutely no circumstances whatsoever should the days of rank thievery and corruption in Government contracting in Jamaica be allowed to return to rear its ugly head.

CLOSING COMMENTS

In closing, I wish to thank all Jamaicans, both here in Jamaica and overseas, who continue to support the efforts and the work of the OCG.

Although the OCG has had its fair share of detractors and critics, the support for the organization and what it represents, appears to far outweigh any unfounded aspersions that may have been levelled at it. Some of these persons have even gone as far as to attempt to politicize the work of the office, but to no avail.

Each commendation and expression of support, whether orally made or in writing, has reinforced and strengthened my unbridled commitment to the faithful discharge of my mandate. I must assure you that your support continues to re-energize the OCG team and me, as we continue to perform our daily duties, with passion, on behalf of the People and Taxpayers of Jamaica.

Once again, I am obliged to call upon every right-thinking Jamaican to take a strong, aggressive, vocal and unrelenting stand against corruption. As Jamaicans, we should make a concerted effort to recognise and report corruption whenever and wherever we see it. We also need, as a nation, to ensure that the younger generation does not adopt the mentality of gain by dishonest means, nor to come to accept this as a norm, or as a way of life.

Make no mistake about it, corruption inhibits economic prosperity and propagates poverty. Consequently, combating corruption has to be made a national priority if we are to stand any chance whatsoever of rescuing our beloved Nation from the jaws of the socio-economic despair which currently awaits it, should our collective inaction and apathy persist.

I must also use this opportunity to publicly thank the hardworking and dedicated staff of the OCG, the great majority of whom have selflessly, and time and time again, gone beyond the call of duty to ensure that the mandates of the OCG are faithfully and fully discharged and satisfied.

It is with a sense of great pride and satisfaction that I can truly say that I am indeed honoured and privileged to lead a team of mainly young Jamaican individuals who are apolitical, and who are determined to do whatever is professionally and lawfully necessary to get the job done, without fear or without favour, despite the many and arduous challenges that they face.

The Contractor General Act, by which I am guided, stresses, *inter alia*, independence and the requirement that I must act, at all times, on behalf of the Parliament of Jamaica. I, therefore, fully appreciate, understand and accept that my responsibilities and functions are to be discharged, by extension, on behalf of the People and Taxpayers of Jamaica.

Having regard to the requirements of my mandates, I can unreservedly assure the Parliament and the People of Jamaica, that, during 2010, the year which is under review, I performed my functions, as Contractor General, in good faith, in the manner which is prescribed by the Contractor General Act.

For the future, I pledge that for as long as I shall hold the Commission of the Contractor General of Jamaica, I will, to the best of my ability, continue to fearlessly serve the collective interests of the People of Jamaica, whilst faithfully discharging my functions as Contractor General.

I will do so forthrightly, fairly and impartially, and I will do so responsibly and in a manner which is in keeping with the highest standards of integrity and ethical conduct.

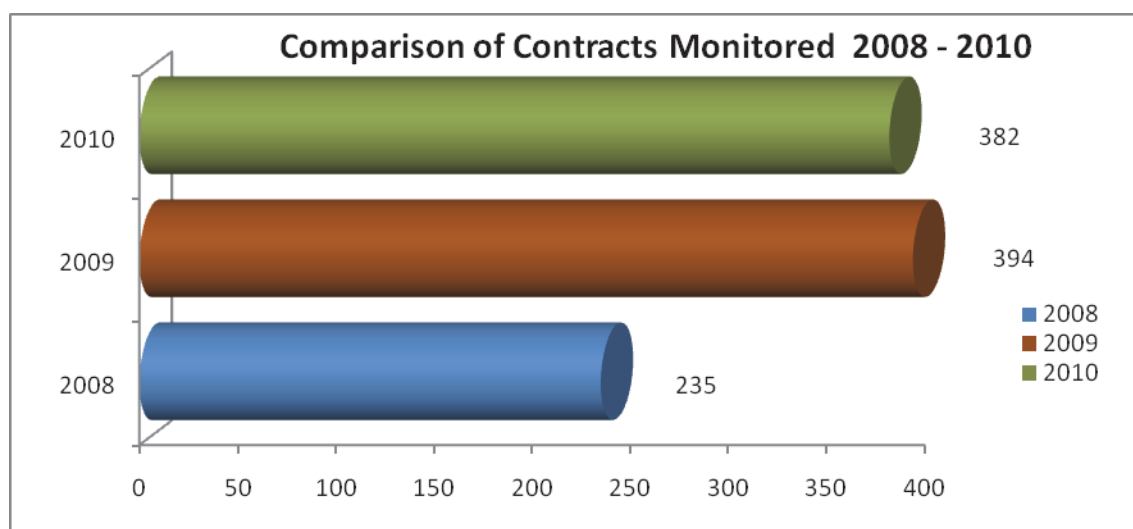
Greg Christie
Contractor General

MONITORING OF CONSTRUCTION CONTRACTS

During the year 2010, the Construction Contracts Division of the Office of the Contractor General (OCG) monitored the Pre and Post Contract Stages of three hundred and eighty two (382) Contracts⁴. Consequently, there was an approximate three percent (3%) decline in the number of Works Contracts which were monitored for the year 2010, in comparison to the previous year, when three hundred and ninety-four (394) contracts were monitored.

As is customary, the Division undertook sustained monitoring of Works Contracts which were above the \$10,000,000.00 threshold, and which would have required the National Contracts Commission's (NCC) prior to endorsement. For the year 2010, the NCC endorsed a total of one hundred and eighteen (118) Works Contracts which had an aggregated value of \$12,493,926,279. Of the one hundred and eighteen (118) Works Contracts that were endorsed by the NCC, forty-six (46) were monitored by the Construction Contracts Division.

Chart 1: Comparison of Number of Construction Contracts Monitored 2008-2010



PRE-CONTRACT MONITORING

In an effort to ensure sustained monitoring of construction projects, in accordance with the OCG's mandate, the Construction Contracts Division sought to effectively engage Public Bodies through various channels, via direct consultations, letters, telephone discussions and/or email correspondence. The Division's proactive approach has resulted in marked improvements in the compliance levels of the Public Bodies, with respect of the Government of Jamaica Handbook of Public Sector Procurement Procedures – November 2008 (*hereinafter referred to as 'Government Procurement Guidelines'*).

The proper application of the Government Procurement Guidelines at the Pre-contract stage continues to be problematic for a number of Public Bodies. The OCG's monitoring activities have revealed that inadequately trained administrative and technical personnel have led to challenges and noted deficiencies, in the execution of the procurement activities within said Public Bodies.

The tables below illustrate some of the problems which have been identified by the Construction Contracts Division, during the Pre-Contract monitoring stage.

⁴ Please refer to Appendices II 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 offering a procurement opportunity. Accurately prepared estimates facilitate proper planning in the following areas:

- Determination of the appropriate level/grade of Contractors to bid on a project;
- Ensuring that necessary funding is available for implementation;
- Determination of the accuracy of financial proposals; and
- Determination of the applicable approvals which would have to be sought (e.g. NCC and Cabinet approvals if the project estimate is over \$10,000,000 and \$30,000,000.00, respectively).

Interestingly, there are a number of Public Bodies which have neglected to conduct the necessary due diligence in the preparation of the 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. There is absolutely no substitute for having a Comparable Estimate prepared, as it guides and directs the Procurement Committee in the evaluation, summation and recommendation of the preferred bidder to the relevant approving bodies.

Ideally, the contract value should be within a 15% range of the Comparable Estimate. The table below illustrates a sample of ten (10) 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	Comparable Estimate	Difference and Percentage (%) above / below Comparable Estimate
Office of the Prime Minister /National Housing Trust	Perth Housing Development- Phase 1	2010-06-17	\$606.81M	\$ 634.79 M	(\$28.0M) -4.4
Office of the Prime Minister/ St. Mary Parish Council	Construction /Renovation of Roads & Works Building	2010-09-06	\$21.20M	\$ 20.22M	\$0.99M 4.66
Ministry of Transport and Works	Construction of a Permanent Truck Scale Facility	2010-02-26	\$100.11M	\$ 87.14M	\$12.97M 12.96
Ministry of Water and Housing	Construction of Forty eight (48) Dwelling Houses at Albion Tenement	2010-08-10	\$89.44M	\$ 83.46M	\$5.99M 6.69
Ministry of Water and Housing / Housing Agency of Jamaica Limited	Construction of 132 No. Two (2) Bedroom houses and attendant Infrastructure Works at Westmeade	2010-07-27	\$ 663.87M	\$690.22M	(\$26.35M) -3.97
Ministry of Water and Housing / Housing Agency of Jamaica Limited	Design & Construction No. 108 Two (2) Bedroom Townhouses and Related Infrastructure Works at Congreve Park	2010-09-15	\$802.17M	\$868.76M	(\$66.60M) -8.3
Office of the Prime Minister / Jamaica Social Investment Fund	Albion Basic School Construction	2010-07-21	\$28.29M	\$29.74M	(\$1.45M) -5.13
Office of the Prime Minister / Jamaica Social Investment Fund	Moore Town Road Rehabilitation	2010-09-23	\$36.78	\$38.67M	(\$1.89M) -5.14
Ministry of Energy and Mining / Petroleum Company of Jamaica Limited	The Supply of LPG Cylinders	2010-08-09	US\$ 0.324.64M	US\$ 0.272.77M	US\$0.052M 15.98
Ministry of Health and Environment/ Southern Regional Health Authority	Mile Gully Health Centre Refurbishing	2010-06-07	\$9.57M	\$11.16M	(\$1.59M) -14.24

Based upon Table 1 above, the OCG notes that of the ten (10) Public Bodies represented, in four(4) instances the price bids exceeded the comparable estimate by an average of 10.7%, whilst, in the remaining six instances the price bids were below the comparable estimate by an average of 6.86%. Therefore, it is reasonable to conclude that said Public Bodies are being diligent and some level 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 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.

(b) Pre-Contract Timeline

At the conclusion of the pre-contract stage, there is the possibility for enormous cost savings if the project is executed 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.

The timeline between the tender opening date and the actual contract start date is 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 its 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 three (3) to sixteen (16) 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 a number of 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	Contract Start Date	Duration from tender opening date to Contract start date (approx. months)
Ministry of Transport and Works / Ministry of Transport and Works	Construction of a Permanent Truck Scale Facility	2008-11-28	2009-07-15	2009-10-12	2010-02-26	\$100.1M	2010-03-22	16
Ministry of Transport and Works / National Works Agency	Fifth Road (Washington Boulevard Improvement) Project	2009-03-06	2009-04-14	2009-06-23	2009-10-09	\$1.2B	2010-01-04	9
Ministry of Transport and Works / National Works Agency	Construction of Dry River Bridge at Harbour View	2009-09-22	2009-12-02	2010-01-18	2010-03-19	US\$8.9M	2010-03-24	6
Office of the Prime Minister / St. Mary Parish Council	Construction /Renovation of Roads & Works Build	2010-06-09	2010-07-14	N/A	2010-09-06	\$21.2M	2010-09-20	3
Ministry of Water and Housing / Housing Agency of Jamaica Limited	Rehabilitation of Infrastructure Works, Lilliput	2009-11-18	2010-01-20	N/A	2010-01-27	\$23.8M	2010-02-19	3

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	Contract Start Date	Duration from tender opening date to Contract start date (approx. months)
Ministry of Water and Housing / Housing Agency of Jamaica Limited	Construction of 132 No. Two (2) Bedroom houses and attendant Infrastructure Works at Westmeade	2010-01-22	2010-03-31	2010-07-12	2010-07-27	\$663.9M	2010-08-10	6.5
Office of the Prime Minister/ Jamaica Social Investment Fund	Moore Town Road Rehabilitation	2010-01-07	2010-04-07	2010-07-27	2010-09-23	\$36.8M	2010-10-23	9
Office of the Prime Minister / National Housing Trust	Longville Housing Development Phase 3	2009-08-28	2009-11-05	2010-01-25	2010-02-10	\$2.7B	2010-04-12	5.5
Office of the Prime Minister / National Housing Trust	Perth Housing Development- Phase 1	2009-09-15	2010-01-27	2010-04-06	2010-06-17	\$606.8M	2010-06-24	9

During the 2010 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 the Bills of Quantities and inconsistencies in drawings compared to that on site and (b) carry out adequate soils tests which resulted in delays.

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 of project management skills, it is likely that the implementation of the project will be delayed.

The OCG identified similar problems in the following two (2) instances:

- (1) The Ministry of Water and Housing/ Housing Agency of Jamaica Limited awarded a contract on January 27, 2010, for the rehabilitation of infrastructure works, at Lilliput, via the Selective Tender Procurement Methodology, in the amount of \$23,843,640.00. The OCG found that there were delays by the Public Body to issue required instructions regarding road finishes.
- (2) The Ministry of Water and Housing/ Housing Agency of Jamaica Limited awarded a contract on October 28, 2009 for infrastructure works, at Whitehall, via the Open Tender Procurement Methodology in the amount of \$283,737,461.00. The OCG found that there was a failure by the Public Body to adequately inspect the existing site conditions which resulted in discrepancies of the Bills of Quantities and inconsistencies between the drawings and that which exists on site. This resulted in an increase in cost and delays to remedy same.

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 which would possibly mitigate against these unwanted eventualities. These activities would include the following:

- Using qualified and well recognised Contractors and Consultants;
- Ensuring that all professionals that are involved with the project are recommended by well respected individuals within the industry;
- 'Blacklisting' Contractors and Consultants who have performed poorly on construction contracts in the past;

- Reporting the negligent Public Body and Project Manager to the appropriate authority (e.g. the Attorney General or the Solicitor General), in order to obtain advice regarding what appropriate corrective actions and the penalties that could possibly 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 shoddy 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	Public Body	Consultants	Project Manager	Contractor	Comments
Ministry of Education (MOE) / Proposed Construction of Steer Town High School.	J\$484.20M	x		x	x	The Contractor's continued poor performance is as a result of poor management and inadequate financial and human resources. Failure by the Entity to apply the appropriate sanctions in a timely manner, as per the contract, has resulted in the prolonged poor performance by the contractor.
Falmouth Cruise Ship Pier Development Project.	US\$ 122.0M				x	The contractor has continued to perform in a less than desirable manner and has failed to provide an acceptable Work Programme, notwithstanding several requests by the Entity.
National Housing Trust / Construction of Townhouses at 37 Paddington Terrace.	\$78.88M				x	The Contractor's poor performance is as a result of inadequate financial resources resulting in an extended project period.
Housing Agency of Jamaica Limited / Rehabilitation of Infrastructure Works, Lilliput.	\$23.84M	x			x	The contractor experienced financial constraints and, consequently, performed unsatisfactorily for most of the implementation of the project. The Entity did not adequately enforce the terms and conditions of the contract.
Ministry of Education / Construction of New Two-Storey for Fruitful Vale All Age School.	\$137.76M				x	Inadequate supervision and management by the contractor resulted in poor quality works and, in consequence, corrective measures and time loss.

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	Remarks
2008-10-09	Education	Proposed Construction of Steer Town High School	Open Tender \$484,204,401.49	The Contractor has performed unsatisfactorily throughout. Notwithstanding, the Entity did not apply the appropriate penalties in accordance with the provisions of the contract and the project is still ongoing.
2009-07-20	Office of the Prime Minister /National Housing Trust	Construction of Townhouses at 37 Paddington Terrace	Selective Tender \$78,884,902.70	Inadequate financial resources by the Contractor have resulted in prolonged period to carry out some activities and, consequently, delays in completion of the project.

Payments to Contractors

In 2010, 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	Remarks
2009-02-23	National Water Commission	Montego Bay Sewerage and Sewage Treatment Project – the Construction of the North Gully (at King Street) to Cornwall Courts STW Sanitary Sewers	Selective Tendering J\$231,872,593.70	Budgetary constraints by the Entity during the earlier phase of project have contributed to delays in payments to the Contractor.
2010-03-19	Ministry of Transport and Works / National Works Agency	Construction of Dry River Bridge at Harbour View	Limited Tender US\$13,067,680.23	Budgetary constraints by the Entity have resulted in delays in payments to the Contractor.

Contract Variations, Cost Overruns and Fluctuations

In accordance with the GOJ Revised Handbook of Public Sector Procurement Procedures (November 2008), a cost overrun is defined in Sub-Section S2040 (vii) as; “*an increase to the contract sum resulting from escalation in the price of labour and or material.*”

In 2010, the cost overruns of Construction Projects decreased from the previous year. During the conduct of the OCG's monitoring exercise, cost overruns impacted forty-three (43) of the three hundred and eighty-two (382) Works contracts resulting in a cost of approximately \$1.36 billion.

The cost overruns incurred for the reporting period, represents approximately 10.9% 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 2009 and 2010:

Table 6: Comparison of Cost Overruns which occurred between 2009 and 2010

Cost Overruns			
Year	Value of NCC Endorsed Contracts \$ Billion	Cost Overrun (OCG Monitored Projects) \$ Billion	Percentage (%)
2009	\$38.2	\$1.38	3.6
2010	\$12.5	\$1.36	10.9

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 over runs 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 GOJ Procurement Guidelines. 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 RPPH."*
- *"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
Ministry of Education	Construction of New Two-Storey building for Fruitful Vale All Age School.	2008-06-19	\$137.6M	16	2008-07-28	2009-11-27	2010-05-17	6	\$43.3M
Ministry of Education	Proposed Construction of Steer Town High School.	2008-10-09	\$484.2M	12	2008-10-16	2009-10-16	Ongoing	12	\$55.2M
Ministry of Agriculture / National Irrigation Commission Limited	Well Drilling Plum, Lane & New Forrest.	2008-12-08	\$76.5M	6	2009-01-02	2009-06-02	2010-01-05	6	\$11.5M

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
Ministry of Transport and Works /National Works Agency	Northern Coastal Highway Improvement Segment 1A, Bogue Road Improvement Project.	2008-11-13	\$1.4B	12	2009-04-25	2010-03-24	2010-11-01	7	\$697.6M
Ministry of Water and Housing /Housing Agency of Jamaica Limited	Infrastructure Works and Housing Development- Luana Phase 3.	2009-07-14	\$87.1M	12	2009-08-04	2010-08-05	2010-11- 22	3	\$7.5M
Ministry of Water and Housing / Housing Agency of Jamaica Limited	Infrastructure Works - Eden Park.	2009-12-16	\$50.2M	6	2010-01-14	2010-07-14	2010-10-14	3	\$11.2M
Ministry of Water and Housing / Housing Agency of Jamaica Limited	Rehabilitation of Infrastructure Works, Lilliput.	2010-01-27	\$23.8M	6	2010-02-19	2010-08-10	Ongoing	4	\$8.9M
Office of the Prime Minister /National Housing Trust	Construction of Townhouses at 37 Paddington Terrace.	2009-07-20	\$78.9M	7	2009-07-20	2010-04-19	2010-11-25	7	\$38.9M
Office of the Prime Minister /National Housing Trust	Salisbury Avenue Housing Development.	2009-12-24	\$167.3M	9	2010-02-09	2010-11-10	Ongoing	1	\$25.3M
Office of the Prime Minister /National Housing Trust	Twickenham Park Housing Development Phase 3	2010-02-16	\$2.1B	18	2010-04-26	2011-10-26	Ongoing	0	\$41.8M

MAJOR PROJECTS

During the reporting year 2010, two (2) major Construction Projects emerged, namely the Jamaica Development Infrastructure Programme (JDIP) and the Palisadoes Shoreline Protection and Rehabilitation Works. Detailed below are the particulars of the referenced Major Projects.

Jamaica Development Infrastructure Programme

The JDIP is a programme which is being undertaken by the Government of Jamaica (GOJ) to upgrade and enhance the land-based transport infrastructure and will be executed over a period of five (5) years.

The project was made possible through a Preferential Buyer Credit Loan Agreement between the GOJ and the Export-Import Bank of China in the sum of US\$340 Million. China Harbour Engineering Company Limited (CHEC), a Chinese company, was designated as the main Contractor in the Loan Agreement, which was dated February 3, 2010.

The funding of the repayment of the loan from the China Ex-Im Bank was supported by the Ministry of Finance and the Public Service (MoFPS). However, it should be noted that the NCC, in a letter that was dated January 20, 2010, and which was addressed to the Permanent Secretary in the MTW, stated, *inter alia*, that it; “...noted that the contract was a Government to Government Agreement between the Government of China and the Government of Jamaica. The NCC was, however, concerned that a contract of this size (i.e. US\$400M) should be entered into without competition in order to ensure that value for money was being obtained.”

The JDIP commenced towards the end of 2010. The OCG will endeavour to undertake sustained monitoring of the JDIP, throughout its duration.

Palisadoes Shoreline Protection and Rehabilitation Works

This Project had its genesis subsequent to the onslaught of Hurricane Ivan in 2004, which transferred most of the sand from the dunes on the Seaward Side of the Peninsula, to the Harbour Side, leaving the Seaward Side vulnerable to other storms.

In December 2006, the Ministry of Transport and Works (MTW) commissioned the Cuban firm, Gamma S.A., to design Emergency Protection Works for the Palisadoes Shoreline that would resist a Category 3 Hurricane for a 22 Year Return Period Event. The final design for the referenced works was completed in February 2007. Subsequently, in an effort to upgrade the protection of the shoreline, the Caribbean Development Bank retained the services of Sandwell, a Canadian Engineering Company, to review and re-design the work that was previously done by Gamma S.A.

The upgraded design was finalised by the National Works Agency (NWA) and CEAC Solutions Limited in 2009 and this design differed from the Cuban product in the following ways:

- The protection to the Caribbean Sea Side has been upgraded from a 22 Year Return Period Event to a 100 Year Return Period Event.
- The number of road lanes was increased from 2 to 4.
- The road level will be raised from its present level of 0.6 to 1.0 metres, to 3.2 metres, above sea level.
- Inclusion of a Harbour Side revetment to protect against waves within the Harbour.

On approval from the Cabinet, the Government of Jamaica sought financing from the China Ex-Im Bank for the design and construction of the works at the Palisadoes Shoreline.

As a result, the NWA, with the endorsement of the MoFPS, the China Ex-Im Bank and the Permanent Secretary in the MTW, entered into negotiations with the CHEC and have agreed to the terms of the loan as outlined in the General Terms and Conditions of the Preferential Buyer's Credit Agreement.

An agreement between the MTW and CHEC was entered into in November 2009, for the execution of Palisadoes Shoreline Protection and Rehabilitation Works in the amount of US\$65,377,404.62.

At its meeting on December 16, 2009, the NCC offered no objection to the use of the Sole Source Procurement Methodology to award the contract to CHEC. On September 2, 2010, the implementation of the project commenced and has since been monitored by the OCG. As at December 31, 2010, the project was approximately 6% complete.

OCG'S CONCERNS

Despite being aware that the dictates of the Contractor-General Act and the Government Public Sector Procurement Procedures do not give legal authority to the OCG to scrutinise the award of Sub-Contracts, the OCG has communicated its serious concerns regarding the two (2) aforementioned major projects, to the Permanent Secretary in the MTW.

The OCG is of the considered opinion that prudence and good governance principles should dictate that the process for the selection and award of contracts, inclusive of sub-contracts for such a major transaction, which will ultimately have to be repaid by the Tax Payers of Jamaica, are subjected to, *inter alia*, the highest levels of:

- a. Competition – to ensure that all qualified and competent NCC Registered Contractors may have an opportunity to tender on the project,;
- b. Transparency – to ensure that the transaction is undertaken openly and fairly and can withstand objective scrutiny; and
- c. Probity – to ensure that the transaction is free from irregularity, impropriety and corruption.

Having expressed its concerns to the Permanent Secretary, the OCG is of the opinion that the following provisions should be included in any Contract Agreement between the Government of Jamaica and the main Contractor for a major project to be executed in Jamaica:

1. Only NCC Registered Contractors are utilised on the project;
2. A transparent and competitive bidding process must be employed in the engagement of Sub-Contractors; and
3. Proper records must be maintained for the Selection Process of Sub-Contractors, to allow for scrutiny, as the case may warrant.

Another concern of the OCG is that contract award decisions are likely to escape the scrutiny of the NCC, and may, therefore, be subjected to undue coercion, political interference, cronyism, nepotism, amongst other factors, which will not auger well for the effective implementation and execution of contracts.

The Permanent Secretary, in response to the OCG, under cover of letter which was dated September 16, 2010, stated, *inter alia*, that the Ministry was; “...in full support of efforts to ensure that the contracts with China Harbour Engineering Company Limited (CHEC) are administered in a manner that ensures the highest levels of transparency and accountability...CHEC has already been advised that where local contractors are to be engaged they should be registered with the NCC and possess valid Tax Compliance Certificates.”

The Permanent Secretary indicated that, though cognisant of the OCG's recommendations, in order to utilise registered Contractors, through a competitive bidding process, and for the maintenance of proper records of the selection process, there could be implications in respect of; (a) bilateral arrangements, (b) the loan agreements between the Government of Jamaica/Road Maintenance Fund and the China EX-IM Bank, and (c) the contracts with CHEC.

The MTW, therefore, referred the matter to the Ministry of Foreign Affairs and Foreign Trade, the Attorney General and the Ministry of Finance and the Public Service, for their comments and guidance. As at the end of the reporting period, no further comment from the Permanent Secretary was received.

CONTRACTORS WITH WORKLOADS IN EXCESS OF THE NCC'S ALLOWABLE LIMIT

Another concern of the OCG which arose during the reporting period was the probability that Contractors were being awarded Construction Contracts, although they had surpassed the allowable workload limit which is stipulated by the NCC, in Clause (5) of the NCC Appendix to Contractor Application Form, which states that;

“(5) Monetary limits: The following restrictions will apply:

- i) Contractors will not be awarded contracts that exceed the Monetary Limit of their Grade*
- ii) Contractors will not be awarded a government contract if the net value of outstanding work on current contracts plus the value of the new contract exceeds three times the monetary limit of the grade.”*

By way of a letter which was dated October 25, 2010, the referenced concern was communicated to the National Works Agency (NWA), which is among the Public Bodies that award contracts of the highest monetary value. In response, the NWA acknowledged that contracts with an estimated value of \$150,000,000.00 or greater, required pre-qualification for the procurement of such Works, and confirmed that Contractors were subjected to pre-qualification exercises by the NWA, before being awarded contracts with values far in excess of the threshold.

The OCG, in response, posited that it was the criteria that are used rationally and responsibly by the NWA in the prequalification exercise, that would determine whether a Contractor was capable of implementing, successfully, a project that may be valued far in excess of the Contractor's Grade Limit or, a project that is to be awarded to a Contractor which has already exceeded its workload limit.

In this regard, the OCG made mention, to the NWA, of Sub-Section No. S-2120, Page 8 of 14, of the GOJ Public Sector Procurement Procedures, which states, *inter alia*, that;

“i. Pre- Qualification: If pre-qualification was conducted, the bidder whose bid is the lowest evaluated should receive the award, unless the bidder's qualifications have since materially deteriorated or the bidder has since received additional work that overstressed its capacity. The Evaluation Committees should fully satisfy themselves on both accounts.”

Ultimately, the OCG is interested in ensuring that Contractors are not recommended for more contracts than their financial, resource and experience capacities will allow, as this could have a negative impact upon the Contractors' ability to deliver the respective projects on time, within budget and free from defects.

ACCIDENT ON CONSTRUCTION SITE IN BARBICAN

On November 11, 2010, 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.

By way of a letter which was dated November 23, 2010, the OCG requisitioned the NWC, the Ministry of Labour and Social Security, and the Kingston and St. Andrew Corporation (KSAC) to furnish a report on the accident. On December 8, 2010, the OCG received an Accident Investigation Report from the NWC. The reasons given in the Report for the cause of the accident were outlined 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.”

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.

As at December 31, 2010, the OCG had not completed its Enquiry Report as the Office was awaiting a Report on the accident from the Ministry of Labour and Social Security. Further, the KSAC advised that they would not be preparing a Report on the accident.

OPERATIONAL IMPROVEMENTS

In an effort to build on the quality of Post-Contract Construction Monitoring in its Inspectorate Division, the Office of the Contractor General (OCG), during the year 2010, successfully organised a series of in-house workshops that were aimed at enhancing the knowledge-base of the Inspectorate within specific areas of the Construction field in an effort to improve the monitoring of Construction contracts.

The staging of the referenced workshops was a direct spin-off from an internal document, entitled “**Proposal For The Improvement Of Post Contract Construction Monitoring At The Office Of The Contractor General**”, which was developed in March 2010, for the enhancement of the Monitoring Procedures within the Construction Contracts Division.

The areas which were covered by the workshops were:

- The standard form of the Construction Industry Council's (CIC) Building Contract;
- The standard form of the International Federation of Consulting Engineers (FIDIC) Contract for Building and Engineering Works;
- The role of the Architect on Construction Projects;
- Good construction technology and a keen sense of quality control; and
- The role and functions of the Quantity Surveyor.

The workshops were conducted over a period of five (5) consecutive Fridays, between April 30 and May 14, 2010, by Professionals with specific expertise, including Quantity Surveyors, an Architect and a General Contractor.

In furtherance of the discussions which took place in the workshops, a decision was taken to expand the list of documents which are requisitioned from the Public Bodies, at the pre-contract monitoring stage. The additional documents which are now required from the Public Bodies include, wherever applicable:

- The Conditions of Planning and Building Approval, and
- The details of the Comparable Estimate

The Conditions of Planning and Building Approval, was found necessary as it would provide the Construction Contracts Inspectors with the information required to determine whether projects being monitored, were being executed in accordance with Parish Council approval and whether special conditions were attached to said approval, for which the Public Bodies must be accountable in the planning and budgetary procedures.

Details of the Comparable Estimate are equally important as it informs; (1) the correct procurement methodology that should be utilised in the bidding process, (2) the appropriate timeline that should be afforded for the tender period, (3) the appropriate Grade in which Contractors should be registered, and (4) the value of the Bid Security that is required by the bidders.

The abovementioned documents further enhances the monitoring of GOJ Construction Contracts to ensure that the procurement process that is employed by Public Bodies is in keeping with the GOJ Public Sector Procurement Procedures and any other applicable Regulations and Legislation.

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MONITORING OF NON-CONSTRUCTION CONTRACTS, LICENCES, PERMITS AND CONCESSIONS

The Non-Construction Contracts, Licences and Permits Division, pursuant to Section 4 of the Contractor General Act, monitors the award and implementation of goods and services contracts, and licenses and permits. The Division monitored in excess of five hundred and ninety (590) contracts and concessions in 2010, in comparison to four hundred and one (401) contracts, which were monitored in 2009. This represents a forty-seven percent (47%) increase in the number of Non-Construction contracts and concessions which were monitored.

Chart 1 below illustrates the progressive increase in the monitoring activities of the Non-Construction Contracts, Licences and Permits Division between the period 2008 and 2010.

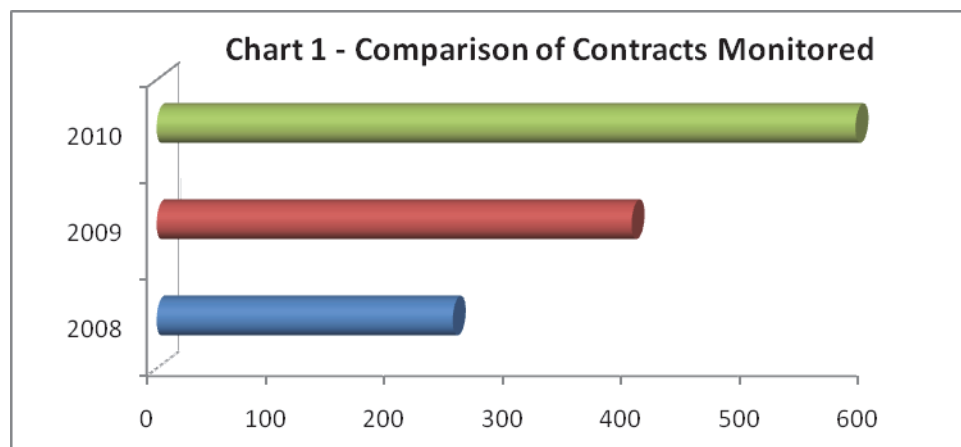


Chart indicating the monitoring activities of the Non-Construction Contracts, Licences and Permits Division

It should be noted that of the five hundred and ninety (590) goods and services contracts which were monitored in 2010, one hundred and forty-eight (148) represent contracts which were endorsed by the NCC. Further, two hundred and sixty-one (261) procurement opportunities were being monitored at the pre-contract stage, at the end of the reporting year, while the remaining were contracts that were brought forward from previous years.

SOME SIGNIFICANT ISSUES IDENTIFIED DURING PRE-CONTRACT MONITORING

Protracted Procurement Period

The OCG has noted, in several instances, that the period between the tender opening dates and the consequent contract award dates, is excessive. In one particular instance, the OCG, during the conduct of its monitoring activities, found that a contract was awarded by the Bureau of Standards Jamaica Limited to Apec Consultants Limited in the amount of \$4,125,000.00. The OCG noted that the tender opening was conducted on October 10, 2008. However, the contract was not awarded until November 1, 2010. This extensive period of seven hundred and fifty-two (752) days to consummate an award, is considered excessive.

In an effort to avoid such occurrences, Public bodies should ensure that proper procurement planning is undertaken in all instances.

Breaches of the Government Procurement Guidelines

Comparable Estimates

Sub-Section S-2110 of the Government Procurement Guidelines (November 2008) requires that the “...comparative estimate should be made public at the tender opening and figure recorded on the Bid Receipt Record.” However, of the three hundred and twenty (320) tender openings which were monitored by the OCG in 2010, it should be noted that in over one hundred and ten (110) instances, which represent thirty-four percent (34%) of said contracts monitored, the comparable estimate was not recorded on the Bid Receipt Records.

The aforementioned is a breach of the Government Procurement Guidelines and, as such, Public Bodies should ensure that they are in compliance with the said requirement.

Head of Entity/ Procurement Committees’ Approval

The OCG has noted that, in several instances, contracts have been awarded by Public Bodies without the requisite approval of the Head of Entity and/or the Procurement Committee. The foregoing is a contravention of Sub-Section S-2040 of the Government Procurement Guidelines.

Other breaches which were identified by the OCG are as follows:

- a. Failure of Public Bodies to use the Bid Receipt Record when accepting bids;
- b. The lack of documentary evidence to confirm that the requisite approvals were received;
- c. The non-use of the Standard Bidding Document in accordance with Sub-Section S-2050, which states, *inter alia*, that; “...all Procuring Entities without exception, must utilize these Standard Documents according to their applicability to a particular Procurement Method.”;
- d. The frequent use of the two-envelope methodology for very simple procurement opportunities, where the use of such a methodology has no clear benefit, but only adds a layer of complexity to the process;
- e. Projects which were far advanced in the procurement process being abandoned, mid-stream, due to lack of funding; and
- f. The lack of proper procurement and accounting record keeping.

Public Bodies are reminded that any breach of the Government Procurement Guidelines will result in the OCG making the requisite referral, pursuant to the GOJ Public Sector Procurement Regulations (2008).

SELECTED CASES - ASSET DIVESTMENT

As part of its mandate, the OCG monitors the divestment of Government-owned Assets. By way of a written statutory requisition, which was dated January 14, 2010, and which was addressed to the Cabinet Secretary, the OCG requested, *inter alia*, “A comprehensive list of all assets that are slated for divestment for the financial year 2010/2011”.

In response to the OCG’s requisition, the Cabinet Secretary provided a listing of over eighty (80) government owned assets, inclusive of Lands, which were slated for divestment. The OCG’s asset management activities were substantially informed by this listing.

In the 2010 calendar year, the OCG monitored divestment-related activities for thirty-seven (37) government-owned assets. Particulars of same are detailed in the Asset Divestment Section of this Report. The monitoring of Asset Divestments by the OCG remains a contentious issue, as the Government of Jamaica continues to mount unwarranted challenges to the OCG’s jurisdiction, regarding the divestment of government-owned assets.

During its Asset Divestment monitoring activities, the OCG expressed serious and grave concerns with the divestment of two (2) state assets, namely; the Sale of Aircraft by Legacy Operations, Air Jamaica Limited and the Request for Expressions of Interest (EOI) by the Jamaica Railway Corporation (JRC).

Sale of Aircrafts: Legacy Operations, Air Jamaica Limited (AJL)

Air Jamaica Limited (AJL), by way of letter, which was dated August 30, 2010, sought, *inter alia*, the guidance of the OCG regarding the process by which it undertook to divest two (2) aircraft. Further to a review of the documents, which were provided by AJL, the OCG posited, *inter alia*, the following:

- The Broker, Focus Aviation Limited, which was retained to supervise the sale of the aircrafts was awarded a contract though:
 - a) Prior approval for the use of the Limited Procurement Methodology was not sought and/or received; and
 - b) Prior approval for the award of the contract, for Brokerage Services, was also not given by the NCC.

With regard to the sale of the aircraft, the OCG posited that:

- The marketing of two (2) A320 aircraft was undertaken by Focus Aviation Limited, in accordance with the contract agreement which was dated June 22, 2010. However, in keeping with the GOJ Divestment Policy, the Broker should have been apprised of the guidelines which must be followed, in accordance with the said Policy, to ensure fairness and transparency.
- The assets were appropriately valued and were marketed widely by the Broker. However, the method which was used to receive offers, cannot be deemed as fair and transparent.

The OCG obtained a document from AJL which listed the *"Pricing indications/offers received"* for the aircraft. The list which was provided indicated that over the period, October 29, 2009 to August 25, 2010, fourteen (14) entities submitted a total of twenty-three (23) offers inclusive of *"revised"* offers. The referenced offers were received verbally, via email, or by way of Letters of Interest. It is the OCG's considered opinion that the method which was used by the Broker to receive offers, on behalf of AJL, compromised the referenced divestment and directly contravenes Ministry Paper #34, *"Privatization Policy and Procedures"* - which guides Asset Divestments. Ministry Paper #34, and states, *inter alia*, that; *" transactions are to be arms-length and equal opportunity will be given to all except where special foreign exchange requirements are a feature of privatization or where special arrangements are being made for employee;"*

The OCG's position in the matter was further underscored by an email, which was dated August 5, 2010, from one Mr. Bruce Nobles to Mr. Dennis Chung of Legacy Operations, and copied to a representative of the Broker. The referenced email stated, *inter alia*, that; *"I think it is extremely important that we do not say that we told Pacific to rebid after they were outbid by GA Telesis. As I understand the procurement rules that would not be appropriate."*

With regard to the foregoing, the OCG also noted the Ministry of Finance and the Public Services' (MOFPS) response to AJL, which was dated September 13, 2010, in which it advised AJL that proper divestment procedures must be employed in the divestment of the two (2) aircraft.

Based upon the foregoing, the OCG, in a letter which was dated October 7, 2010, opined that proper procedures were not followed and recommended that the process be aborted.

Subsequent to the receipt and review of the OCG's letter, AJL sought the opinion of the Attorney General in the matter.

The opinion from the Attorney General's Chambers (AGC) stated, *inter alia*, that;

Based on its legal analysis of the issue, "*the substantive contemplated sale of the aircraft would not be a "government contract" and, "...the Contractor General would, therefore not have jurisdiction in relation thereto."*

Further, "*There may have been, in our view, a breach of the Government of Jamaica's apparent divestment policy... However, it is opined that it is open to the directors of AJL, in discharging their obligations to act in the best interest of the company, to consider all relevant factors as outlined....in deciding whether to accept the OCG's recommendation to abort the current contemplated sale of the aircraft. "*

In relation to the foregoing, the OCG was concerned that the Attorney General's Chambers had, again, selectively taken issue with the jurisdiction of the OCG in relation to the divestment of state-owned assets, despite the fact that on innumerable prior occasions, the Government of Jamaica had unequivocally signalled its acceptance of the OCG's lawful jurisdiction to monitor and to investigate contracts which involve the divestment of State assets.

Indeed, the incumbent Minister of Finance and the Public Service, the Hon. Audley Shaw, has from the very floor of the House of Representatives itself, called upon the Contractor General to investigate the divestment of Air Jamaica's London Heathrow Airport slots by the previous Peoples National Party (PNP) Administration, a request which, it is now well known, was acceded to by the OCG and which led to the production of a formal OCG Report of Investigation in the matter.

With regard to the retention of the Broker, Focus Aviation Limited, the Attorney General's Chambers, in its conclusions, concurred with the OCG, when it stated that; "*there has been a breach of the procurement requirement..."*

It is instructive to note that the Cabinet, after consideration of, *inter alia*, the OCG's positions and the Opinion from the Attorney General's Chambers, gave approval, via Cabinet Decision #42/10, to continue negotiations with GA Telesis for the sale of the two aircraft.

Request for Expressions of Interest (EOI), Jamaica Railway Corporation (JRC)

As a part of the OCG's Asset Divestment Monitoring portfolio and its statutory mandate to ensure probity, fairness and transparency in the award of Government contracts, inclusive of the divestment of major state assets, the OCG undertook monitoring of the captioned project.

The information which was obtained by the OCG, during the monitoring exercise, raised significant concerns and, as a consequence, heightened the degree of the OCG's interest into the said matter. As such, details related to the project, as at the time of writing this Report, are included herein.

Expressions of Interest (EOIs) were invited by way of an advertisement which was published in the Gleaner on September 16, 2010.

The OCG, in a letter to the Jamaica Railway Corporation (JRC), which was dated September 20, 2010, requested further details on the project, in an effort to ensure fairness, transparency, impartiality, that no real or perceived Conflict of Interest situation existed and that all the relevant governing laws, regulations and procedures were being adhered to.

Due to the identified deficiencies in the advertisement inviting Expressions of Interest, the OCG recommended that the invitation is withdrawn and a comprehensive Pre-qualification document is prepared by the JRC.

The JRC, in its response to the OCG, by way of letter, which was dated September 21, 2010, requested that the OCG reconsider its recommendation, as the JRC had received representations from four (4) companies which had expressed interest in investing in the Railway. The OCG maintained its initial position. However, the OCG offered to lend technical support to the JRC for the development of a comprehensive Pre- Qualification document.

The invitation to submit Expressions of Interest was publicly withdrawn by the JRC on September 24, 2010.

In a subsequent response to the OCG's letter of September 20, 2010, the JRC, by way of a letter which was dated October 7, 2010, advised the OCG that; *"There is no proposed Finance, Build and Operate the [sic] Railway System Project. The Invitation for Expressions of Interest was to determine the level of interest in the railway."* The referenced letter also indicated that the JRC had received *"unsolicited Expressions of Interest in the Railway."*

Subsequently, certain utterances which were made in the public domain and representations made to the OCG, suggested that the JRC, despite having withdrawn the Invitation for submission of Expressions of Interest, continued active dialogue with external parties.

In point of fact, information which was provided to the OCG, evidenced that the JRC had engaged individuals to conduct Feasability Studies and had invited firms to enter into Memoranda of Understanding.

The documentation which was received by the OCG indicated that the JRC invited no less than three (3) firms which had previously expressed an interest in the Railway System, to enter into Memoranda of Understanding (MOU) with the GOJ, for the rehabilitation of the railway system. Approval to enter into MOUs *"with companies that had submitted proposals for development of the railway system, that would allow for fast tracking of the implementation of the railway rehabilitation system"* was granted by Cabinet Decision No. 47/10, which was dated December 21, 2010.

By way of letter dated January 25, 2011, which was directed to the Permanent Secretary in the Ministry of Transport and Works (MTW), the OCG expressed concerns with the process being undertaken by the JRC. The referenced letter stated, *inter alia*, that; *"While we are aware that the consideration of Unsolicited Proposals is permitted under the GOJ Handbook of Public Sector Procurement Procedures, the OCG is extremely concerned, why such a major project of national importance, which the GOJ had full prior knowledge that it would be undertaking, is not one in which the Government chose to be subjected to an International Competitive Bidding process. A formal competitive process would have enabled the GOJ to reach a wider target audience and to secure a larger number of bids with varying models, for the Rehabilitation of Jamaica's Railway System, while eliminating and/or reducing the possibility of any irregularity, impropriety or conflict of interest situation arising, whether real or perceived."*

The OCG, at the time of penning the aforementioned letter, had documentation to suggest that there was at least one (1) instance of a perceived conflict of interest with regard to one (1) of the parties that were invited to enter into an MOU with the GOJ.

On January 26, 2011, and at the request of a representative of the MTW, the OCG hosted a meeting with representatives from the JRC and the Ministry. In the referenced meeting, the OCG conveyed its position that the MOUs in question, were to be withdrawn. Further, the OCG, by way of letter which was dated January 27, 2011, which was addressed to the Chairman of the JRC, stated, *inter alia*, that; *"... the following was agreed upon as the way forward: You are to consult with the Minister... with a view to (a) withdrawing the letters of invitation which were sent to firms which had submitted Unsolicited Proposals to the JRC and the MTW and (b) commence a formal OCG supervised process, which is consistent with the OCG's letter of recommendation dated September 20, 2010."*

Subsequently, by way of a letter which was dated February 3, 2011, the JRC informed the OCG that; *"...the Board of Directors of the Jamaica Railway Corporation (JRC) have agreed to withdraw the letters sent to firms that have submitted Unsolicited Proposals to enter into Memoranda of Understanding (MOUs) with the Government (GOJ)."*

Further to your request, please be advised that the message to the Hon. Minister of Transport and Works has been conveyed."

Correspondence from the MTW, which was dated March 22, 2011, advised the OCG, *inter alia*, that “*The Ministry has submitted a note to Cabinet, bringing to their attention the recommendation of the OCG to withdraw the letters sent to the four companies inviting them to enter into MOUs with the Jamaica Railway Corporation (JRC) and the concurrence of the Board of Directors of the JRC with that position.*”

It is to be noted that the Cabinet’s response indicated that it would review the issues concerning the JRC, including the related documentation and the recommendations of the OCG, with a view to determining how best to proceed.”

As at the time of this report (April 5, 2011), there was no further communication regarding the matter. The OCG will continue to monitor the process.

GOVERNMENT OF JAMAICA ASSET DIVESTMENT POLICY

The Inspectorate Division of the OCG participated in a Privatisation Seminar, which was hosted by the Development Bank of Jamaica (DBJ), the agency charged with managing the divestment of government-owned assets. The group evaluated best practices in the region, their applicability to the Jamaican scenario and also discussed other issues which may impact asset divestment in Jamaica. The issues addressed were collated by the DBJ to be considered in the reconfiguration of the DBJ’s Privatisation Programme.

OCG’S INVOLVEMENT IN POLICY DEVELOPMENT

Revision of Government Procurement Guidelines

The OCG, was represented on a ‘Multi-Agency Team’ which was charged with the responsibility to review the Government of Jamaica, Handbook of Public Sector Procurement Procedures (November 2008). The said ‘Multi-Agency Team’ was established by the Prime Minister.

Further to a revised document being prepared by the ‘Multi-Agency Team’, which was dated June 2010, the OCG established an internal team to review the referenced document and to make recommendations for amendments, where necessary. Consequently, recommendations for amendments to the document were made by the OCG’s internal team, by way of a letter which was dated July 27, 2010, and submitted to the ‘Multi-Agency Team’.

A second draft of the referenced document, which was dated October 2010, was submitted to the OCG. The OCG’s internal review team again made recommendations for amendments to the referenced document and submitted same to the Permanent Secretary, Office of the Prime Minister, by way of a letter which was dated October 22, 2010.

The OCG has noted the subsequent Cabinet’s Approval of the revised procedures, which were to be implemented in January 2011, without due consideration being given to the final comments and recommendations of the OCG.

Notwithstanding the aforementioned, the OCG welcomed the opportunity to participate in the exercise, and anticipates further opportunities to serve in the future.

NEW INITIATIVES

The Non-Construction Contracts, Licences and Permits Division, initiated the following programmes in 2010:

Phase II Quarterly Contracts Award Monitoring

The revised automated assessment of the Quarterly Contracts Award (QCA) Reports was successfully implemented in 2010. The Division was especially pleased with the level of importance with which Public Bodies treated their respective results. A case in point was the National Land Agency, which in its Quarterly Newsletter, July - September 2010, highlighted its 100% Compliance Assessment Score, which was received in respect of contracts that were awarded for the period January - March 2010. Also, the State Minister with responsibility for the Department of Local Government, the Hon. 'Bobby' Montague, on the floor of the House of Representative, highlighted the National Solid Waste Management Authority's high compliance levels and complimented the entity in respect of same.

The full implementation of the assessment, also brought into focus some anomalies with the Government of Jamaica Revised Handbook of Public Sector Procurement Procedures (November 2008). For instance, reference is made to the Insurance Industry, for which the Ministry of Finance and the Public Service has approved only three (3) Consulting Actuaries "*for the assessment of tenders for Government entities.*" The Handbook, however, stipulates that in utilising the Limited Tender Procurement Methodology, a minimum of five (5) potential bidders should be invited to tender. In light of this anomaly, the OCG recommends that the Ministry of Finance and the Public Service rectifies this discrepancy, which has implications for the compliance of Public Bodies.

Phase II Licences and Permits Monitoring

The Division's Strategic Objective of fully implementing the Licences and Permits Programme for 2010, was not achieved because of human resource shortages. Nevertheless, the Division commenced limited monitoring in this regard, and is in the process of developing a more broad-based monitoring system for implementation in 2011/2012. Through this initiative, the OCG will seek to undertake sustained monitoring of select Government licences and permits, through the collection and assessment of data, that is provided by Public Bodies, in regard to the issuance and revocation of licences and permits. It is anticipated that once the National Contracts Commission ceases to secure its technical and administrative support from the OCG that the OCG will be well placed, with its residual staff, to aggressively embark upon the referenced Phase of the said Licences and Permits Monitoring Programme.

Public Body Rating System/Risk-Based Approach to Contract Monitoring

The Inspectorate Division, in 2010, established a team to develop 'Risk Assessment Criteria', which will inform a Public Body Rating System (PBRs). The system aims to, *inter alia*, rate the level conformity of Public Bodies to established GOJ procurement and contract award standards. The score that is obtained will form the basis for a quantitative approach to decision-making and all Public Bodies will be placed in a category, depending upon average score. The launch of this programme is slated for 2012.

Automation of Business Processes

The Inspectorate Division also established a team to review and automate all business processes within the Division, which is expected to result in greater efficiencies through the streamlining of critical administrative tasks. The launch of this project is also scheduled for 2012.

Forced Accounts

The Inspectorate Division, in 2010, undertook to closely monitor projects which are executed through the Forced Account procedure and, as such, created a new monitoring portfolio. Preliminary work has commenced and the full launch of this initiative will be a part of the Division's Strategic Objective for 2012.

STRATEGIC INITIATIVES 2011

Wrecking Services

The process by which Wrecking Service providers are engaged by Public Bodies is scheduled for review in 2011. The OCG is of the view that this particular industry should be regulated. Accordingly, the Division sought to ascertain particulars of the contractual arrangements which existed between Public Bodies and Wrecking Service providers and, more specifically, the process by which such service providers had been engaged by the respective Public Bodies.

The OCG, through its strategic review, will seek to engage relevant stakeholders, inclusive of policy makers, in an effort to stimulate, *inter alia*, the creation and promulgation of a regulatory framework which will govern the engagement of Wrecking Service Providers.

The Audit of all Parish Councils

The Inspectorate Division's Audit Programme will, in the year 2011, focus on the audit of all Parish Councils, the Portmore Municipal Council and the Kingston and St. Andrew Corporation.

The OCG's decision to conduct audits of all Parish Councils comes amidst information, inclusive of sworn statements, which have been received by the OCG, regarding allegations and evidence of irregular, fraudulent and corrupt procurement practices at some Parish Councils.

The Parish Councils are also implementing agencies for expenditures under the Constituency Development Fund (CDF). The OCG has, in its previous Annual Report, expressed concerns with the implementation of CDF projects.

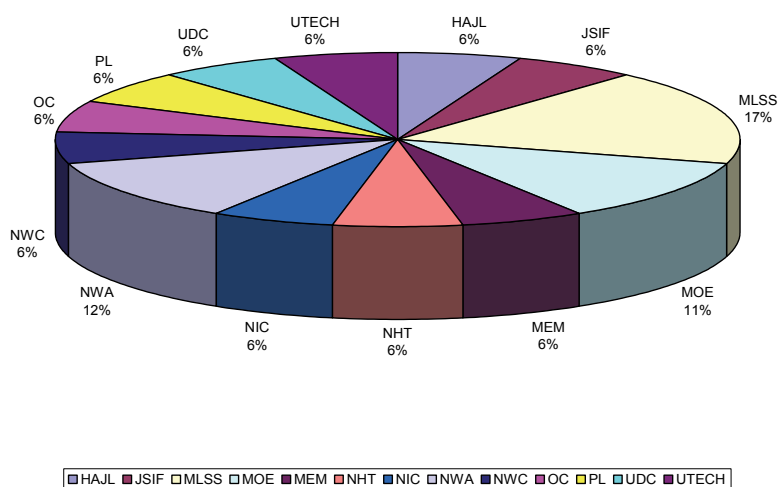
Consultancy

The Inspectorate Division continued its sustained monitoring of contracts that were awarded to Consultants in 2010.

In the year 2010, a reported total of three hundred and fifty-three (353) Consultancy Contracts, over the \$275,000.00 threshold, were awarded to local and international Contractors. Of this amount, three hundred and thirty-six (336) contracts were below \$10,000,000.00, while the remaining seventeen (17) were above \$10,000,000.00.

Contracts with a value range of \$275,000.00 - \$10,000,000.00, were reported to the OCG via the Ministries/Agencies QCA Reports, while contracts above \$10,000,000.00 were endorsed by the NCC. Figures 1 and 2 below, gives more detailed information regarding said contracts.

Percentage of NCC Endorsed Consultancy Contracts by Ministries/Agencies in 2010



Ministry/Agency	No. of Contracts	%
HAJL	1	6%
JSIF	1	6%
MLSS	3	17%
MOE	2	12%
MEM	1	6%
NHT	1	6%
NIC	1	6%
NWA	2	12%
NWC	1	6%
OC	1	6%
PL	1	6%
UDC	1	6%
UTECH	1	6%
Total	17	100%

Figure 1 Legend

HAJL - Housing Agencies of Jamaica Ltd
 JSIF - Jamaica Social Investment Fund
 MLSS - Ministry of Labour & Social Security
 MOE - Ministry of Education
 MEM - Ministry of Energy & Mining
 NHT - National Housing Trust
 NIC - National Irrigation Company

NWA - National Works Agency
 NWC - National Water Commission
 OC - Office of the Cabinet
 PL - Petrojam Limited
 UDC - Urban Development Corporation
 UTECH - University of Technology, Jamaica

Consultancy Contracts (\$275,000 to \$10,000,000 in value)

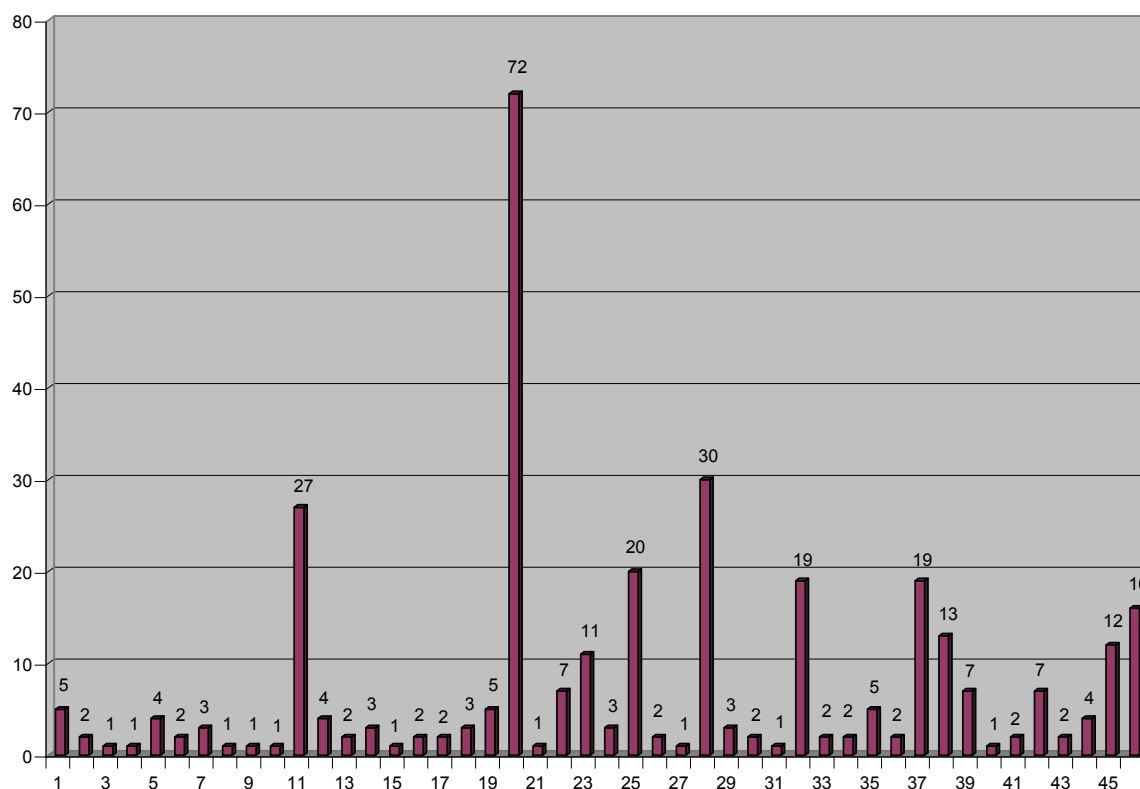


Figure 2 Legend

- | | | |
|---|---|--|
| 1. Bureau of Standards | 21. Maritime Authority of Jamaica | 40. Social Development Commission |
| 2. Bank of Jamaica | 22. Ministry of Agriculture and Fisheries | 41. Southern Regional Health Authority |
| 3. Coconut Industry Board | 23. Ministry of Education | 42. The Early Childhood Commission |
| 4. Culture Health Arts Sports Education | 24. Ministry of Finance and Public Service | 43. .The Electoral Office of Jamaica |
| 5. Development Bank of Jamaica | 25. Ministry of Water and Housing | 44. University Hospital of the West Indies |
| 6. Edna Manley School of Visual Arts | 26. National Environment and Planning Agency | 45. University of Technology |
| 7. Financial Services Commission | 27. National Health Fund | 46. Urban Development Corporation |
| 8. Fiscal Services Limited | 28. National Housing Trust | |
| 9. Factories Corporation of Jamaica | 29. National Family Planning Board | |
| 10. Health Corporation of Jamaica | 30. National Land Agency | |
| 11. Human Employment & Resource Training | 31. National Road Operating and Constructing | |
| 12. Jamaica Bauxite Institute | 32. National Water Commission | |
| 13. Jamaica Civil Aviation Authority | 33. Norman Manley International Airport | |
| 14. Jamaica Cultural Development Commission | 34. Office of the Children Advocate | |
| 15. Jamaica Deposit Insurance Corporation | 35. Office of the Prime Minister | |
| 16. Jamaica Mortgage Bank | 36. Passport Immigration & Citizenship Agency | |
| 17. Jamaica Trade and Invest | 37. Petrojam Limited | |
| 18. Jamaica National Heritage Trust | 38. Petroleum Corporation of Jamaica | |
| 19. Jamaica Promotions Corporation | 39. Port Authority of Jamaica | |
| 20. Jamaica Social Investment Fund | | |

Table 1 below shows the monetary value of contracts within the threshold of \$275,000.00 to \$10,000,000, awarded by the respective Public Bodies, during the calendar year of 2010.

Consultancy Contracts (\$275,001 to \$10,000,000 in value)

#	Government Agency	No. Contracts	Contract Value \$JM
1	Bureau of Standards	5	\$4,582,090.00
2	Bank of Jamaica	2	\$1,769,087.00
3	Coconut Industry Board	1	\$434,750.00
4	Culture Health Arts Sports Education	1	\$16,000,000.00
5	Development Bank of Jamaica	4	\$11,555,000.00
6	Edna Manley School of Visual Arts	2	\$141,975.00
7	Financial Services Commission	3	\$1,935,000.00
8	Fiscal Services Limited	1	\$1,160,000.00
9	Factories Corporation of Jamaica	1	\$334,875.00
10	Health Corporation of Jamaica	1	\$1,222,650.00
11	Housing Agency of Jamaica Ltd	27	\$48,458,256.00
12	Human Employment & Resource Training	4	\$9,066,559.00
13	Jamaica Bauxite Institute	2	\$565,400.00
14	Jamaica Civil Aviation Authority	3	\$1,160,000.00
15	Jamaica Cultural Development Commission	1	\$690,600.00
16	Jamaica Deposit Insurance Corporation	2	\$1,299,800.00
17	Jamaica Mortgage Bank	2	\$5,200,000.00
18	Jamaica National Heritage Trust	3	\$2,664,900.00
19	Jamaica Promotions Corporation	5	\$15,127,000.00
20	Jamaica Social Investment Fund	72	\$115,093,582.00
21	Maritime Authority of Jamaica	1	\$435,000.00
22	Ministry of Agriculture and Fisheries	7	\$10,177,291.00
23	Ministry of Education	11	\$18,702,631.00
24	Ministry of Finance and Public Service	3	\$280,000.00
25	Ministry of Water and Housing	20	\$31,237,125.00
26	National Environment and Planning Agency	2	\$1,048,210.00
27	National Health Fund	1	\$1,185,810.00
28	National Housing Trust	30	\$67,329,254.00
29	National Family Planning Board	3	\$1,185,810.00
30	National Land Agency	2	\$10,978,179.00
31	National Road Operating and Constructing	1	\$4,961,088.00
32	National Water Commission	19	\$23,900,161.00
33	Norman Manley International Airport	2	\$7,456,342.00
34	Office of the Children Advocate	2	\$2,302,812.00
35	Office of the Prime Minister	5	\$9,821,100.00
36	Passport, Immigration & Citizenship Agency	2	\$2,066,227.00
37	Petrojam Limited	19	\$33,429,601.00
38	Petroleum Corporation of Jamaica	13	\$18,582,620.00
39	Port Authority of Jamaica	7	\$12,005,470.00
40	Social Development Commission	1	\$560,000.00
41	Southern Regional Health Authority	2	\$1,085,500.00
42	The Early Childhood Commission	7	\$17,576,882.00
43	The Electoral Office of Jamaica	2	\$6,150,132.00
44	University Hospital of the West Indies	4	\$2,184,989.00
45	University of Technology	12	\$16,913,000.00
46	Urban Development Corporation	16	\$25,720,654.00
	Total	336	\$565,737,412.00

Table 2 shows the monetary value of contracts above \$10,000,000 which were endorsed by the NCC during the calendar year of 2010.

National Contracts Commission (NCC) endorsed Consultancy Contracts

#	Government Agency	No. Contracts	Contract Value \$JM	Contract Value \$US
1	Housing Agency of Jamaica Ltd	1	\$15,640,500.00	
2	Jamaica Social Investment Fund	1	\$11,686,204.00	
3	Ministry of Labour & Social Security	3		\$1,089,655.00
4	Ministry of Education	3	\$19,231,250.00	\$409,900.00
5	Ministry of Energy & Mining	1		\$281,335.00
6	National Housing Trust	1	\$18,251,765.13	
7	National Irrigation Commission	1	\$12,784,854.00	
8	National Works Agency	2		\$ 949,934.33
9	National Water Commission	1	\$11,713,368.21	
10	Office of the Cabinet	1		\$ 126,485.00
11	Petrojam Limited	1	\$10,500,000.00	
12	Urban Development Corporation	1	\$20,202,245.00	
13	University of Technology, Jamaica	1	\$ 3,924,505.00	
	Total	17	\$123,934,691.34	\$2,857,309.33

The OCG closely monitored a select number of Consultancy Contracts at both the Pre and Post-Contract phases. The monitoring activities, which were conducted by the Inspectorate Division, revealed the following areas of concern which needed improvement:

Pre – Contract Phase

- Delays in the Procurement Process, as a result of Public Bodies not applying the general provisions of the November 2008 Government of Jamaica Procedures Handbook;
- The Proposed Funding for the project was not consistent with that which was approved in the Estimate of Expenditure, which more than often results in variations; and
- The slow pace of the approval process, which results in the delay of the award of contract.

Post – Contract Phase

- Consultants not performing according to the contract terms/clauses;
- Consultants' requests for payments for projects which have not been completed;
- Variations being issued close to the completion date or after the extended completion date of the project;
- Consultants' failure to enforce the liquidated damages clauses in contract documents, when delays occur which adversely impact the progress or completion of the project.
- Consultants' failure to ensure that the project is implemented in accordance with the contract agreement.

PRESCRIBED LICENCES

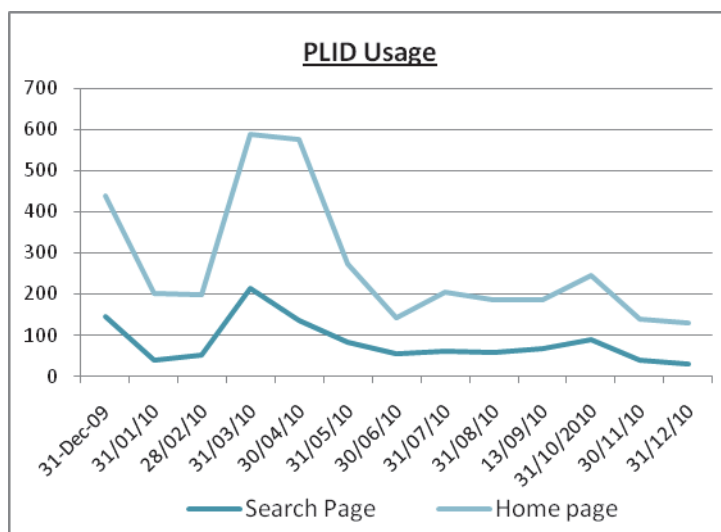
Introduction

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 OCG is mandated by Section 4 (1) (b) of the Act “to monitor the grant, issue, suspension or revocation of any prescribed licence, with a view to ensuring that the circumstances of such 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 Office of the Contractor General (OCG) had initially planned to commence its Licences and Permits Monitoring Regime during the 4th quarter of the 2010 calendar year. Regrettably, this did not materialise, due primarily to human resource constraints. The Office, nonetheless, made advancements in the development of the regime’s Business Processes and Software Application, which will be the platform of the new Regime, which will be built upon in 2011.

Usage of PLID

The OCG’s Prescribed Licences Information Database (PLID) was launched in November 2009. The Database currently houses information on over six hundred (600) prescribed licences issued by seventy-four (74) Public Bodies, and is accessible to the Public at large.



The annexed table shows the number of hits per month on the OCG’s PLID since it was launched.

While the usage of the Database during the year was relatively low, the OCG anticipates that with the launch of its Monitoring Regime, there will be a significant increase in the public’s interest in the Licensing activities of Public Bodies.

OCG Monitoring/ Audit of GOJ Public Body Prescribed Licencing Activities

Although the OCG has not yet launched its formal Licences and Permits Monitoring Regime, the Office, nevertheless, monitored the following prescribed licences during the year:

Mines and Geology Division – Monitoring of Issuance of Prescribed Licence under the Quarries Control Act

By way of an email which was received in March 2010, the OCG was informed by a local environmental group of an application to resume mining operations at Queens Highway, St. Ann. While the complaint surrounded environmental concerns, the OCG’s primary focus in the discharge of its mandate, was to determine whether the prescribed process for issuance of the Quarry Licence was fully adhered to, and that there was no impropriety and/or irregularity involved.

As such, members of the OCG's Inspectorate Division attended a Public Presentation at the Rio Bueno All Age School on April 7, 2010. The OCG, on August 12, 2010, requested documents from the Mines and Geology Division, the Public Body which is charged with the authority under the Quarries Control Act of 1983, to issue prescribed licences. The documents were received on August 17, 2010. As at December 31, 2010, the Mines and Geology Division had not taken a decision with respect to the granting of the prescribed Quarry Licence. The OCG will continue to monitor the referenced project.

Petroleum Corporation of Jamaica – Monitoring of Second Oil Bid

By way of media reports in March 2010, the OCG became aware that the Petroleum Corporation of Jamaica (PCJ) had opened a formal licensing bid round for oil and gas exploration. The PCJ is seeking to issue licences for nineteen (19) Offshore Blocks and four (4) Onshore Blocks. As such, an OCG requisition was sent to the PCJ on March 3, 2010, requesting a copy of all the relevant documentation.

The deadline for submission is slated for March 1, 2011. The OCG will continue to monitor the referenced project.

Spectrum Management Authority – Invitation for Expressions of Interest for Licences in the 1900 MHz and 2100 MHz Bands

By way of an advertisement in the print media on November 7, 2010, the Spectrum Management Authority (SMA) sought "... *to identify the level of interest in and demand for the 1900 & 2100 MHz spectrum (used for mobile services)....*" The deadline for the submission of Expressions of Interest was November 23, 2010. Three (3) Expressions of Interest were received.

Upon a request from the OCG, the SMA provided a status update, which stated, *inter alia*, that; "*The information obtained from the exercise was used to better inform the SMA in proposing the licensing process and to assist in determining the choice of allocation, the mechanism for assignment, licensing terms and conditions and pricing, for 30 MHz of mobile spectrum.*"

The OCG was advised by the SMA that with the approval of its Board of Directors, which was received by way of a letter, and which was dated December 8, 2010, a recommendation for the licensing process was submitted to the Minister with portfolio responsibility for Telecommunications, for approval. As at the time of this Report the decision of the Minister was being awaited. The OCG will continue to monitor the referenced project.

Firearms Licensing Authority – Audit of Prescribed Licences issued under the Act

Based upon several media reports, which were published in June 2009, regarding the resignation of the members of the Firearms Licensing Authority (FLA) Board, the OCG conducted an audit into the issuance of certain prescribed licences by the FLA.

As at December 31, 2010, the Audit Report was not completed.

Conclusion

Since the launch of PLID in 2009, the OCG has continued to develop on the framework and internal procedures which will govern the referenced monitoring regime.

The OCG would like to encourage all Public Bodies to continue monitoring the Prescribed Licenses Information Database (PLID), to ensure that the information provided remains accurate and current, as the OCG strives, with their cooperation, to ensure that the Government's prescribed licensing system is fair, transparent and allows for probity in the issuance of all licenses and permits.

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.

Upon a request from the OCG, the Clerk to the Houses of Parliament, provided six (6) 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 six (6) Exemption Motions which were granted:

1. Senator the Honourable Dorothy Lightbourne – January 29, 2010

The exemption which was granted in respect of Senator the Honourable Dorothy Lightbourne, on January 29, 2010, recognised that the Member, *“is a partner on leave in the firm of Lightbourne & Hamilton, Attorneys-at-law...which from time to time enters into contracts with the Jamaica Urban Transit Company (JUTC) and their insurers.”*

2. Senator Dennis Meadows – January 29, 2010

The exemption which was granted in respect of Senator Dennis Meadows, on January 29, 2010, recognised that the Member, *“...is in the process of acquiring a parcel of land from the Housing Agency of Jamaica.”*

3. Senator Mark Golding – June 11, 2010

The exemption which was granted in respect of Senator Mark Golding, on June 11, 2010, recognised that the Member was; *“...appointed to the Board of Directors of Proven Management Limited which may from time to time deal in securities issued or guaranteed by, or provide financial services pursuant to contracts with, the Government of Jamaica and other public sector entities.”*

4. Mr. Peter Bunting, Member of Parliament (MP), Manchester Central – June 29, 2010

The exemption motion which was granted in respect of Mr. Peter Bunting, Member of Parliament, Manchester, Central, on June 29, 2010, recognised that the member; *“...is a director of Proven Management Limited which may from time to time deal in securities issued or guaranteed by, or provide financial services pursuant to contracts with, the Government of Jamaica and other public sector entities.”*

5. Mr. Peter Bunting, MP, Manchester Central – October 19, 2010

The exemption motion which was granted in respect of Mr. Peter Bunting, MP, Manchester, Central, on October 19, 2010, recognised that the Member, *“...is a director of:*

- *“Proven Wealth Limited (formerly Guardian Asset Management Jamaica Limited) which may from time to time deal in securities issued or guaranteed by, or provide financial services pursuant to contracts with, the Government of Jamaica and other public sector entities.”*

- *“Industrial Chemical Company (Ja.) Limited which manufactures and sells salt, sulphuric acid, aluminum sulphate and detergent, and from time to time contract with the Government of Jamaica and other public sector entities”.*

6. Senator Mark Golding – October 29, 2010

The exemption motion which was granted in respect of Senator Mark Golding, on October 29, 2010, recognised that the Member was; *“...appointed to the Board of Directors of Grace, Kennedy Limited (a conglomerate); GK Foods & Services Limited, a manufacturer and distributor of food and beverage products (and a subsidiary of Grace, Kennedy Limited); Industrial Chemical Company (Ja.) Limited which manufactures and sells industrial chemicals, salt and detergent, which may from time to time contract with the Government of Jamaica and other public sector entities and Proven Wealth Limited (formerly Guardian Asset Management Jamaica Limited) which may from time to time deal in securities issued or guaranteed by, or provide financial services pursuant to contracts with, the Government of Jamaica and other public sector entities.”*

DEVELOPMENTS WITH REGARD TO EXEMPTION MOTIONS

The Report of the Ethics Committee of the House of Representatives, which was Tabled in the House on June 29, 2010, approved the following recommendations:

- Members who seek exemptions should provide the Committee with information regarding the company in which he is involved and the nature of the business which is being carried out by the company, in order to facilitate informed decisions by Members of the Committee.
- Members who had been granted exemptions in the past should submit a report to the Committee by December 31 each year, informing them of any Government contracts in which they had entered and the nature of such contracts.

The Report of the Ethics Committee of the House of Representatives, which was Tabled in the House on October 19, 2010, approved the following recommendation:

- After being granted exemption, any Member who enters into any Government contract should inform the Committee of the nature of such contract.

EXEMPTED PUBLIC BODIES

Section S-1000 (IV) of the Government of Jamaica (GOJ) Handbook of Public Procurement Procedures (November 2008), allows select Public Bodies to employ their own internal procedures in the procurement of certain goods, services and works. These Public Bodies undertake procurement outside of the strictures of the referenced GOJ Procurement Guidelines. The entities are, therefore, expected to adhere to the internal procurement procedures which have been developed.

The following Commercial Entities have been granted Special Procurement Waivers:

1. Petrojam Limited;
2. Port Authority of Jamaica;
3. Jamaica Tourist Board;
4. Jamaica Vacations Limited;
5. Air Jamaica Limited;

The OCG, in accordance with its routine contract monitoring processes, requested information regarding the award of contracts by the referenced Commercial Entities in the applicable categories. The OCG has reviewed the information provided and its Findings are detailed below.

Petrojam Limited

Section S-1000 (IV) of the Government of Jamaica Handbook of Public Procurement Procedures (November 2008) provides that internal procurement procedures may be utilised in the following instances:

1. Spot Procurement of Petroleum Products, Crude Oil, LPG and Freight,
2. Procurement of Liquefied Petroleum Gas (LPG), Methyl Tertiary Butyl Ether (MTBE) and Freight,
3. Tank Cleaning and Repairs, and
4. **Use of Pre-Approved Contractors List** - Petrojam may use its pre-approved contractors list for the selection of contractors by the limited tender for specific work on the Refinery, provided that: the list is large enough to allow for competition; these contractors become registered with the National Contracts Commission (NCC); and Petrojam advertises annually for additional contractors to be pre-approved.

In 2010, Seventeen (17) Spot Freight contracts for the procurement of petroleum products, which amounted to US\$4,337,500.00, were awarded by Petrojam Limited. In addition, there were two (2) contracts which were awarded for 'Spot Procurement', specifically for the purchase of diesel oil, which amounted to US\$14,300,000.00. The table below represents particulars of the contracts which were awarded:

	Name of Contractor	Type of Contract	Contract Value US\$	Agency's Internal Procedures Followed	NCC Informed
1	Lian An Hu	Spot Freight	250,000	Y	Y
2	Larvik	Spot Freight	275,000	Y	Y
3	Sharon Sea	Spot Freight	265,000	Y	Y
4	Zeta 1	Spot Freight	90,000	Y	Y
5	Chang Han Tan Suo	Spot Freight	300,000	Y	Y
6	Tambourin	Spot Freight	245,000	Y	Y
7	Songa Ruby	Spot Freight	225,000	Y	Y
8	Valle Di Castiglia	Spot Freight	230,000	Y	Y
9	Tosca	Spot Freight	230,000	Y	Y
10	Overseas Ambermer	Spot Freight	375,000	Y	Y
11	Laguna D	Spot Freight	260,000	Y	Y
12	Aris	Spot Freight	295,000	Y	Y
13	Tambourin	Spot Freight	225,000	Y	Y
14	Kaitene	Spot Freight	325,000	Y	Y
15	Laucus 1	Spot Freight	227,500	Y	Y
16	Isola Blu	Spot Freight	235,000	Y	Y
17	Gulf Stream	Spot Freight	285,000	Y	Y
		Total Spot Freight	4,337,500		
18	Citizen's Resources LLC	Spot Purchase of Auto Diesel Oil	7,540,000	Y	Y
19	Glencore	Spot Purchase of Auto Diesel Oil	6,760,000	Y	Y
		Total Spot Purchase of Auto Diesel Oil	14,300,000		
		Total	18,637,500		

During the reporting period, the OCG found that no contracts were awarded for Tank Cleaning and Repairs or through the utilisation of the Pre-Approved Contractors List.

The internal procedures impose a requirement for competitive tendering, having regard to the need for the provision of an uninterrupted supply of petroleum products. The process for the procurement of Spot Freight involves the entity inviting potential bidders to submit quotations, evaluating the offers, negotiating with the bidders which submitted quotes, providing counter offers and then awarding the contract to the bidder that receives the best score after the conclusion of the evaluation and negotiation processes.

The procedure for Spot Procurement of Petroleum Products also encourages a competitive tender process, having regard to the need for the provision of an uninterrupted supply of petroleum products. The internal procedures dictate that the recommendation for the award of contracts is made by the Logistic and Marketing Manager and approval is granted by the General Manager.

Port Authority of Jamaica

Section S-1000 (IV) of the Government of Jamaica Handbook of Public Procurement Procedures (November 2008), provides that the Head of the Port Authority of Jamaica (PAJ) may approve Sole Source and Direct Contracting procurements up to J\$5,000,000.00. Above this value, prior approval of the NCC is required. Cabinet's prior approval is required for contracts that are valued above J\$50,000,000.00.

In 2010, six (6) contracts were awarded by the PAJ which valued between J\$3,000,000.00 and J\$5,000,000.00, in which either the Sole Source or Direct Contracting Procurement Methodology was utilised. None of the contracts were above the \$5,000,000.00 threshold, and, therefore, did not require NCC approval.

With regard to the contract for Telecommunication Services, which was awarded to Lime, the OCG noted that one (1) of the service agreements was dated October 5, 2010, and was signed by the Contractor on October 8, 2010. The other agreement was not dated but indicated that the Contractor signed same on October 8, 2010. Documentation presented indicated that the Procurement Committee approved the recommendation at its meeting of November 4, 2010.

The Table below provides a summary of the contracts which were awarded by the PAJ within the applicable threshold.

	Name of Contractor	Type of Contract	Contract Value US\$	Contract Value JMD\$	Agency's Internal Procedures Followed
1	Tridel Construction Group Inc	Seals	51,500	4,454,446	Y
2	Westside Electrical inc	Equipment Repair	36,492	3,636,365	Y
3	Westside Electrical inc	Equipment Repair	36,492	3,507,052	Y
4	Cool Petroleum Ltd	Engine Oil		4,199,000	Y
5	Shaw GBB	Engineering & Project Management Services	54,940	4,702,864	Y
6	LIME	Telecommunication Services	0	3,405,568	N
		Totals	179,424	24,409,159	

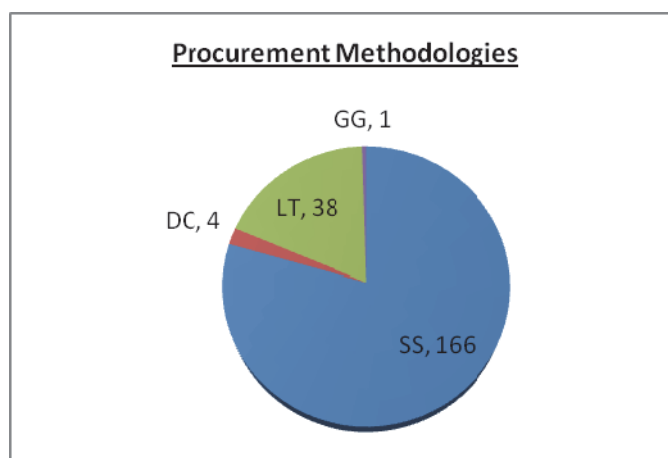
Jamaica Tourist Board

Section S-1000 (IV) of the Government of Jamaica (GOJ) Handbook of Public Procurement Procedures (November 2008), provides that the following activities are exempted from the strictures of the GOJ Procurement Guidelines and that these activities will be undertaken according to standard industry practice, as follows:

1. Co-sponsorship arrangements;
2. Trade and travel road shows;
3. Supplies of goods and services to overseas offices of the JTB; and
4. Co-operative advertising.

For the period January 1, 2010 to December 31, 2010, the Jamaica Tourist Board (JTB) awarded two hundred and nine (209) contracts, which amounted to J\$233,925,441.00.

Documents received from the JTB, indicated that the predominant procurement methodology which was used was the Sole Source Procurement Methodology, which was utilised for one hundred and sixty six (166) contracts which were awarded. Of the two hundred and nine (209) contracts which were awarded, the Limited Tender (LT) Procurement Methodology was utilised in only thirty-eight (38) instances, Direct Contracting (DC) for four (4) instances, while only one (1) contract was awarded by way of Government to Government (GG) procurement.



The OCG noted that the internal procurement guidelines of the JTB contain no explicit requirement for the prior approval of contract awards by the Procurement Committee or the Head of Entity. Instead, the Procurement Committee is mandated to ensure that all transactions of J\$275,000.00 and more, are properly documented, with the appropriate rationale stated and that the relevant guidelines are followed. The OCG noted that twenty-two (22) of the contracts which were awarded, did not receive Procurement Committee approval.

Jamaica Vacations Limited

Section S-1000 (IV) of the Government of Jamaica (GOJ) Handbook of Public Procurement Procedures (November 2008), provides that the following activities are exempted from the GOJ Procurement Guidelines and that these activities will be undertaken according to standard industry practice:

1. Co-sponsorship arrangements;
2. Trade and travel road shows; and
3. Co-operative advertising.

The entity's internal procedures mandate, *inter alia*, that the approval of the Board of Directors is required for all agreements. In 2010, Jamaica Vacations Limited (JVL) awarded a total of twenty one (21) contracts amounting to J\$220,762,527.00. All contracts were procured using the Sole Source Procurement Methodology. Of the twenty one (21) contracts which were awarded, there was no documentation which indicated that approval from the Board of Directors was received for four (4) contracts. These four (4) contracts were, however, approved by the Head of Entity.

The OCG noted that the National Contracts Commission (NCC) was advised on the contracts which were awarded by JVL, which exceeded the requisite approval thresholds.

The Table below provides a summary of the contracts which were awarded by JVL:

Name of Contractor	Type of Contract	Contract Value JMD\$	Board Approval obtained
Apple Vacations	Co-sponsorship -airlift	7,308,000	Y
Apple Vacations	Co-sponsorship -airlift	2,847,600	Y
Apple Vacations	Co-sponsorship -airlift	3,790,020	Y
Condor	Co-sponsorship -airlift	6,446,091	Y
Air Berlin	Co-sponsorship -airlift	4,297,452	N
US Airways	Co-sponsorship -airlift	85,000,000	Y
Westjet	Co-sponsorship -airlift	16,462,800	Y
Westjet	Co-sponsorship -airlift	22,471,705	Y
Air Canada Vacations	Co-sponsorship -airlift	7,692,391	Y
Thomas Cook/Sunquest	Co-sponsorship -airlift	9,845,576	Y
Transat Tours	Co-sponsorship -airlift	12,347,100	Y
Maxi Travel	Co-sponsorship -airlift	2,550,000	Y
Soltour	Co-sponsorship -airlift	3,492,680	Y
Air Canada Vacations	Co-sponsorship -airlift	12,532,315	Y
Maxi Travel	Co-sponsorship -airlift	2,550,000	Y
Soltour	Co-advertising -airlift	8,057,679	N
Orizonia/ Viajes Iberia	Co-advertising -airlift	8,057,679	Y
Air Canada Vacations	Co-advertising -airlift	2,087,850	N
Transat	Co-advertising -airlift	2,469,420	Y
Jamaica Tourist Board	Co-op marketing	4,721,893	N
Flight Centre	Co-op marketing	1,717,052	Y

Air Jamaica

Section S-1000 (IV) of the Government of Jamaica (GOJ) Handbook of Public Procurement Procedures (November 2008), provides that the internal regime of Air Jamaica should be applied to the following procurements:

1. Procurement of goods, services and works to Air Jamaica's overseas station;
2. Procurement of goods, services and works for which the standards and suppliers are regulated by the Jamaica Civil Aviation Authority (JCAA), Federal Aviation Authority (FAA), other regulatory bodies or manufacturers;
3. Lease of aircraft or procurement of repair services in a situation of *Aircraft on Ground (AOG)*;
4. Procurement of goods, services and works in security restricted areas;
5. Procurement of Aircraft Fuel;

6. Accommodations for Crew Layover;
7. Interline Agreements and Code Share Agreements;
8. Purchase and maintenance of Support Equipment for aircraft handling e.g. Paymovers, Passenger Steps, Baggage Carts etc.;
9. Products for use onboard aircraft e.g. pillows and blankets; and
10. Purchases from unregistered small suppliers.

In addition, the Head of Air Jamaica may approve contracts up to US\$150,000.00. Contract awards above this value will require the prior approval of the National Contracts Commission (NCC).

The entity awarded thirty-seven (37) contracts amounting to J\$27,211,969.00. None of the referenced contracts exceeded the US\$150,000.00 threshold. Fourteen (14) of the contracts which were awarded were procured through the utilisation of the Limited Tender Procurement Methodology. The remaining contracts were awarded via the Sole Source Procurement Methodology.

By way of a letter which was dated February 16, 2011, the Head of Air Jamaica Legacy, indicated, *inter alia*, that; *"...the Legacy operations did not begin until May 1, 2010, and as of that date includes persons who were not formerly involved in the procurement process. The persons with primary responsibility prior to May 1, 2010, are either employed with Caribbean Airlines (CAL) through the local subsidiary, or are neither with CAL or Air Jamaica Legacy."*

Conclusion

The Ministry of Finance and the Public Service thought it prudent to provide specific Public Bodies with the ability to regulate themselves in the procurement of certain goods, services and works. This was a useful tool for these entities having regard to the special circumstances which are peculiar to such Entities.

In allowing the entities to create their own internal procedures, it was expected that those procedures would be adhered to, thereby ensuring that all procurement opportunities are awarded impartially and on merit. A review of the documents which were provided by the Entities has shown that in a number of instances, the internal procedures were not adhered to.

The OCG is concerned with the number of cases in which internal procedures were not complied with, especially in light of the fact that said procedures were created by the respective Entities.

It is of importance that such Entities be reminded that although they are exempted from the strictures of the applicable GOJ Procurement Guidelines, all established internal procedures must be adhered to, as the award and implementation of all government contracts are required to be undertaken in a manner which promotes fairness, competition, transparency, value for money and probity.

PROCUREMENT AUDITS

The Office of the Contractor General (OCG), in the calendar year 2010, initiated ten (10) Procurement Audits. Of the ten (10) Audits, nine (9) were initiated through the OCG's routine selection process and one (1) selected based upon certain concerns which were raised in the public domain. During the 2010 calendar year, the Audit Team also continued its work on six (6) audits which were initiated in the previous reporting year.

Table 1 below provides the status of each of the referenced Procurement Audits as at December 31, 2010.

Audited Public Bodies	Status as at December 31, 2010
Aeronautical Telecommunications Limited	Report completed
Caribbean Maritime Institute	Review completed
Companies Office of Jamaica	Report completed
Edna Manley School of the Visual and Performing Arts	Review completed
Jamaica Civil Aviation Authority	Review completed
Jamaica Fire Brigade	Report completed
Jamaica 4-H Clubs	Report completed
Jamaica National Heritage Trust	Review completed
Ministry of Finance & Public Service	Review completed
National Family Planning Board	Review on-going
Office of the Contractor-General	Report completed
Overseas Examinations Commissions	Review on-going
Pesticides Control Authority	Report completed
Portmore Municipal Council	Review on-going
Real Estate Board	Report completed
Student's Loan Bureau	Review completed

In accordance with the OCG's Procurement Audit Process, all Audits were initiated through the issuance of a formal OCG Letter of Initiation. The Audits included, but were not limited to, the testing of the veracity of the information which was provided by the Public Body through the Quarterly Contracts Award (QCA) Reports and a review of the respective files of the Public Bodies, for the period under review.

The OCG's Audit Team has completed reviews and has been able to state a position on the procurement practices of seven (7) of the Audited Public Bodies.

Common deviations which were identified by the Audit Team included:

1. The reporting of the particulars of payment details instead of actual contract details;
2. Unreported contracts; and
3. The failure of Public Bodies to provide documentary evidence of requisite approvals and details of the procurement process which was undertaken.

The OCG would like to remind all Public Bodies that an internal procurement procedure must be established to assist with ensuring that the information which is provided through the QCA Report is accurate.

Further, it should be noted that the submission of misleading information may adversely affect the assessment of the procurement practices of the Public Body, as inaccurate disclosures may be construed as a deliberate attempt to mislead a Contractor General, which is criminally sanctionable under Section 29 of the Contractor-General Act.

The tables below represent the six (6) Procurement Audits which were completed during 2010:

Aeronautical Telecommunications Limited			
<u>1</u>	<u>Reason for Audit Initiation:</u>	<u>Date of Audit Initiation:</u>	<u>Status as at December 31, 2010:</u>
	Routine Monitoring	2010-06-15	Report completed
	<p>Aeronautical Telecommunications Limited (AEROTEL Ltd.) is a Portfolio Agency of the Ministry of Transport and Works, which was established in August 1978 for the provision of Engineering and Telecommunication Services.</p> <p>The OCG, as part of its routine Audit Monitoring Programme, elected to review the procurement practices of AEROTEL for the period May 1, 2006 to March 31, 2010.</p> <p>The Audit exhibited, <i>inter alia</i>, the following:</p> <ul style="list-style-type: none"> i. Source documents were in most instances not identified to verify the contract award date which were reported on the QCA Report; ii. In violation of Government of Jamaica Procurement Procedures the Head of Entity failed to effect approvals for the award of contracts; and iii. Frequent payments were identified, which the Audit Team opined, should have been made subsequent to the execution of a contract. <p>Based upon the aforementioned, the Audit Team advanced, <i>inter alia</i>, the following recommendations:</p> <ul style="list-style-type: none"> i. In accordance with Section 2150 of the Government of Jamaica, Revised Handbook of Public Sector Procurement Procedures (November 2008), complete procurement record should be maintained; ii. Aerotel should ensure that the requisite approvals are gained for all contracts; and iii. Aerotel should review its present agreements with the objective of tendering for long standing and informal agreements. iv. Aerotel should implement a process which predicates the submission of the OCG's QCA Report, that will ensure that proper due diligence is conducted to increase the accuracy and adequate completion of the QCA Reports. 		

Companies Office of Jamaica			
<u>2</u>	<u>Reason for Audit Initiation:</u>	<u>Date of Audit Initiation:</u>	<u>Status as at December 31, 2010:</u>
	Routine Monitoring	2010-11-24	Report completed
<p>The Companies Office of Jamaica (COJ) is a Portfolio Agency of the Ministry of Industry, Commerce & Technology, with responsibility for the day to day administration of the following subjects: Companies, Industrial and Provident Societies and Business Names.</p> <p>The OCG, in its routine Audit Monitoring Programme, elected to review the procurement practices of the COJ for the period May 1, 2006 to March 31, 2010.</p> <p>The Audit exhibited, <i>inter alia</i>, the following:</p> <ul style="list-style-type: none"> i. The contract award dates for approximately 44% of the contracts which were reviewed were consistent with the dates reported on the QCA Report. ii. Fifteen (15) of the sixteen (16) contracts examined reported a Contractor Identification (ID) Number. The sole contract that did not have a recorded Contractor ID was for a Consultant. Consultants are not required to be registered with the NCC. iii. For 66.67% of the contracts which were reviewed, the Contractor ID stated on the QCA Report was consistent with the record of the NCC Contractor ID Database. It was noted that for several contracts which were awarded to Illuminat Jamaica Limited, the Contractor ID Number that was reported by the COJ was incorrect. Without this incorrectly stated Contractor ID Number, COJ would have gained 100% compliance with regards to this audit requirement. iv. Three (3) of the contracts which were awarded, prior to November 2008, fell within the threshold which required National Contracts Commission (NCC) approval for the use of Sole Source Procurement Methodology, as the contract values exceeded \$1m. This approval was evidenced in only one (1) instance (33.33%); being the contract with Illuminat Jamaica Limited for the supply of Upgrade Filenet Software. <p>A review of source documents did not reveal that said approval was received in the instances where contracts were awarded to Illuminat Jamaica Limited for Annual Software Support on August 4, 2006 and for Filenet Software Maintenance on September 26, 2007.</p> <ul style="list-style-type: none"> v. Prior to November 2008, Procurement Committee approval was required for all contracts; post November 2008, approval was required for contracts which were valued over \$1m. The Entity can be commended for the fact that there is an established internal procurement procedural plan and that there is evidence of the convening of regular Procurement Committee Meetings. vi. For those contracts that required Procurement Committee approval, this was evidenced for approximately 86%, or for twelve (12) of the fourteen (14) related contract approval. vii. The Audit Team observed that although contracts were executed for the following projects, the duration of the contract was for an indefinite period in the instances of the security and cash in transit contract and expired in other instances. With due consideration to the time which had elapsed, the procurement opportunity should have been re-tendered. Additionally, best practices dictate that contracts should be for a specific, stated time period, and should not be subject to renewals without the benefit of competitive tendering. <p>The procurement opportunities being referred to are:</p> <ul style="list-style-type: none"> a. Security Services; b. Cash in transit ; c. Janitorial services; and d. Security paper <p>Based upon the aforementioned, the Audit Team advanced, <i>inter alia</i>, the following recommendations:</p> <ul style="list-style-type: none"> i. The COJ should ensure that Procurement Committee approval, and all requisite approvals, are gained. ii. The COJ should implement a process which predicates the submission of the OCG's QCA Report, that will ensure that proper due diligence is conducted to increase the accuracy and adequate completion of the QCA Reports. iii. The contracts for Security Services and Cash In Transit should be re-tendered with a specific, stated contractual period. The contract for Janitorial Services, if not already re-tendered, should be retendered as the contract period has concluded. 			

Jamaica Fire Brigade			
3	<u>Reason for Audit Initiation:</u>	<u>Date of Audit Initiation:</u>	<u>Status as at December 31, 2010:</u>
	Routine Monitoring	2010-11-24	Report completed
<p>The Jamaica Fire Brigade (JFB) is a Statutory Body within the Office of the Prime Minister - Department of Local Government. The role of the JFB is to protect life and property from fire or other disasters within the Island and its territorial seas.</p> <p>The OCG, in its routine Audit Monitoring Programme, elected to review the procurement practices of the JFB for the period May 1, 2006 to March 31, 2010.</p> <p>The Audit exhibited, <i>inter alia</i>, the following:</p> <ul style="list-style-type: none"> i. The OCG's Audit Team observed discrepancies relating to the contract award dates as reported on the entity's QCA Report. For example, with regard to a contract which was reported as being awarded to M&M Stationery & Office Supplies on 2008-06-03, for J\$453,330.00, it was noted that the award date that was reported on the QCA was the date of the Procurement Committee's Approval. <p>It was also observed in some instances that the dates that were reported as Contract Award dates on the QCA Reports were actually payment dates.</p> <ul style="list-style-type: none"> ii. It was observed that for some of the contracts that were reported for the 2007 QCA reporting period, the Contractor Identification (ID) Number was not reported for some of the Contractors. This was the case for NevEast Supplies Limited, National Safety Limited and KPMG, among others. However, the Contractor ID Number was reported more consistently for 2008 and periods beyond. <p>The Contractor ID Number was also compared with the OCG's internal Contractor database for verification. Based upon the samples that were selected, the Contractor Identifications which were reported, were consistent with the information which was listed on the NCC Contractor ID Database.</p> <ul style="list-style-type: none"> iii. It was noted that some of the contract values that were reported on the QCA Reports were for part payments of contract, in most instances. For example, contract awarded to Contacts Electrical Engineering and Building Construction Company Limited on 2007-07-02, in the sum of J\$400,000.00, represented an amount for payment instead of a contract sum. iv. It was observed in most instances that a Tender Document was not prepared for the Procurement. It was also observed that bidders were primarily asked to indicate the cost for the service being procured. In one instance, the contract that was awarded to Barnard Construction, in the amount of J\$2,715,000.00, on January 19, 2007, revealed that there was no evidence of a Tender Document being prepared. <p>Based upon the aforementioned, the Audit Team advanced, <i>inter alia</i>, the following recommendations:</p> <ul style="list-style-type: none"> i. A Tender Document should be prepared for all procurement exercises undertaken. ii. The JFB should ensure that the particulars of a contract and not payments are reported on the QCA Report. iii. The relevant Contractor Identification Number should be included for all contracts, as failure to adequately complete QCA Reports may result in an adverse assessment of the JFB's procurement practices. iv. The JFB should implement a process which predicates the submission of the OCG's QCA Report, which will ensure that proper due diligence is conducted to increase the accuracy and adequate completion of the QCA Reports. 			

Jamaica 4-H Clubs

4	<u>Reason for Audit Initiation:</u>	<u>Date of Audit Initiation:</u>	<u>Status as at December 31, 2010:</u>
	Routine Monitoring	2010-06-15	Report completed
	<p>The Jamaica 4-H Clubs is a youth development agency. The mandate of the Jamaica 4-H Clubs is embodied in its Mission Statement which is; <i>"To mobilise, educate and train youth in skills such as Agriculture, Home Economics, Environmental Management, Leadership and Social Skills in rural and urban communities, through competent staff and volunteers utilising adaptive technologies and prudent financial management to prepare or influence them into productive vocations, thus providing a cadre of leaders capable of contributing to national development."</i></p> <p>The OCG, in its routine Audit Monitoring Programme, elected to review the procurement practices of the Jamaica 4-H Clubs for the period January 2009 to March 31, 2010.</p> <p>Only one (1) contract award was reported for the period under review. The referenced contract was awarded to Barrington House Limited (Consultant) for the provision of Accounting Services, in the sum of J\$720,000.00.</p> <p>The Audit exhibited, <i>inter alia</i>, the following:</p> <ul style="list-style-type: none"> i. The procurement procedures and related contract value thresholds that were being utilised by the Public Body were relative to the Government of Jamaica Procurement Procedures Handbook – May 2001 and not the then current approved Handbook (November 2008). ii. The Procurement Methodology indicated on the QCA Report was not that which was undertaken. iii. The Minutes of the Procurement Committee Meeting, which was dated January 12, 2009, indicated that Barrington House <i>"was selected based on price competitiveness and the fact that the Jamaica 4-H Clubs have worked with them in the past."</i> There was, however, no evidence of an evaluation being conducted. iv. The date of award which was reported on the QCA Report, represented the commencement date of the service procured and not the date of the contract signing. v. There was no proof that the Contractor was tax compliant at the time of the award. vi. There was no documentary evidence of the receipt of the approval of the Head of Entity. vii. Work on the contract commenced prior to the signing of the contract. <p>Based upon the aforementioned, the Audit Team advanced, <i>inter alia</i>, the following recommendations:</p> <ul style="list-style-type: none"> i. The Jamaica 4-H Clubs should formalise its internal procurement process to conform to the provisions of the Government of Jamaica (GOJ) Revised Handbook of Procurement Procedures. ii. Evaluation Reports should be prepared and dated with evidence of the Procurement Committee's approval of the recommendation(s) made for the award of contracts. iii. Ensure that there is documented approval by the Head of Entity, of all recommendations for contract awards. iv. Ensure that all Entities contracted are in possession of a valid and current Tax Compliance Certificate (TCC). v. The utilisation of the standard contract document in accordance with the Revised Handbook of Public Sector Procurement Procedures (November 2008). 		

Pesticides Control Authority			
<u>5</u>	<u>Reason for Audit Initiation:</u>	<u>Date of Audit Initiation:</u>	<u>Status as at December 31, 2010:</u>
	Routine Monitoring	2010-06-15	Report completed
<p>The Pesticide Control Authority (PCA) is a Statutory Body, whose primary objective is the regulation and control of pesticides in Jamaica. This involves considering and determining applications that are made pursuant to the Pesticide Act of 1975, and to deal with all aspects of importation, manufacturing, packaging, preparation for sale, disposal and use of pesticides and to advise the Minister on all matters in relation thereto.</p> <p>The OCG, in its routine Audit Monitoring Programme, elected to review the procurement practices of the PCA for the period May 1, 2006 to May 31, 2010.</p> <p>The Audit review revealed, <i>inter alia</i>, the following:</p> <ul style="list-style-type: none"> i. The PCA reported payment dates instead of contract dates for two (2) of the four (4) contracts, namely the contracts that were awarded to Appliance Traders Limited and Business Management Limited. ii. All contract values reported on the QCA Report were consistent with the Source Documents reviewed at the PCA. iii. In all instances, the incorrect procurement methodology was reported on the QCA Report. The QCA Report for the PCA indicated that the Selective Tender Procurement Methodology was utilised for two (2) of the procurement opportunities, while the Open Tender Procurement Methodology was utilised for two (2) of the reported procurement activities. Subsequent to a review of the documentary evidence, it was revealed that three (3) of the four (4) contracts were procured by way of the Limited Tender Procurement Methodology, whilst only one (1) was procured utilising the Selective Tender Procurement Methodology. iv. The Audit Team observed a Tax Compliance Certificate (TCC) for two (2) of the four (4) procurements. A copy of a TCC was not seen on the file for the contracts that were awarded to Business Management Limited and Fujitsu Transaction Jamaica Limited. v. A contract valued at J\$270,083.64, which was awarded to Fujitsu Transaction Solutions (JA) Limited on July 17, 2008, was not reported to the OCG. A review of the file indicated that the Limited Tender Procurement Methodology was used to procure three (3) Dell Desktop Computers at a value of US\$3729.00 (at an exchange rate of JA\$72.4279). <p>Based upon the aforementioned, the Audit Team advanced, <i>inter alia</i>, the following recommendations:</p> <ul style="list-style-type: none"> i. The Entity should be advised that the contract award dates should be reported on QCA Report, instead of payment dates. ii. The PCA should ensure that all documents relating to a particular procurement are properly filed. iii. The JFB should implement a process which predicates the submission of the OCG's QCA Report, which will ensure that proper due diligence is conducted to increase the accuracy and adequate completion of the QCA Reports. 			

Real Estate Board

6	<u>Reason for Audit Initiation:</u>	<u>Date of Audit Initiation:</u>	<u>Status as at December 31, 2009:</u>
	Routine monitoring	2009-11-24	Review was incomplete
	<p>The Real Estate Board is a Public Body that was established to organise the conduct of Real Estate business, so as to protect members of the public who use the services of Real Estate Dealers to purchase property or who contract with private land and housing developers for the acquisition of units in housing schemes.</p> <p>The OCG, in its routine Audit Monitoring Programme, elected to review the procurement practices of the REB for the period May 1, 2006 to September 30, 2009.</p> <p>The Audit review revealed, <i>inter alia</i>, the following:</p> <ul style="list-style-type: none"> i. The Real Estate Board does not have a formal internal procurement process. However, during the conduct of the audit an internal process was prepared and provided by the Real Estate Board to the Audit Team. This was further edited and submitted to the OCG, under the cover of a letter, which was dated December 16, 2009. ii. The Real Estate Board has never established a Procurement Committee. Consequently, there was no evidence to support the representation that Procurement Committee approval was received for the contracts that were reported on the QCA Report, during the period under review. iii. One (1) contract totalling \$1,500,000.00 was not reported on the QCA Report during the period of July 2008 to September 2009. iv. Pursuant to Sections 6.10.2 and 6.10.3 of the Government of Jamaica Procurement Procedures (May 2001), eighty-two percent (82%) of the contracts which were reviewed had no signed contracts and/or Letter of Acceptance on file. v. For sixty-two percent (62%) of the contracts that were reported on the QCA Reports, payments exceeded the contract value reported. vi. The Real Estate Board was not familiar with the definitions of, and/or differences between, the procurement methodologies. vii. The dates of award that were reported on the QCA Reports represented the dates the initial payments were made on contracts, and not the dates that the contracts were signed or the dates that were indicated on the Letters of Acceptance. viii. The Real Estate Board does not have a separate Procurement Budget/Plan for the period under review. ix. Approximately thirty-eight percent (38%) of the contracts which were reported on the QCA Report, were without a copy of the TCC attached to the file. This is in contravention of the Real Estate Board's internal procedure which was submitted to the OCG. x. Approximately eighty-eight percent (88%) of the payments that were recorded on the QCA Reports were not consistent with the source documents or the payments made. <p>Based upon the aforementioned, the Audit Team advanced, <i>inter alia</i>, the following recommendations:</p> <ul style="list-style-type: none"> i. The Real Estate Board should formalise its internal procurement process to conform to the provisions of the applicable Revised GOJ Public Sector Procurement Procedures Handbook. ii. Pursuant to Sub-Section No. S-1020 of the GOJ Public Sector Procurement Procedures, the Real Estate Board is required to establish a Procurement Committee. Meetings of the Procurement Committee should be held along with the preparation of Minutes for same. iii. Evaluation Reports should be prepared and dated with evidence of the Evaluation and Procurement Committee's approval of the recommendations made for the award of contracts. iv. The use of the standard contract pursuant to Sub-section No. S-2050 of the Revised Public Sector Procurement Procedures (November 2008). v. The Real Estate Board must seek to ensure that its procurement practitioners are trained in the use of the Revised GOJ Public Sector Procurement Procedures Handbook – November 2008. vi. The procurement of goods, works and/or services must be conducted in accordance with the Standard Bidding Documents as stipulated by the Revised GOJ Public Sector Procurement Procedures Handbook (November 2008). 		

LAND AND ASSET DIVESTMENT

The OCG has consistently used this medium to state its opinion that transactions involving the sale of Government of Jamaica (GOJ) owned assets and lands should be subject to the Office's independent scrutiny. These assets are essential components of the nation's resources and, as such, the need to bring transparency, probity and accountability to the divestment of any such resource is a matter in which the OCG must have an interest.

Mr. Justice Lensley Wolfe ruled in the 1989 case of *Wright v. Telecommunications of Jamaica*, that the agreement for the purchase of land by TOJ, a Public Body, was "*not a Government contract within the meaning of the Contractor General Act*". Subsequent to this ruling, the legal opinion of the eminent jurist, Dr. the Hon. Lloyd Barnett, OJ, of January 2000, confirmed that the OCG does in fact have a monitoring and investigative jurisdiction over State asset divestments, as opposed to land asset acquisitions.

The work of the OCG continues to be constrained by what appears to be the occasional impediment to its efforts to systematically ensure probity, scrutiny, transparency, fairness and value for money in the divestment of Government-owned lands and assets. The Attorney General's Chambers, in stating its opinion regarding the sale of aircrafts by Air Jamaica Limited in 2010, reverted to the case of *Wright v. Telecommunications of Jamaica* (1989). The OCG had recommended that the process be aborted as the Office was of the opinion that the transparency and fairness were compromised. The Chambers opined, with reference to the aforementioned case that; "... *in our view, the substantive contemplated sale of the aircraft would not be a "government contract" and the Contractor-General would, therefore, not have jurisdiction in relation thereto.*"

Parliament, to date, has failed to amend the Contractor-General Act to ensure that there is absolutely no ambiguity regarding the role of the OCG in the divestment process. As such, the Office must again reiterate its previously expressed position, as was articulated in its 2006, 2007, 2008 and 2009 Annual Reports that; "*Such transactions, particularly those which involve the sale or divestment of Government owned assets, (together with Government contracts for the acquisition of private lands) should be un-ambiguously subjected, by law, to the independent scrutiny of the Contractor General, if probity is to be assured.*" The OCG also feels obliged to respectfully re-assert the 1994 Policy Statement which was made on the matter by the Most Hon. P.J. Patterson, which states, *inter alia*, that; "...*All such cases must be brought to the specific attention of the Contractor General for his prior guidance*".

Until Parliament decides to act decisively on the matter, the OCG will continue to aggressively monitor the divestment of Government owned lands and assets in keeping with its belief, and the legal opinion of Independent Counsel, that it does in fact possess the lawful jurisdiction to monitor and to investigate commercial transactions which involve the sale or divestment of State owned assets.

LAND DIVESTMENT

The OCG, in its capacity as an observer at the meetings of the Land Divestment Advisory Committee (LDAC), and through the development of an internal monitoring process, which is guided by the proposed GOJ Policy Framework and Procedure Manual for the Divestment of Government-owned lands, was able to ensure transparency in the divestment of Government-owned lands which are held by the Commissioner of Lands and other Government Entities.

Detailed below is an overview of the OCG's monitoring activities, during the reporting period:

Properties Routinely Monitored by the OCG

Factories Corporation of Jamaica Limited				
	Name of Property being Divested	Albion Estate, Yallahs	Location	Saint Thomas
	Date Monitoring Activities Commenced	2009-07-06	Size of Property	1.2446 Hectares (3.075 Acres)
	Date of Executed Agreement of Sale	2010-03-29	Valuation Sum	J\$ 12,000,000.00
	Purchaser	Stanmark Processors Company Limited	Sale Price	J\$ 18,500,000.00
	Status	Divestment process ongoing		
	At the time of this report, the transfer of the property to the Purchaser was not completed.			
	The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.			
Factories Corporation of Jamaica Limited				
	Name of Property being Divested	Lot 2 Whitfield Pen, Marcus Garvey Drive	Location	Kingston
	Date Monitoring Activities Commenced	2009-07-06	Size of Property	5,107.576 square metres (1.26 acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 23,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process ongoing		
	The prospective Purchaser was requested to confirm their willingness to purchase the property for the appraised value of J\$23,000,000.00. However, records indicate that, at the time of this Report, no response was received.			
	The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.			
Factories Corporation of Jamaica Limited				
	Name of Property being Divested	Lot 3 East Albion	Location	Saint Thomas
	Date Monitoring Activities Commenced	2009-07-06	Size of Property	0.658 Hectares (1.68 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 4,500,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process on hold		
	The property was not divested because the selected Purchaser indicated an inability to purchase the property and, as such, would continue the lease arrangement.			

Factories Corporation of Jamaica Limited				
	Name of Property being Divested	Industrial Terrace and Marcus Garvey Drive	Location	Kingston
	Date Monitoring Activities Commenced	2009-12-11	Size of Property	2.02 Hectares (5 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 165,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment Process is ongoing		
<p>Cabinet by way of Decision #28/10, which was dated July 26, 2010, gave approval for the sale of the property which is located at the corner of Industrial Terrace and Marcus Garvey Drive, to the Purchaser, at a sale price of \$140,000,000.00.</p> <p>However, records indicate that, at the time of this Report, the Agreement for Sale had not been executed, as the sale is subject to a Sub-division approval by the Kingston and St. Andrew Corporation.</p> <p>The Office of the Contract General (OCG) will continue to monitor the execution of the captioned divestment.</p>				
Factories Corporation of Jamaica Limited				
	Name of Property being Divested	Lot 19 Cookson & Bushy Park Pen, Naggo Head	Location	Saint Catherine
	Date Monitoring Activities Commenced	2009-12-11	Size of Property	4,801.52 square metres (1.19 Acres)
	Date of Executed Agreement of Sale	2010-08-23	Valuation Sum	J\$ 21,000,000.00
	Purchaser	Dyna Metro Inc. Limited	Sale Price	J\$ 21,000,000.00
	Status	Divestment Completed		
<p>Property has been Transferred to the Purchaser.</p>				
Factories Corporation of Jamaica Limited				
	Name of Property being Divested	Lot 11 Hague Industrial Estate	Location	Trelawny
	Date Monitoring Activities Commenced	2010-11-22	Size of Property	4,023.89 square metres (0.99 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 14,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process ongoing		
<p>At the time of this Report, the Draft Agreement for Sale was forwarded to the Purchaser's Attorney for perusal.</p> <p>The Office of the Contractor General (OCG) will continue to monitor the execution of the divestment process.</p>				
Factories Corporation of Jamaica Limited				
	Name of Property being Divested	Lot 138C and 138E Boundbrook	Location	Portland
	Date Monitoring Activities Commenced	2010-11-22	Size of Property	1.17 Hectares (2.9 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 46,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process ongoing		
<p>At the time of this Report, the divesting Entity was in the process of evaluating the proposals.</p> <p>The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.</p>				

Factories Corporation of Jamaica Limited				
	Name of Property being Divested	Lot 3F Culloden (Whitehouse)	Location	Westmoreland
	Date Monitoring Activities Commenced	2010-11-22	Size of Property	2,641.96 square metres (0.65 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 6,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process on hold		
Records indicate that the divestment of the property was placed on hold, as the FCJ believes that there may be scope for larger business ventures for the property.				
The Office of the Contractor General (OCG) will continue to monitor the divestment process.				
Factories Corporation of Jamaica Limited (FCJ)				
	Name of Property being Divested	Lot 4 Yallahs Industrial Estate	Location	Saint Thomas
	Date Monitoring Activities Commenced	2009-12-11	Size of Property	9,701.01 square metres (2.39 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 7,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Property to be re-advertised		
The divestment was not executed as a result of the Purchaser's delay in executing the Agreement for Sale.				
The Office of the Contractor General (OCG) will continue to monitor the captioned divestment.				
Housing Agency of Jamaica Limited				
	Name of Property being Divested	Lot 1B part of White River	Location	Saint Ann
	Date Monitoring Activities Commenced	2008-12-10	Size of Property	4,096.65 square metres (1.01 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 3,800,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment to be re-advertised		
The Agency did not receive any formal offers for the property and, as such, it was not divested.				
The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.				
Housing Agency of Jamaica Limited				
	Name of Property being Divested	Lot 2 Part of White River	Location	Saint Ann
	Date Monitoring Activities Commenced	2008-12-10	Size of Property	5,327.32 square metres (1.32 Acre)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 5,100,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment to be re-advertised		
The Agency did not receive any formal offers for the property and, as such, it was not divested.				
The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.				

Housing Agency of Jamaica Limited				
	Name of Property being Divested	Lot 3 Part of White River	Location	Saint Ann
	Date Monitoring Activities Commenced	2008-12-10	Size of Property	4,085.50 square metres (1 Acre)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 3,800,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment to be re-advertised		
	The Agency did not receive any formal offers for the property and, as such, it was not divested.			
	The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.			
Jamaica Mortgage Bank				
	Name of Property being Divested	Lot 14 Seacrest Housing Development, Bridgewater	Location	Saint Ann
	Date Monitoring Activities Commenced	2008-07-15	Size of Property	644.1 square metres (0.16 Acres)
	Date of Executed Agreement of Sale	2009-11-20	Valuation Sum	J\$ 2,300,000.00
	Purchaser	Martin Garfton Cole and Shoran Margaret Cole	Sale Price	J\$ 3,500,000.00
	Status	Divestment Completed		
	Purchasers are in possession of property.			
Jamaica Mortgage Bank				
	Name of Property being Divested	Lot 15 Seacrest Housing Development. Bridgewater	Location	Saint Ann
	Date Monitoring Activities Commenced	2008-07-15	Size of Property	638.9 square metres (0.158 Acres)
	Date of Executed Agreement of Sale	2010-03-17	Valuation Sum	J\$ 2,300,000.00
	Purchaser	Derrick Forbes and Ideta Forbes	Sale Price	J\$ 3,600,000.00
	Status	Divestment completed		
	Purchasers are in possession of property.			
Manchester Parish Council				
	Name of Property being Divested	Land Part of Chevely	Location	Manchester
	Date Monitoring Activities Commenced	2008-07-15	Size of Property	4,046.85 square metres (0.99 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 4,500,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment to be re-advertised		
	The property has not been divested and will be re-advertised once it has been registered under the Registration of Titles Act.			
	The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.			

Manchester Parish Council				
	Name of Property being Divested	Land Part of May Day	Location	Manchester
	Date Monitoring Activities Commenced	2008-07-15	Size of Property	2,023.43 square metre (0.49 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 1,500,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment to be re-advertised		
The property has not been divested and will be re-advertised once it has been registered under the Registration of Titles Act.				
The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.				
Manchester Parish Council				
	Name of Property being Divested	Lot 3A Russell Place Gardens	Location	Manchester
	Date Monitoring Activities Commenced	2008-07-15	Size of Property	10,890 square metres (2.69 acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 3,500,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment to be re-advertised		
Property is to be re-advertised.				
The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.				
Ministry of Water and Housing				
	Name of Property being Divested	Lot 301 Vanzie Land (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	1,275.129 square metres (0.315 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 3,900,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process ongoing		
The Agreement for Sale and the Instrument of Transfer have not been executed.				
The Office of the Contractor General will continue to monitor the captioned divestment.				
Ministry of Water and Housing				
	Name of Property being Divested	Lot 304 Vanzie Land (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	985.54 square metre (0.24 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 3,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process is ongoing		
The Agreement for Sale and the Instrument of Transfer have not been executed.				
The Office of the Contractor General will continue to monitor the captioned divestment.				

Ministry of Water and Housing				
	Name of Property being Divested	Lot 308 Vanzie Land (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	1,062.30 square metres (0.26 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 3,200,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process ongoing		
The Agreement for Sale and the Instrument of Transfer have not been issued.				
The Office of the Contractor General will continue to monitor the captioned divestment.				
Ministry of Water and Housing				
	Name of Property being Divested	Lot 310 Vanzie Land (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	683.746 square metres (0.17 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 2,300,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process ongoing		
The Agreement for Sale and the Instrument of Transfer have not been executed.				
The Office of the Contractor General will continue to monitor the execution of the captioned divestment.				
Ministry of Water and Housing				
	Name of Property being Divested	Lot 323 Vanzie Land (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	1,731.25 square metres (0.423 Acres)
	Date of Executed Agreement of Sale	2010-06-23	Valuation Sum	J\$ 5,300,000.00
	Purchaser	Lindon White and Jennifer White	Sale Price	J\$ 5,300,000.00
	Status	Divestment process is ongoing		
The Instrument of Transfer has not been executed as of one of the Purchasers' signature was outstanding at the time of this Report.				
The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.				
Ministry of Water and Housing				
	Name of Property being Divested	Lot 328 Vanzie Land (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	349.74 square metres (0.086 Acres)
	Date of Executed Agreement of Sale	2010-07-14	Valuation Sum	J\$ 1,200,000.00
	Purchaser	Wendell Clayton and Yolanda Scarlett	Sale Price	J\$ 1,200,000.00
	Status	Divestment completed		
Instrument of Transfer has been executed.				

Ministry of Water and Housing				
	Name of Property being Divested	Lot 336 Vanzie Land (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	333.55 square metre (0.082 Acres)
	Date of Executed Agreement of Sale	2010-06-23	Valuation Sum	J\$ 1,200,000.00
	Purchaser	Eunice Gardner and Alain Morgan	Sale Price	J\$ 1,200,000.00
	Status	Divestment completed		
	Instrument of Transfer has been executed.			
Ministry of Water and Housing				
	Name of Property being Divested	Lot 337 Vanzie Lands (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	1,150.71 square metres (0.28 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 3,500,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process ongoing		
	The Agreement for Sale and the Instrument of Transfer have not been executed.			
	The Office of the Contractor General will continue to monitor the execution of the captioned divestment.			
Ministry of Water and Housing				
	Name of Property being Divested	Lot 338 Vanzie Land (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	1,220.61 square metre (0.30 Acres)
	Date of Executed Agreement of Sale	2010-07-21	Valuation Sum	J\$ 3,700,000.00
	Purchaser	Madge Fisher, Taniela Fisher and Triston Fisher	Sale Price	J\$ 3,700,000.00
	Status	Divestment completed.		
	Instrument of Transfer has been issued.			
Ministry of Water and Housing				
	Name of Property being Divested	Lot 339 Vanzie Lands (Cave Island Pen)	Location	Trelawny
	Date Monitoring Activities Commenced	2010-05-11	Size of Property	1,577.01 square metres (0.38 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 4,800,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment process ongoing		
	The Agreement for Sale and the Instrument of Transfer have not been executed.			
	The Office of the Contractor General will continue to monitor the execution of the captioned divestment.			

National Land Agency				
	Name of Property being Divested	Lot MF7 Bernard Lodge	Location	Saint Catherine
	Date Monitoring Activities Commenced	2010-01-11	Size of Property	2.9 Hectares (7.2 Acres)
	Date of Executed Agreement of Sale	2010-10-28	Valuation Sum	J\$ 12,000,000.00
	Purchaser	Lama Service Company Limited	Sale Price	J\$ 13,000,000.00
	Status	Divestment process is ongoing		
	The Purchaser is currently making monthly payments until subdivision approval is received and the Title can be issued.			
	The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.			
National Land Agency				
	Name of Property being Divested	11 Jacks Hill Road	Location	Saint Andrew
	Date Monitoring Activities Commenced	2010-03-15	Size of Property	2,235.88 square metres (0.55 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 0.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	No suitable bids were received and, as such, the property was not divested		
	Property is still owned by the Commissioner of Lands.			
National Land Agency				
	Name of Property being Divested	Land Part of Fort George, Annotto Bay	Location	Saint Mary
	Date Monitoring Activities Commenced	2010-05-03	Size of Property	53.769 Hectares (132.866 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 0.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment to be re-advertised		
	Property was advertised for lease during May 2010. Applications were received and assessed. However, the Business Plans submitted were found to be inadequate. As such, the property was not divested.			
	The Office of the Contractor General (OCG) will continue to monitor the captioned divestment.			
Portmore Municipal Council				
	Name of Property being Divested	Cookson Pen and Bushy Park	Location	Saint Catherine
	Date Monitoring Activities Commenced	2008-07-15	Size of Property	6.15 Hectares (15 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 0.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	No decision has been made regarding the implementation or the allotment of the lots.		
	The property is to be subdivided into 132 lots for commercial use, with the size of lots ranging from 150 to 600 square metres. Valuation amounts for the respective lots range between J\$3,000,000.00 to J\$6,600,000.00.			
	The Council by way of a status update which was dated June 18, 2009, indicated that the properties had not been divested and that the Council still had forty-five (45) lots available for sale and nine (9) for lease.			
	As at December 31, 2010, no decision had been taken regarding the allocation of the lots.			
	The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.			

St. Elizabeth Parish Council				
	Name of Property being Divested	Land Adjacent to Library on Institution Drive Santa Cruz	Location	Saint Elizabeth
	Date Monitoring Activities Commenced	2010-02-23	Size of Property	856 square metre (0.211 acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 4,500,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Awaiting Cabinet's approval		
At the time of this Report, the St. Elizabeth Parish Council had submitted a recommendation to the Office of the Prime Minister for approval.				
The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.				
St. Elizabeth Parish Council				
	Name of Property being Divested	Lots Adjacent to Bellvue Housing Scheme	Location	Saint Elizabeth
	Date Monitoring Activities Commenced	2010-02-23	Size of Property	30.7 Hectares (75.86 Acres)
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 35,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	The property is to be re-advertised		
The sole bid received was below the reserve price of the property. As such, the property was not divested.				
The Office of the Contractor General (OCG) will continue to monitor the execution of the captioned divestment.				
Sugar Industry Authority				
	Name of Property being Divested	Lot 218 - Lime Tree Grove Housing Development	Location	Saint Catherine
	Date Monitoring Activities Commenced	2009-12-11	Size of Property	2,740 square metres
	Date of Executed Agreement of Sale	0000-00-00	Valuation Sum	J\$ 5,000,000.00
	Purchaser	N/A at this time	Sale Price	J\$ 0.00
	Status	Divestment Process Aborted		
Subsequent to the initial advertisement, the property was neither divested nor was it re-advertised over the reporting period (January to December 2010). Records also indicate that the divesting Entity has given no further consideration to divesting the property.				
Urban Development Corporation				
	Name of Property being Divested	Lot at Section 1, Milford Road, Buckfield	Location	Saint Ann
	Date Monitoring Activities Commenced	2008-03-20	Size of Property	1,598.49 square metres (0.39 Acres)
	Date of Executed Agreement of Sale	2010-01-15	Valuation Sum	J\$ 25,000,000.00
	Purchaser	Galami Jamaica Limited	Sale Price	J\$ 25,000,000.00
	Status	Divestment completed.		
All the requisite documents have been executed and a copy of the Duplicate Certificate of Title is currently in the possession of the Bank of Nova Scotia for the remaining balance to be paid.				

Urban Development Corporation				
	Name of Property being Divested	Seven Commercial Lots at Buckfield	Location	Saint Ann
	Date Monitoring Activities Commenced	2008-03-20	Size of Property	6,571 square metre
	Date of Executed Agreement of Sale	2009-11-13	Valuation Sum	J\$ 176,800,000.00
	Purchaser	Infinite Concrete Limited	Sale Price	J\$ 130,000,000.00
	Status	Purchaser awaiting building approvals from the St. Ann Parish Council		
<p>The size of the seven (7) lots to be divested, range from 716 square metres to 1,407 square metres.</p> <p>At the time of this Report, the Purchaser, in accordance with the Special Conditions of the Agreement for Sale, submitted the requisite building plans to the St. Ann Parish Council for approval. In addition to the payment of a deposit totalling J\$13,000,000.00, a further J\$12,500,000.00, as part payment for the second installment, was made. The remaining balance of the second installment will be paid once approval has been received.</p> <p>The sale is set for completion within thirty (30) months of the original date of execution. However, a six (6) months extension of time was granted to facilitate final approval from the Parish Council.</p> <p>The Office of the Contractor General will continue to monitor the execution of the captioned divestment.</p>				

Monitoring of Land Divestment Advisory Committee (LDAC)

The Land Divestment Advisory Committee (LDAC) plays an advisory role to the Minister, in respect of the divestment of Government-owned lands and is mandated to:

1. Examine, evaluate and make recommendations on applications forwarded by the Commissioner of Lands to the Minister for divestment;
2. Review recommendations for applications to receive subsidies, discounts and/or incentives for lease/sale of lands under exceptional and special circumstances and finalise recommendations for the Minister's approval; and
3. Convene regular monthly meetings in order to ensure a timely divestment process.

The following Table gives an overview of the number and classification of the submissions, which were reviewed by the LDAC, for the calendar year 2010:

Table1: Submissions reviewed by the Land Divestment Advisory Committee (LDAC) January 14, 2010 to December 9, 2010

Date of Meeting	Total No. of Submissions	No. of New Applications	No. of Re-submissions	Submissions for Regularisation of Illegal Occupants within Land Settlement Schemes	Submissions Recommended for Approval by the LDAC	Submissions Approved by the Minister
January 14, 2010	12	5	7	1	6	6
February 16, 2010	9	8	1	-	4	4
April 8, 2010	14	11	3	-	9	9
June 14, 2010	14	10	4	-	10	10
July 8, 2010	8	6	2	1	7*	6
September 9, 2010	11	10	1	5 (60 lots)	9**	9
October 28, 2010	15	13	2	5	14*	11
December 9, 2010	11	9	2	1	9*	8
Total	94	72	22	13	68	63

* Three (3) applications, which were recommended by the LDAC, were held by the Secretariat for further consultation (i.e. preparation of the Cabinet Submission and to seek additional information from the National Land Agency and the applicant).

** Two (2) of the recommended applications are to be resubmitted to the LDAC along with second valuations for submission.

The Honourable Minister's Approval

Sixty-eight (68) applications were recommended by the LDAC, for the approval of the Minister. Subsequently, the Minister approved sixty-two (62) applications for sale and/or lease, which valued J\$125,000,000.00 (*this represents approximately half the value in 2009*). One (1) application which was recommended to the Minister by LDAC was not approved. (NB. The OCG has noted that there is a discrepancy in the data that was provided to it by the LDAC in so far as the table above indicates that 63 submissions were approved by the Minister).

The following two (2) tables provide an overview of the Government-owned properties which were approved for sale and lease for the calendar year 2010:

Table 2: Composition of Applications approved for Lease by land use and value

Land Use	No. of Applications	Value \$
Commercial	8	3,569,000
Agricultural	10	1,706,000
Residential	1	1,000
Other*	10	574,000
Total	29	5, 850,000

*Educational, recreational, religious and community development

Table 3: Composition of Applications approved for Sale by land use and value

Land Use	No. of Applications	Value \$
Commercial	16	73,355,000
Agricultural	10	8,965,000
Residential	4	33,650,000
Other*	3	3,400,000 +
Total	33	119,370,001

*Educational, recreational, religious, community development and easements

+ Includes one transfer for \$1.00

Key Observations and Actions undertaken by the LDAC

The following were observed as key positions and actions which were undertaken by the LDAC during its deliberations:

- The Committee ensured that documentary evidence, to prove that the divestment opportunity was made public or advertised, was appended to the application under review.
- In respect of major divestments, the Committee, as part of its evaluation process, recommended that due diligence was undertaken on the principal parties to the transaction. This was done in an effort to ascertain, *inter alia*, financial capacity, tax compliance and reputation.
- Although the Policy Framework and Procedures Manual for the Divestment of Government-owned lands has not been finalised, the Committee was guided in its deliberations by said procedures; and
- The Committee recommended that status updates should be provided to it regarding the lands recommended for divestment. This was supported by the National Land Agency.

The OCG is of the view that the LDAC, has been diligent in ensuring that the information and valuations presented with each submission for review, were current and accurate.

Additionally, the Draft Policy Framework and Procedures Manual for the Divestment of Government-owned Lands was submitted to the OCG for comments and by way of a letter, which was dated May 5, 2010, the OCG's recommendations were communicated to the Permanent Secretary in the Office of the Prime Minister.

At the end of the reporting period, the Policy had not yet been finalised and is expected to be submitted to the Cabinet in February 2011.

As was indicated in the previous OCG Annual Report, the referenced Manual will serve as an official handbook to guide the processing of applicants, using standardised policies and procedures for all government divesting entities. Nevertheless, the Manual recognises that the various government entities will have specific mechanisms for the divestment of land under their control, based upon the unique responsibilities and regulations which govern their operations.

Finally, and further to the issuance of drafting instructions for the proposed amendments to the Crown Property and Vesting Act, which was approved by the Cabinet in May 2009, it is expected that the Bill will be submitted to the legislative Committee by March 2011 for consideration. The proposed amendments "*...will enshrine the LDAC in the statute, and its composition, appointment, tenure, and other related matters.*"

ASSET DIVESTMENT

In keeping with its monitoring regime, the OCG by way of a letter which was dated January 14, 2010, requisitioned the Cabinet Secretary to provide the following:

- *“A comprehensive list of all assets that are slated for divestment for the financial year 2010/ 2011;*
- *The name of the Entity and the Accounting/ Accountable Officer who will have the responsibility of administering each divestment; and*
- *The percentage ownership held by the Government of Jamaica in the assets to be divested.”*

The Cabinet Secretary responded, providing a listing of over eighty (80) Assets, inclusive of properties of land that were slated for divestment. Certain Assets from that listing, supplemented by projects being previously monitored by the Office, and media reports, formed the basis of the OCG's Asset Monitoring activities for the 2010 calendar year, which are detailed below:

Ministry	Ministry of Agriculture and Fisheries	Divesting Entity	Ministry of Agriculture and Fisheries
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Spring Plain/ St. Jago Property, Toll Gate, Clarendon
Comments			
<p>By way of a letter from the Cabinet Secretary, which was dated February 16, 2010, the OCG was advised that the captioned property was slated for divestment. In response to an OCG requisition, the Ministry of Agriculture and Fisheries (MOAF) informed, <i>inter alia</i>, that; <i>“In June 2009 the Prime Minister, the Hon. Bruce Golding endorsed a recommendation by the Development Bank of Jamaica (DBJ) to have the Spring Plain Property placed under the control of the Ministry of Agriculture and Fisheries for utilization under the Agricultural Support Services and Productive Project Fund Limited (ASSPPFL) for increased investment in the agricultural sector.”</i></p> <p>The Ministry, in its response to an OCG request for additional information, on the selection process, provided an Executive Summary which stated; <i>“In order to select investors that met the requirements, presentations on the ‘Opportunity for Investment - Onion Production’ were made in two parts within the month of February 2010 at the Agro-invest’s Head Office, 188 Spanish Town Road and the Bodles Agricultural Research Station, Old Harbour, St. Catherine. The following were done to ensure transparency and equity:-</i></p> <ul style="list-style-type: none"> • <i>Invitations were extended to all applicants who submitted request for leasing of land from the Agro-Investment Corporation to presentations held.</i> • <i>After the presentations applicants who were interested in producing onion were asked to submit to Agro-Invest a letter of interest along with a plan on how their project would be implemented and funded, some did.</i> • <i>Following this, they were interviewed and graded on criteria including age, proximity to location, financial resources, and willingness to operate as part of a farm group, technical and managerial competences, and viability of production plans.”</i> <p>Subsequent to evaluation, the Ministry had engaged seven (7) Investors, of which one (1) withdrew from participating in the project. The Ministry has indicated that <i>“No official lease document has been released to these investors; they were however given letters of commitment to lease, in lieu of lease agreements, in order to proceed with critical matters, such as the establishment of irrigation water contracts.”</i></p> 			
Status	Property is being utilised as an Agro-Park		

Ministry	Ministry of Agriculture and Fisheries	Divesting Entity	Ministry of Agriculture and Fisheries
Secretariat	Development Bank of Jamaica	Consultant	PricewaterhouseCoopers
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Wallenford Coffee Company Limited
Comments			
<p>The Wallenford Coffee Company Limited Enterprise Team (WCCET) was constituted in January 2009.</p> <p>In June 2010, the Ministry of Agriculture and Fisheries (MOAF) utilised the Limited Tender Procurement Methodology to procure the services of a Consultant to assist with the divestment.</p> <p>The OCG was advised in a Status Update received from the DBJ in November 2010, that an appropriate Information Memorandum will be prepared to be made available to all interested parties, and bid proposals will then be invited through public advertisements.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	Pre-divestment activities underway		

Ministry	Ministry of Agriculture and Fisheries	Divesting Entity	SCJ Holdings Limited
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Divestment of the Roaring River Attraction
Comments			
<p>By way of a letter from the Cabinet Secretary, which was dated February 16, 2010, the OCG was advised that the Roaring River Attraction was slated for divestment.</p> <p>By way of a letter from the Tourist Product Development Company Limited (TPDCo), which was dated September 21, 2010, the OCG was informed that; <i>"TPDCo is currently in the process of finalizing a lease with the SCJ holdings Limited for the property which has been officially closed since March 31, 2009. We are in the process of evaluating the property with a view of determining any necessary repairs/ renovations required to achieve the requisite Jamaica Tourist Attractions License to operate. Upon determining this status, it is our intention to sublet the property to a third party for operation as an attraction utilizing the requisite procurement process."</i></p> <p>As at December 31, 2010, the Lease Agreement between TPDCo and SCJ Holdings had not been executed.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	Pre-Tender		

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	Privatisation of the Government-Owned Assets of the Jamaican Sugar Cane Industry
Comments			
<p>During the course of 2009, three (3) Sugar Estates were divested as follows:</p> <ul style="list-style-type: none"> • Hampden & Long Pond Sugar Estates in Trelawny to Everglades Farms • St. Thomas Sugar Estate to Seprod Limited/ Fred M. Jones Estate Limited. <p>By way of an advertisement which was published in the print media in April 2010, proposals were invited from investors for the Sugar Assets at Frome, Monymusk and Bernard Lodge Sugar Estates. It was stated in the advertisement that the Assets were available <i>en bloc</i> or in separate packages. Eight (8) Expressions of Interest were received by 12:00 p.m. on May 25, 2010. Thereafter, the Development Bank of Jamaica (DBJ) held meetings with the prospective investors, between June 3, 2010 and July 2, 2010, to give them the opportunity to expound on their offers and also to view a presentation from the Sugar Divestment Team.</p> <p>The deadline for submission of proposals was 12:00 p.m. on July 2, 2010. Four (4) proposals were received. Of the four (4), Complant International Sugar Industry Company Limited (Complant) was the highest scored, and was recommended as the Entity to which the estates should be divested.</p> <p>The Cabinet, on July 12, 2010, approved the recommendation of the Boards of SCJ Holdings Limited to divest the three (3) Sugar Estates to Complant.</p> <p>On July 30, 2010, the Government of Jamaica (GOJ) and Complant, signed an Agreement for Sale and Purchase. The purchase price which was stated in the Agreement was US\$9,000,000.00. A Lease Agreement was also signed on that day, for a term of fifty (50) years. The rental for the first fifteen (15) years was expressed to be for US\$35.00 per hectare per annum.</p> <p>On August 23, 2010, US\$473,004.00 was transferred to DBJ accounts from Complant.</p> <p>In accordance with the Agreement, the expected Completion Date is scheduled for August 15, 2011.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	Divestment in progress		

Ministry	Ministry of Energy and Mining	Divesting Entity	Jamaica Bauxite Mining Limited
Secretariat	Development Bank of Jamaica	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	7% interest in West Indies Alumina Company (WINDALCO)
Comments			
<p>The Cabinet, in a meeting which was held on February 8, 2010, approved the divestment of the Jamaica Bauxite Mining's interest in West Indies Alumina Company (WINDALCO). Cabinet also approved the appointment of a Divestment Team, and the commencement of negotiations for the sale of the 7% interest in WINDALCO to a named Entity from the People's Republic of China.</p> <p>The Minister of Energy and Mining, by way of a letter which was dated July 2, 2010, wrote to the Development Bank of Jamaica (DBJ) inviting that Entity to undertake the lead role with regard to the divestment.</p> <p>In November 2010, the DBJ wrote to the National Contracts Commission (NCC) requesting permission to utilise the Limited Tender Procurement Methodology to invite six (6) parties to tender on the opportunity to value GOJ's shareholding. This request was supported by the NCC in its meeting of December 8, 2010.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	Selection of Consultant underway		

Ministry	Ministry of Energy and Mining	Divesting Entity	Petroleum Corporation of Jamaica
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Lease of Negril Royal Palm Reserve
Comments			
<p>Expressions of Interest/ Proposals for the Lease and Operation of the Negril Royal Palm Reserve, Westmoreland, were invited via print media in August 2010. No submissions were received by the stipulated deadline of September 16, 2010.</p> <p>The opportunity was re-advertised in October 2010. One (1) proposal was received by the extended deadline of November 18, 2010. However, the prospective investor was deemed ineligible as a valid Tax Compliance Certificate was not submitted.</p> <p>The OCG has since been advised that the project has been placed on hold.</p>			
Status	On hold		

Ministry	Ministry of Finance and the Public Service	Divesting Entity	Air Jamaica Limited (Legacy)
Secretariat	N/A	Consultant	Focus Aviation Limited
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Sale of two (2) aircraft owned by Air Jamaica
Comments			
<p>By way of verbal and written communication in September 2010, the advice of the Office of the Contractor General (OCG) was sought with regard to the procedure utilised in the disposal of two (2) aircraft. The OCG, subsequent to a thorough review of the procedures employed, <i>inter alia</i>, was concerned that fairness and transparency of the process was compromised, and concluded in its letter which was dated October 7, 2010, to Air Jamaica; "... <i>that proper procedures were not employed, and in this regard, recommends that the process is aborted.</i>"</p> <p>Air Jamaica sought the opinion of the Attorney General, and the Attorney General's Chamber concluded that the "...<i>contemplated sale of the aircraft would not be a "government contract" and the Contractor-General would, therefore, not have jurisdiction in relation thereto.</i>"</p> <p>Cabinet, in November 2010, approved the continuation of Air Jamaica's negotiations with GA Telesis for the sale of two (2) aircraft at a cost of US\$18,500,000.00.</p> <p>The OCG has since been advised that the project has been placed on hold.</p>			
Status	Cabinet approval received		

Ministry	Ministry of Finance and the Public Service	Divesting Entity	Air Jamaica Limited
Secretariat	Air Jamaica Limited	Consultant	International Finance Corporation
Date of Executed Agreement of Sale	2010-04-30	Asset Description	Air Jamaica
Comments			
<p>The Office of the Contractor General (OCG) commenced monitoring of the divestment of Air Jamaica Limited in 2008.</p> <p>Final bids for the captioned divestment, were received on June 24, 2009, from two (2) companies, Indigo Partners (IP) and Caribbean Airlines Limited (CAL). The Evaluation Report, which was dated June 25, 2009, indicated that IP was identified as the preferred bidder. However, following extensive negotiations, IP decided not to pursue the transaction and verbally advised the Chairman of the Privatisation Committee on December 11, 2009.</p> <p>Subsequently, CAL indicated its willingness to pursue the transaction and the Government of Jamaica (GOJ), via the Privatisation Committee, initiated negotiations with same.</p> <p>By way of a letter, which was dated April 30, 2010, the Minister of Finance of the Government of the Republic of Trinidad and Tobago (GORTT) advised the GOJ as follows;</p> <p><i>"We are aware that Caribbean Airlines intends to execute the relevant agreements with the Government of Jamaica and Air Jamaica for the taking over of the Air Jamaica routes in exchange for 16% of the equity in Caribbean Airlines.</i></p> <p><i>We wish to confirm that Cabinet has approved the investment of US\$49.2M in Caribbean Airlines and this investment will be made available when Caribbean Airlines receives the relevant regulatory approvals to operate from Jamaica."</i></p> <p>Consequently, as at April 30, 2010, three (3) agreements were signed between the GOJ and CAL, which are as follows:</p> <ol style="list-style-type: none"> 1. Transition Services Agreement; 2. Personnel Provision Agreement; and 3. Contribution & Share Issuance Agreement. <p>The Agreements between CAL and the GOJ provide for airlift by CAL, to and from Jamaica, in a sustainable fashion. Pursuant to the referenced Agreements between CAL and the GOJ, CAL is required to operate the Jamaican Operations at least at the level specified. The minimum Jamaican Operations are as follows:</p> <p>(a) Routes & Frequency</p> <p>Kingston - New York - 14 flights per week</p> <p>Kingston - Ft. Lauderdale - 14 flights per week</p> <p>Montego Bay - New York - 7 flights per week</p> <p>Montego Bay - Ft. Lauderdale- 7 flights per week</p> <p>Kingston - Toronto- 7 flights per week</p> <p>Return patterns for each of the above</p> <p>It is also instructive to note that CAL had not assumed the liabilities of Air Jamaica prior to April 30, 2010. However, this is not in breach of the Information Memorandum, as it clearly states that; <i>"The Government is not averse to forgive or assume in full the GOJ-guaranteed debt currently owed by Air Jamaica."</i></p> <p>As at December 31, 2010, <i>"the final close"</i> was delayed because approval for the assignment of route rights by the United States air authorities was not yet issued. As a result, the Shareholder Agreement and the Form of License Agreement have not been signed.</p> <p>It is also instructive to note that once <i>"the final close"</i> has been achieved, the GOJ will acquire a 16.5% shareholding in CAL and this is expected to occur in early 2011.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	"The Final Close" was delayed		

Ministry	Ministry of Transport and Works	Divesting Entity	Jamaica Railway Corporation
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Rehabilitation of the Railway System
Comments			
<p>On September 15, 2010 an advertisement inviting Expressions of Interest to Finance Build and Operate the railway system, was placed in the local print media.</p> <p>Based upon this advertisement, the OCG requested information of the scope, concept and management of the project.</p> <p>After reviewing the information that was received, a recommendation was made to withdraw the project to allow for more detailed plans to be developed before going to the market. The project was subsequently withdrawn.</p> <p>In December 2010, the OCG received information that plans were being developed to rehabilitate and restart the railway system on specific routes.</p> <p>The OCG will continue to be in dialogue with the Entity and will continue to monitor the development of the rehabilitation of the Railway System and related projects.</p>			
Status	Project Withdrawn/Aborted		

Ministry	Ministry of Transport and Works	Divesting Entity	Ministry of Transport and Works
Secretariat	Development Bank of Jamaica	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Norman Manley International Airport
Comments			
<p>By way of Cabinet Decision, on October 6, 2008, approval was granted for the establishment of an Enterprise Team (NMIAET) to manage the implementation of the privatisation of the Norman Manley International Airport (NMIA).</p> <p>The OCG was informed that a Cabinet Decision of April 12, 2010, approved an expanded scope of responsibility for the Enterprise Team to include consideration of related development and expansion of other Aerodromes, to create a National Airport System.</p> <p>NMIAET is pursuing grant funding to support the privatisation transaction, as well as the selection of a Lead Advisor to assist the process.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	Preliminary stage of divestment		

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	21 Acres of Land (and Buildings) - Former site of the Cotton Polyester Textile Company (Jamaica) Ltd textile plant
Comments			
<p>By way of advertisements in the print media in March 2009, the Development Bank of Jamaica (DBJ) invited interested parties to purchase the captioned property located in Old Harbour, St. Catherine. Two (2) proposals were received within the stipulated period for submission; however, neither proposal was deemed acceptable. Approval was received from the Office of the Prime Minister to terminate the divestment process and to enter into negotiations with the Urban Development Corporation (UDC). The UDC had previously expressed an interest in the purchase of the property as a part of its development plans.</p> <p>By way of a Cabinet Decision, which was dated February 15, 2010, approval was granted for the sale of the captioned lands and buildings to the UDC at an agreed price of J\$130,000,000.00.</p> <p>The DBJ, by way of a status update, which was dated August 12, 2010, informed the OCG, <i>inter alia</i>, that; <i>"The approved property was handed over to UDC on 26 March 2010, and the security and maintenance contractors were terminated on that same date, following 30 days notice. In March 2010, DBJ's Board approved the sale of the remaining section (3.2 acres) of the premises to UDC following the existing tenant's decision not to purchase same. A note to form the basis of a Cabinet Submission was sent to the Office of the Prime Minister and it is expected that a Cabinet decision is forthcoming during the month of August 2010."</i></p> <p>Further, the DBJ, by way of a second status update which was dated September 15, 2010, informed the OCG (in regard to the Sale of the 3.18 acres of land with buildings to the UDC), <i>inter alia</i>, that <i>"In February 2009, the West Indies Home Contractors Limited (WIHCon) accepted DBJ's offer to exercise its option under a lease to purchase the occupied section of the premises. In January 2010, WIHCon declined to exercise its option to purchase based on the valuation received for the premises."</i></p> <p>By way of a News Release from the Jamaica Information Service website, which was dated December 17, 2010 and entitled <i>"Cabinet approves temporary Morant Bay courthouse, acquisition of lands"</i> the following, <i>inter alia</i>, was stated:</p> <p><i>"...Mr. Vaz informed that Cabinet also approved the sale of a portion of the property located at Rhoden's Pen, Old Harbour, in St. Catherine, which is currently occupied by West Indies Home Contractors Limited to the Urban Development Corporation (UDC) at a price of \$20 million."</i></p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	Divestment in Progress		

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	Mavis Bank Coffee Factory Limited
Comments			
<p>Deloitte Touche Tohmatsu was commissioned to conduct a valuation of the Mavis Bank Coffee Factory Limited (MBCF) and a Valuation Report was produced in 2009.</p> <p>In November 2010, advertisements were placed in the print media for the Privatisation of the MBCF.</p> <p>The deadline for the submission of proposals is scheduled for 12:00 p.m. on February 11, 2011.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	Period for submission of proposals ongoing		

Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	Development Bank of Jamaica	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Rooms on the Beach and adjacent Lot # 6
Comments			
<p>By way of advertisements which were published in the print media in 2008, the Development Bank of Jamaica (DBJ), on behalf of the Urban Development Corporation (UDC), offered for sale the hotel property, Rooms on the Beach, and an adjacent area of approximately 117,400 sq ft of land. The property is located in Ocho Rios, St. Ann.</p> <p>One (1) proposal, from the existing Lessee, was received on December 30, 2008, the stipulated deadline for submission. The property is the subject of an existing long term Lease Agreement and the Lessee has the right of First Refusal. The proposal, however, was deemed unsatisfactory as it was substantially below the property valuation and, as such, was rejected by the UDC Enterprise Team.</p> <p>The OCG has been advised that the UDC Enterprise Team, in its meeting of August 9, 2010, decided to place the divestment on hold until market conditions improve.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	On hold		

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	50% shareholding in Bloody Bay Hotel Development
Comments			
<p>The DBJ, with respect to the captioned divestment, invited proposals from professional firms to provide valuation services to be rendered in relation to assessing the current market value of the National Hotels & Properties Limited's 50% shareholding in Bloody Bay Hotel Development and general support to DBJ in relation to any additional valuation matters that may arise in connection with the proposed divestment.</p> <p>In its meeting of July 21, 2010, the National Contracts Commission (NCC) endorsed the request of the Development Bank of Jamaica (DBJ) to utilise the Limited Tender Procurement Methodology to invite five (5) professional firms to submit proposals</p> <p>Four (4) submissions were received within the time period stipulated for bid submission. One (1) firm was declared ineligible and another firm did not attain the minimum score, which was required after the technical evaluation, to qualify for the financial evaluation. Of the two (2) remaining bidders, Deloitte Touche Tohmatsu received the higher score and was recommended for the award of the contract.</p> <p>The Consultant's report is expected to be completed in January 2011.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	Pre-divestment activities underway		

Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Forum Hotel, St. Catherine
Comments			
<p>The Forum Hotel was initially advertised for sale during 2009. The Urban Development Corporation (UDC) received one (1) offer that met the reserve price and negotiations were entered into with the prospective purchaser.</p> <p>The OCG was informed by way of a letter from the UDC which was dated January 22, 2010, which stated, <i>inter alia</i>, that the Purchaser; "...only signed the Sale Agreement on January 4, 2010. He has paid only a part of the deposit in the sum of Two Hundred Thousand United States Dollars (US\$200,000.00) and we await the payment of the balance of the deposit and further sum on account in the sum of Three Hundred and Twenty-one Thousand Two Hundred and Fifty United States Dollars (US\$321,250.00). He has committed to pay by January 26, 2010. "</p> <p>Subsequently, in a letter from the UDC which was dated January 29, 2010, the UDC stated, <i>inter alia</i>, that "...the sale of the Forum Hotel... is not being pursued as the Purchaser has failed to make the required payments under the contract. We will be re-advertising the property subject to updated valuations..."</p> <p>The property was re-advertised on June 27, 2010. Proposals were to be submitted by September 30, 2010.</p> <p>One (1) proposal was received by the stipulated deadline for submission. The UDC deemed the proposal non-responsive, as the offer did not meet all the requirements stipulated in the Information Package.</p> <p>The OCG will continue to monitor the captioned divestment.</p>			
Status	No acceptable offer was received		

Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	N/A	Consultant	N/A
Date of Executed Agreement of Sale	0000-00-00	Asset Description	Hellshire Glades II
Comments			
<p>By way of a letter from the Cabinet Secretary, which was dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment. The property, which was advertised in 2009, was comprised of forty-five (45) two (2) bedroom units and eight (8) service lots. Documentation submitted to the OCG by the UDC revealed that the UDC was faced with a contraction in demand and, as such, targetted specific Civil Service groups for the sale of the units.</p> <p>As at December 31, 2010, forty-three (43) housing units and the eight (8) lots were sold.</p>			
Status	Sale of two (2) housing units to be completed		

Ministry	Office of the Prime Minister	Divesting Entity	Urban Development Corporation
Secretariat	Development Bank of Jamaica	Consultant	Scotia DBG Investment
Date of Executed Agreement of Sale	2010-09-14	Asset Description	Pegasus Hotels of Jamaica Limited
Comments			
<p>The Development Bank of Jamaica (DBJ) was engaged to provide Secretariat services for the Urban Development Corporation (UDC) Enterprise Team, which was selected to facilitate, oversee and execute the privatisation process of the captioned divestment. National Hotels and Properties Limited, a wholly owned subsidiary of the UDC, owns 59.81% of the shares in Pegasus Hotels of Jamaica Limited (PHJL).</p> <p>By way of the Limited Tender Procurement Methodology, the services of Scotia DBG Investments Limited were procured as the Lead Broker and Advisor in 2008.</p> <p>Advertisements inviting Expressions of Interest (EOI) were published in the print media in July 2009. Twelve (12) EOIs were received by September 30, 2009, the stipulated deadline for submission.</p> <p>By way of letters which were dated February 12, 2010, the twelve (12) investors who expressed an interest were invited to make a prequalification submission. Four (4) responses were received by 3:00 p.m. on March 15, 2010, the stipulated deadline for submission.</p> <p>Subsequent to an evaluation which was undertaken by Scotia DBG, by way of letters which were dated March 29, 2010, the four (4) respondents, who all pre-qualified, were invited to submit proposals. The deadline for submission was extended from July 5, 2010 to July 19, 2010.</p> <p>One (1) proposal was received within the stipulated period for submission and subsequently evaluated.</p> <p>Scotia DBG deemed the offer of US\$11,000,000 for the 59.81% holding or 71,865,384 ordinary stock units, which was made by the prospective Purchaser, to be fair.</p> <p>The Cabinet approved the sale on August 30, 2010.</p> <p>A Share Sale and Purchase Agreement, which was dated September 14, 2010, was executed between the NHP and the Purchaser.</p> <p>The purchase price has been paid in full and the sale transaction was completed in December 2010.</p>			
Status	Divestment completed		

Other Projects Monitored

Divesting Entity	Asset/ Entity	Asset Description	Status
Development Bank of Jamaica (DBJ)	Ariguanabo Company of Jamaica Limited Buildings (5A & B)	Buildings	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010 to the OCG, the Development Bank of Jamaica (DBJ) advised, <i>inter alia</i>, that; "On 8 March 2010, Cabinet granted approval for the sale of the Ariguanabo Company of Jamaica Limited Lot 5A & 5B premises to New Era Homes 2000 Limited (Lessee since 2003) on the condition that the lands required for the expansion plans of the G.C. Foster College of Physical Education & Sport were taken into account and provisions made accordingly."</p>
Development Bank of Jamaica (DBJ)	Montpelier Citrus Company Limited	Land, Building and equipment	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010 to the OCG, the Development Bank of Jamaica (DBJ) advised, <i>inter alia</i>, that; "On 18 January 2010 Cabinet approved the sale of Block D to Ramble Enterprises Limited and Block E to the Coconut Industry Board. However, shortly before Cabinet approval was granted, Coconut Industry Board informed DBJ of its Board's decision to decline to pursue the purchase of Block E. Ramble Enterprises Limited signed the Sale Agreement in May 2010..."</p> <p>On Thursday, 09 September 2010 the Board of Montpelier Citrus Company Limited approved the privatisation plan for the balance of the lands at Montpelier, St James and Shettlewood, Hanover. It is anticipated that the property will be re-advertised for divestment in October 2010."</p>
Development Bank of Jamaica (DBJ)	Runaway Bay Development Company Limited	Land/ Building (Hotel)	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010 to the OCG, the Development Bank of Jamaica (DBJ) advised, <i>inter alia</i>, that; "In November 2009, the Runaway Bay Development Company Limited (RBDL) Board of Directors agreed to form the Divestment Enterprise Team with representatives comprising the shareholders (NIBJ, SuperClubs/VRL, Scotia DBG) the Solicitor General's office, JAMPRO, Ministry of Finance and the Public Service, and with Mrs Jennifer Messado representing the minority shareholders.</p> <p>While the divestment process had commenced, in February 2010, VRL Operators (the lessee) advised that the property was making losses as a result of low revenues and high operating costs, including the monthly guaranteed minimum rental.</p> <p>This has affected the income received by RBDL and has resulted in RBDL defaulting on its monthly loan obligations to the secured lenders since May 2010...</p> <p>In May 2010 Scotia DBG, in their capacity as the largest secured lender, chaired a meeting of the secured lenders at which it was agreed that given RBDL's default on and inability to pay its debts as they fall due, that receivership would be the best course of action to protect RBDL, sell the hotel property and recover the debts. The secured lenders led by Scotia DBG, have since engaged VRL/SuperClubs in discussions and identified PriceWaterhouseCoopers (PWC) as the receiver of choice. Discussions between PWC and the secured lenders are ongoing.</p> <p>Given the foregoing events all divestment efforts through the DBJ have ceased."</p>

Divesting Entity	Asset/ Entity	Asset Description	Status
Development Bank of Jamaica (DBJ)	Jamaica Public Service (20% Shares)	Shares	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010 to the OCG, the Development Bank of Jamaica (DBJ) advised, <i>inter alia</i>, that; "19.9% of the issued ordinary share units are held by the Accountant General and the DBJ on behalf of the Government of Jamaica (GOJ) collectively..."</p> <p><i>The GOJ is currently reviewing its minority interest in JPSCo in order to determine its future participation in the ownership structure of this company. DBJ was advised that Cabinet instructed, as per decision date 07 December 2009, that a valuation be done of the GOJ's equity in JPSCo, with a view to GOJ divesting its shares. Pricewaterhouse Coopers (PwC) was engaged via "follow-on" contract by the DBJ in January 2010 to provide an opinion of value with respect to the GOJ's shares in JPSCo at a cost of J\$4.5m plus GCT. The draft valuation report was submitted by PwC in May 2010. The report has been reviewed and is being finalised."</i></p>
Development Bank of Jamaica (DBJ)	Kingston Industrial Works Limited (42.6% shares)	Shares	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010 to the OCG, the Development Bank of Jamaica (DBJ) advised, <i>inter alia</i>, that; "Over the years the National Investment Bank of Jamaica (NIBJ), now the DBJ, has pursued the divestment of GOJ's interest in this entity, but financial and other legal issues pertaining to the company have stymied GOJ's exit."</p> <p><i>"DBJ is pursuing the following divestment strategy on behalf of the Accountant General:</i></p> <ol style="list-style-type: none"> <i>1. The redemption of the preference shares;</i> <i>2. In regards to the ordinary shares, an independent valuation of the shares is to be done and then the shares are to be advertised for sale.</i> <p><i>Currently KIW is in the process of completing its audited accounts, at which time, the GOJ will be able to verify the financial performance of the company and further determine its exit strategy in relation to the GOJ's shareholding."</i></p>
Factories Corporation of Jamaica (FCJ)	2 Torrington Road, Kingston	Land/ Building	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 8, 2010 to the OCG, the Factories Corporation of Jamaica advised that; "Purchase offer made by existing lessee, however, negotiations fell through."</p> <p>Documentation submitted by the Factories Corporation of Jamaica included a letter to a proposed purchaser of the property, which proposed a price in keeping with the value provided by the National Land Agency. The letter also advised that "the property will have to be advertised in the media to ensure transparency." The OCG has evidenced a subsequent letter from the prospective purchaser to the FCJ which advised that they were.</p>
Factories Corporation of Jamaica (FCJ)	Seville Estate, St. Ann	Land/ Buildings	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 8, 2010 to the OCG, the Factories Corporation of Jamaica advised that; "Cabinet by Decision No. 28/10 on the 26th July 2010, gave approval for the sale of captioned property to the UDC for the sum of \$20M."</p>

Divesting Entity	Asset/ Entity	Asset Description	Status
Ministry of Finance and the Public Service (MOFPS)	Caymanas Track Limited	Operating Enterprise	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 27, 2010 to the OCG, the Ministry of Finance and the Public Service advised, <i>inter alia</i>, that; "...plans for the divestment of Caymanas Track Limited (CTL) are currently at a preliminary stage... In the meantime, a number of projects are being undertaken at the Track to prepare the Company for divestment."</p>
Ministry of Water and Housing (MWH)	Jamaica Mortgage Bank		<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010, the Ministry of Water and Housing advised, <i>inter alia</i>, that; "Proposal to divest the Jamaica Mortgage Bank was submitted to Cabinet, however to date a decision has not yet been taken".</p> <p>The OCG has subsequently evidenced a news release; published by the Jamaica Information Service on November 8, 2010, which was entitled "Cabinet approves Jamaica Mortgage Bank Divestment Plan".</p>
Ministry of Transport and Works (MTW)	Port Authority		<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced asset was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 27, 2010 to the OCG, the Ministry of Transport and Works advised, <i>inter alia</i>, that; "...we are not aware of the Port Authority being as asset identified for divestment, and such, cannot provide any information on this matter."</p>
Office of the Prime Minister (OPM)	Sandals Whitehouse Hotel		<p>Media reports emerged in December 2010 regarding alleged dialogue between the Government and Sandals regarding the sale of the Hotel. The OCG issued a requisition letter to the Cabinet Secretary, dated December 13, 2010, entitled "Divestment of Government of Jamaica Owned Assets – Sandals Whitehouse Hotel". The letter stated, <i>inter alia</i>, that; "...the OCG has taken note of a newspaper article and news editorial which were published in yesterday's edition of the Jamaica Sunday Herald Newspaper. The newspaper article, which was entitled "Secret Talks – Butch goes after Sandals Whitehouse", stated, <i>inter alia</i>, as follows:</p> <p>"Government is having secret talks with Sandals chair for the sale of the controversial Sandals Whitehouse hotel in Westmoreland'..."</p> <p>The OCG's letter requested that the Cabinet Secretary provide documented answers to the OCG's requisition by the close of business on December 29, 2010. A subsequent request was received for an extension in the submission time, which was granted.</p>
Petroleum Corporation of Jamaica (PCJ)	Petroleum Company Limited		<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced asset was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 24, 2010, to the OCG, the Petroleum Corporation of Jamaica advised, <i>inter alia</i>, that; "We wish to advise that PETCOM has been listed as an asset for divestment as per the Government of Jamaica's rationalization plan as produced by the Public Sector Transformation Unit (PSTU). The document has been put out for public consultation and the PSTU is expected to collate the respective responses to inform the final document.</p> <p><i>In light of the above the Petroleum Corporation of Jamaica (PCJ) has not yet commenced any activities in relation to the divestment of PETCOM."</i></p>

Divesting Entity	Asset/ Entity	Asset Description	Status
Port Authority of Jamaica (PAJ)	Navy Island		<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010, to the OCG, the Port Authority of Jamaica advised that: <i>"The process of divestment for Navy Island has not yet commenced."</i></p>
Port Authority of Jamaica (PAJ)	Montego Bay Free Zone	Buildings	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010, to the OCG, the Port Authority of Jamaica advised that: <i>"Preliminary works are being undertaken with respect to divestment opportunities at the Free Zone."</i></p> <p>A subsequent status report from PAJ advised that an unsolicited offer was received from an investor.</p>
Port Authority of Jamaica (PAJ)	Kingston Container Terminal (KCT)		<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated September 15, 2010 to the OCG, the Port Authority of Jamaica advised that: <i>"Price Waterhouse Coopers (PWC) was engaged to advise on the most suitable method of divestment."</i></p>
Urban Development Corporation (UDC)	Oceana Hotel Complex	Land/ Buildings	<p>The property which was advertised in April 2009, received no offers at that time. In September 2010, the prospective investor who responded to an advertisement regarding the sale of the Forum Hotel, also put in a bid for this property. The bid, however, was not accepted by the UDC.</p>
Urban Development Corporation (DBJ as secretariat)	Local Attractions		<p>By way of an email from the Manager, Privatisation at the Development Bank of Jamaica, on July 1, 2010, the OCG was advised, <i>inter alia</i>, as follows; <i>"Please recall that DBJ is acting as Secretariat to the UDC Enterprise Team for the divestment of a number of UDC-owned assets...We have now commenced activity on the next phase of the privatisation transactions in the sale/lease of some natural attractions and beach front properties. To this end, we have sought and received NCC approval to shortlist thirteen (13) prospective consultants... to be invited to submit proposals to package Assets for divestment and to identify suitable developers/operators for the Assets..."</i></p> <p>The Terms of Reference which was provided to the OCG listed the following local attractions as being slated for divestment:</p> <ul style="list-style-type: none"> • "Dunns River Falls in Ocho Rios, St. Ann • Reach Falls in Portland • Green Grotto Caves in Discovery Bay, St. Ann • Two Sisters Cave in St. Catherine • Laughing Waters Restaurant & Beach Club in Ocho Rios, St. Ann • Turtle River Park in Ocho Rios, St. Ann • Top Forte/Belmont/Roaring River/Malvern Park" <p>Please see Appendix 5 for further details on the selection of the Consultant.</p>

Divesting Entity	Asset/ Entity	Asset Description	Status
Urban Development Corporation (DBJ as secretariat)	Beachfront Properties		<p>By way of an email from the Manager, Privatisation at the Development Bank of Jamaica, on July 1, 2010, the OCG was advised, <i>inter alia</i>, as follows; "Please recall that DBJ is acting as Secretariat to the UDC Enterprise Team for the divestment of a number of UDC-owned assets...We have now commenced activity on the next phase of the privatisation transactions in the sale/lease of some natural attractions and beach front properties. To this end, we have sought and received NCC approval to shortlist thirteen (13) prospective consultants... to be invited to submit proposals to package Assets for divestment and to identify suitable developers/operators for the Assets..."</p> <p>The Terms of Reference which was provided to the OCG listed the following beachfront properties as being slated for divestment:</p> <ul style="list-style-type: none"> • "Long Bay Beach 1 & 2 in Negril Westmoreland • Bluefields Beach in Negril, Westmoreland • Ocho Rios Bay Beach, in Ocho Rios, St. Ann • Fort Clarence Beach in St. Catherine" <p>Please see Appendix 5 for further details on the selection of the Consultant.</p>
Urban Development Corporation (UDC)	UDC Office Complex	Buildings	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated October 22, 2010 to the OCG, the Urban Development Corporation advised that; "This property is still in the initial stages of the divestment process. A Real Estate agency has been employed to identify another suitable property to house the existing tenants."</p>
Urban Development Corporation (UDC)	Parts of Land at Steer Town, St. Ann	Educational facility	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated October 22, 2010 to the OCG, the Urban Development Corporation advised that; "The Ministry of Education has recently received approval from Cabinet and is now in the process of preparing payments which will be made to the Commissioner of Lands."</p> <p>By way of letter dated December 2, 2010 to the OCG, the UDC advised; "By way of Cabinet Decision No. 32/10 dated August 26th, 2010, the Cabinet approved the transfer of lands at steer Town, St. Ann to the Ministry of Education & Culture."</p>
Urban Development Corporation (UDC)	Montego Freeport	Operating Enterprise	<p>By way of letter from the Cabinet Secretary, dated February 16, 2010, the OCG was advised that the referenced property was slated for divestment.</p> <p>The OCG subsequently requested a status on the progress of the divestment.</p> <p>By way of letter dated October 22, 2010, to the OCG, the Urban Development Corporation advised that; "To date, the divestment process has not yet begun."</p>

New Assets Identified for Divestment

By way of a letter which was dated January 12, 2011, the OCG wrote to the Cabinet Secretary, requesting information regarding a listing of assets which were slated for divestment during the 2011/2012 Financial Year. A response was received from the Cabinet Office on January 31, 2011. Among the assets (excluding land), which were reported in the letter, and which were not previously being monitored by the Office, are:

1. Divestment of Wallens Dairy Farm;
2. Sale of Financial Institutions Services Limited's 20% Shareholding in United Motors Limited;
3. Wigton Wind Farm;
4. St. Josephs Hospital (as a Public Private Partnership);
5. Petrojam Ethanol;
6. Factories Corporation of Jamaica;
7. Cocoa Board – Commercial Arm;
8. Rural Electrification Programme;
9. Jamaica Exotic Flavours & Essences (as a Public Private Partnership);
10. Post and Telecommunications Dept and Postal Corporation;
11. Jamaica Ultimate Tyre Company.

Additionally, the OCG's letter of January 12, 2011 required the Cabinet Secretary to bring to the attention of the OCG all decisions to dispose of assets during the Financial Year which were not previously submitted in the Cabinet Office's letter of January 31, 2011.

Conclusion

Presently, the 1991 Ministry Paper No. 34, 'Privatization Policy and Procedures' is the sole document that provides guidance with regard to the disposal of GOJ-owned assets. The OCG, is of the opinion that the document is archaic and does not provide effective policy guidance regarding the disposal of assets. Further, the document states, *inter alia*, that:

"The NATIONAL INVESTMENT BANK OF JAMAICA, as the central implementing agency for privatization has the administrative and operational responsibility for effecting privatization in accordance with the broad objectives and principles underlying the programme.

The privatization of each enterprise/ activity/ asset will be conducted by the NIBJ which will employ an enterprise team lead by NIBJ personnel, officers from appropriate Ministries and selected external consultants."

It must be noted that the operations of the NIBJ has been incorporated into that of the DBJ, and as such the DBJ is the Entity charged with the responsibility for the divestment of GOJ-owned assets. The OCG has noted that, over the years, the DBJ has developed the skills and expertise which are considered to be integral to the divestment process. Consequently, during the conduct of its monitoring exercise, the OCG has observed that where other Agencies attempt to conduct divestment transactions, the process is more likely to be fraught with irregularity.

The fact that a clearly articulated and modern divestment policy document does not exist, is of concern to the OCG. In this regard, the OCG posits that the Policy Document that is currently being developed by the DBJ, should be finalised as a matter of urgency and should set clear guidelines regarding those transactions which must be handled by the DBJ.

The OCG will continue to aggressively monitor the divestment of Government-owned assets in order to ensure transparency, fairness and value for money.

ENQUIRY MANAGEMENT

An Enquiry emanates from a complaint or representation that is made to the Contractor General alleging impropriety or irregularity in the procurement process and/or the award or grant of a Government Contract or Prescribed Licence.

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 an established Enquiry Management Portfolio, which ensures the assignment and effective utilisation of resources to review and/or enquire into complaints and/or concerns in an expeditious manner.

During the 2010 calendar year, a total of seventy-seven (77) allegations were reviewed and/or enquired into, by the 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 contracts, (d) contract payment discrepancies, (e) questionable grants of prescribed licences, and (f) irregular land divestment procedures.

The following is a numeric representation of the status of the allegations, as at December 31, 2010, which were reviewed by the Enquiry Management Team, in 2010:

	Allegations which were received in 2010	Allegations which were Brought Forward
	52	25
Completed Enquiries	14	
Enquiries which are ongoing	53	
Allegations which were outside of the OCG's jurisdiction	7	
Enquiries which were placed on-hold	1	
Enquiries which were referred to the OCG's Special Investigations Unit	2	

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 issued 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 Guidelines and/or any other applicable legislation, regulation and/or Circular emanating from the Ministry of Finance and the Public Service.

The following is a list of ongoing OCG Enquiries into allegations that were made to the OCG, as at December 31, 2010, in respect of which formal OCG Requisitions were directed to the respective Public Bodies:

1. Breach of the Tender Process for the Procurement of Janitorial Services at the Ministry of Education (MOE);
2. McKenzie Quarry's receipt of Government contracts from the National Works Agency (NWA);
3. Accountability of Joy Douglas (General Manager - Urban Development Corporation) for the lack of Project Management oversight at the Transport Centre (Downtown);
4. Jamaica Social Investment Fund (JSIF) contract to repair the Clarendon (Denbigh) Infirmary Roof;

5. Cambridge Project Development Inc. signing of a Memorandum of Understanding (MOU) with Petroleum Corporation of Jamaica (PCJ);
6. Contract awards to Errol Hunter, NWA Parish Manager for Clarendon;
7. Discrepancy regarding Draining Cleaning in Boroughbridge, St. Ann by the St. Ann Parish Council;
8. Improper Licence issued by the Broadcasting Commission to Cornwall Communication;.
9. Impropriety at the Jamaica Civil Aviation Authority (JCAA);
10. Improper contract award to NWD Construction by Fiscal Services Limited (FSL);
11. Irregular Tender Opening procedures for the procurement of Pipes and Fittings for Longville Phase 3 by National Housing Trust (NHT);
12. Improper contract award to 'crush and supply stones' at Caymanas Track Limited (CTL);
13. Irregularity in the granting and execution of the contracts for Ward Theater and St. Williams Grant Park;
14. Corruption in the award of contracts at University of Technology (UTech) and Caribbean Maritime Institute (CMI);
15. Enquiry into the granting of Prescribed Licences by National Environment and Planning Agency to Paradise Plum Limited and Hojai Limited;
16. Improper Contract Award to Western LPG Filling Plant by Petcom;
17. Conflict of interest regarding Frank Mannerz (employee of NWA in charge of Traffic Lights) and Jim's Electrical Service;
18. Enquiry into the completion of the road works by the NWA from Anchovy to Lethe Main Road in St. James;
19. Questionable divestment process for PCJ's property at Font Hill;
20. Review of UDC's granting of contracts and payments to: Mr. Michael White of Dairy Springs and Hydrology Consultants Limited; Mr. Easton Douglas for Consultancy Services; PriceWaterhouseCoopers;
21. Enquiry into the award of contracts for the establishment of client support groups at the Mental Health Department of the Ministry of Health (MOH);
22. Irregularity in the divestment of lands by Office of the Prime Minister Distribution post Hurricane Ivan;
23. Lease Agreement between Vincent Edwards and the National Environment and Planning Agency (NEPA);
24. Ministry of Education's Contractual Agreement with DPK Limited;
25. Conflict of Interest regarding Stanley Rampair of the National Irrigation Commission (NIC);
26. Lack of formal Contract Document for the execution of Colbeck Water Supply Scheme Pipeline Project by Rural Water Supply formally Carib Engineering Corporation Limited (CECL);
27. Cost Overruns in contracts for the construction of a Health Centre in Downtown, Kingston, which are being supervised by JSIF;
28. Double payments issued by NWA to Contractor, (Channus Block & Marl Quarry Limited. /Principal Anthony Charles) for flood damage project funded by the Caribbean Development Bank (CDB);
29. Conflict of interest regarding Contractor for Crocodile Swamp Safari and Chairman of the Board of TPDCo.;
30. Enquiry into Extension of Janitorial Workers contract with South East Regional Health Authority (SERHA).;
31. Corrupt procurement practices at Petcom for the procurement of Haulage Services;
32. Conflict of interest and breach of procurement procedures for the rental of Concessionaire space by the Minister of Tourism at the Norman Manley International Airport Limited (NMIAL);
33. 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);
34. Improper contract award by the St. Catherine Parish Council for works on the Paul Mountain Main Road and Gutters Mountain Road;
35. Enquiry into repair works which were done on the National Stadium Swimming Pool – Independence Park Limited/Ministry of Youth, Sports and Culture;
36. Enquiry regarding the termination of construction contracts at North East Regional Health Authority (NERHA);

37. Conflict of interest involving Mr. Micheal Prescod (former Chief Technical Director in the Public Sector Reform and Modernisation/Cabinet Office) and the Procurement of Consultancy Services to clarify the governance framework for Public Bodies which was offered by the Cabinet Office;
38. Poor road works on Waugh Hill Road Project - St. Catherine Parish Council;
39. Allegations of impropriety regarding the award of several contracts to All Purpose Distributors Limited by the National Water Commission (NWC) and National Solid Waste Management Authority (NSWMA);
40. Allegations regarding the Tender process for the procurement of twenty (20) portable water trucks by the NWC;
41. Protest from non-responsive bidder regarding the rejection of bid by the National Irrigation Commission Limited (NICL) for the Supply of Pipes and Fitting for New Forest/Duff House, Manchester; and
42. Allegations of impropriety in the Tender and award process for the News Stand Concession at the Ticketing Concourse of the NMIAL.

Summary of 16 Enquiries Completed in 2010 inclusive of 2 in respect of which the OCG determined that it had no jurisdiction

Annual Report 2010 Enquiry Management Reports	
MINISTRY / AGENCY	Management Institute for National Development
COMPLAINT SUMMARY	An anonymous complaint was received which stated that the Management Institute for National Development (MIND), awarded a contract to an Electrician with no valid TCC and not registered with the NCC.
RELATED PROJECT	N/A
Summary Findings and Recommendations: <p>The OCG conducted a fulsome review into the matter and posited the following :</p> <ol style="list-style-type: none"> 1. The value of the contract which was awarded [to named Contractor], as indicated on Invoice No.50, dated 02/07/2010 , is J\$98,000.00 2. Pursuant to Sub-Section S-2040, V, of the GOJ Revised Handbook of Public Sector Procurement (November 2008) the recommended procurement methodology for contracts of this value is the Direct Contracting Procurement Methodology. 3. Further to the Enquiry, the OCG has concluded that the contract which was awarded was in keeping with the provisions as outlined in <i>Sub-Section S-2040</i> of the Government of Jamaica Revised Handbook of Public Sector Procurement Procedures, for procurements of such value, i.e. Contracts valued up to J\$100,000.00. The Head of Entity Approval was also obtained as per the provisions of Sub-Section S-2040 E. 4. Pursuant to Circular No. 6, which was dated February 12, 2007, "...the National Contracts Commission's requirement for the registration of public sector contractors has been waived with respect to contracts up to value of Two Hundred and Seventy-five Thousand Dollars (\$275,000) per contract. Contractors are therefore not required to prove tax compliance by presenting a valid Tax Compliance Certificate for contracts up to the above specified threshold." 5. There is no evidence to indicate that the GOJ Procurement Procedures were breached. 	

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MINISTRY / AGENCY	National Environmental and Planning Agency/St Elizabeth Parish Council
COMPLAINT SUMMARY	A wall was being constructed at the Old Wharf, Treasure Beach, without the requisite Parish Council or Environmental Permits.
RELATED PROJECT	N/A
<u>Summary Findings and Recommendations:</u> <u>St Elizabeth Parish Council:</u> <ol style="list-style-type: none"> The construction of the wall was conducted without the requisite building permit. The Parish Council admitted same in its letter, which was dated March 8, 2010, stating, <i>inter alia</i>, that; <i>"The erection of the wall at Old Wharf began without the issuance of building or planning permits. The developer in the initial stages of the development visited the council's office to seek advice on the matter. This was done verbally and not according to the prescribed manner as outlined in the Town and Country Planning Act."</i> The construction had progressed with the full knowledge of the Parish Council. This is evidenced by the following statement, as extracted from the Parish Council's sequence of events: <i>"The site was visited by the Superintendent of Road Works in October."</i> Further, correspondence in the possession of the OCG, which was received from another Public Body, indicated that, by October 2009, work on the wall had commenced. The Parish Council did not issue a Stop and Enforcement Notice until January 21, 2010. <p>The OCG is extremely concerned that the Construction Works on the referenced wall could have started and progressed, with the full knowledge of the St. Elizabeth Parish Council, and without the requisite prior approvals.</p> <p>The St. Elizabeth Parish Council, in the foregoing regard, should ensure that the proper procedures, as outlined in the relevant legislations, and based on its own internal operating processes, should be followed at all times in its prescribed licensing activities.</p> <p>The OCG urges the Parish Council to put the necessary safeguards in place to ensure that such a breakdown does not recur.</p> <u>National Environmental and Planning Agency :</u> <ol style="list-style-type: none"> The OCG found that NEPA exercised adequate due diligence in arriving at its decision that the construction of the wall did not require the issue of a prescribed licence and, in particular, a Beach Licence or an Environmental Permit, under any of the Legislations administered by NEPA. However, notwithstanding the foregoing, NEPA could have acted more decisively to invoke an Enforcement Notice subsequent to the realisation that the construction of the wall was progressing without the issuance of the requisite Building & Planning Permit from the Parish Council. NEPA did not issue an Enforcement Notice until January 22, 2010, though it was revealed by the Agency's internal email of January 4, 2010, that the Agency was aware that the developer had not applied formally for a permit to construct the referenced wall. <p>The OCG would, therefore, caution NEPA to be mindful of its responsibilities and the ambit of its powers under the Laws of Jamaica.</p>	

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MINISTRY / AGENCY	Human Employment and Resource Training (HEART) Trust/NTA
COMPLAINT SUMMARY	Allegations regarding the procurement of External Auditing Services by the HEART Trust/NTA
RELATED PROJECT	N/A
<p><u>Summary Findings and Recommendations:</u></p> <p>The complaint, which was dated July 24, 2009, outlined the following concerns:</p> <ol style="list-style-type: none"> 1. "...Heart Trust/NTA...practice of using PriceWaterhouseCoopers unabatedly as an external auditor for 10 consecutive years at the same time as a consultant...even in an environment where there are...regulation to definitively prevent the practice." 2. "...the process of how Heart Trust recruits its external auditors could be to the advantage of PricewaterhouseCoopers..." 3. "...This Board took the decision to put the external audit to competitive tender; After due and careful consideration these and other factors the Audit Committee of the Heart Trust/NTA recommended to the Board that PWC be selected as the external auditor and that the audit partner be rotated. The Board endorsed the recommendation." 4. "...Prior to the appointment if this Board the National Contracts Commission approved (in August 2007) sole source procurement for the HEART Trust/NTA to engage the services of PWC to conduct a special audit of RBH..." 5. "At the first Board meeting of the current Board in March 2008 an update was provided that the audit had not occurred and this Board directed management to put the special audit to public tender. No bids were received by HEART Trust/NTA within the prescribed deadline. The Board directed management to extend the deadline by six weeks and re-advertise. Again no bids were received. Management requested and the Board approved engaging in a limited tender process where qualified firms were invited to submit bids (PWC, KPMG, and Deloitte). Only two of the three invited submitted bids namely PWC and Deloitte..." <p>In the foregoing regard, the OCG conducted a review of the information received and posited the following :</p> <ol style="list-style-type: none"> 1. The HEART Trust/NTA utilised the appropriate procurement methodology in the procurement of provision for Auditing Services over the period of 2003-2009; 2. In each instance, the process was conducted in adherence with the GOJ Procurement Procedures Handbook and Section 4 (1) of the Contractor-General Act; 3. There is no merit to the allegations made by the Complainant. 	

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MINISTRY / AGENCY	Broadcasting Commission of Jamaica
COMPLAINT SUMMARY	Allegations that there is a conflict of interest in the granting of a Wireless Subscription Television Licence by the Broadcasting Commission to DigiTV on the ground that the Chairman of the Commission, Dr. Hopeton Dunn, has held an endowed chair, sponsored by Digicel, in Telecommunications Policy and Management, at the University of the West Indies, Mona Campus, since 2005.
RELATED PROJECT	N/A
Summary Findings and Recommendations: <p>The Office of the Contractor-General (OCG) conducted a fulsome review of the referenced matter and its Findings are outlined below:</p> <ol style="list-style-type: none"> 1. The Licence awarded to DigiTV was awarded fairly and on merit and there is no evidence of a conflict of interest. 2. Dr. Hopeton Dunn, Chairman of the Broadcasting Commission, does not sit on the Boards of, and is not a Shareholder of Digicel, Digicel Foundation or DigiTV. He does not appear to be receiving any personal gains from Digicel, Digicel Foundation or DigiTV. His only association/affiliation with Digicel comes from the fact that he is the Director of a Digicel Foundation sponsored unit at the University of the West Indies. 3. Dr. Dunn was not able to influence the selection process, as he declared that there was a potential conflict of interest situation and recused himself from the selection process. 4. There is no indication that DigiTV was favoured over the other applicant, DMEL. The Commission indicated that there was a need for more competition in the sector and that additional frequencies could be made available to DMEL, provided that DMEL submitted further information regarding their technical proposal. 5. The Broadcasting Commission requested that DMEL submit a supplementary submission of its Technical Proposal. This was submitted on November 18, 2008. DMEL's Submission was still found wanting in terms of Islandwide coverage. Therefore, the Commission recommended that the Licence be provisionally granted to DMEL with the inclusion of a specific term requesting an approved time-table and a roll-out for islandwide coverage. 6. It could be argued that preferential treatment was given to DMEL, as it was given the chance to improve its Technical Proposal. It can also be said that the call for applications for this Licence was not necessarily a competitive process, in and of itself, and that it was mainly based upon a need to increase competition in the sector. Therefore, if the applicant met all the criteria and there were available frequencies, then a Licence would be granted. 7. It was also found that <i>"DMEL is no longer interested in pursuing the licence as its parent company LIME, seems to be pursuing an alternative Internet Protocol Television, IPTV, strategy."</i> <p>In light of the foregoing, there is no merit to the complainant's claim that there was a conflict of interest in the granting of a Wireless Subscription Television Licence by the Broadcasting Commission to DigiTV.</p>	

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MINISTRY / AGENCY	Southern Regional Health Authority
COMPLAINT SUMMARY	A complaint was received from Harold Morrison & Robert Woodstock Associates Limited), against Southern Regional Health Authority (SRHA). The complaint was in regard to Harold Morrison + Robert Woodstock Associates' bid being deemed non-responsive in accordance with Clause 28 of the 'Instruction to Tenderers' by SRHA for the Procurement of Architectural Services to design a new Accident and Emergency Department Building at the Percy Junor Hospital in Spaldings, Manchester.
RELATED PROJECT	Provision of Consultancy Services to SRHA
Summary Findings and Recommendations: <p>The Office of the Contractor General (OCG) reviewed the matter and did not identify any breaches of the Government of Jamaica Public Sector Procurement Procedures in the award of the referenced contract. The minimum standards were met and the procurement process was undertaken in a fair and transparent manner.</p>	

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MINISTRY / AGENCY	Ministry of Agriculture and Fisheries
COMPLAINT SUMMARY	Allegation received with respect to impropriety involved in the issuance of permits for the importation of Chicken Leg Quarters, to three (3) named individuals.
RELATED PROJECT	N/A
Summary Findings and Recommendations : <p>The OCG conducted a review into the matter and posited the following:</p> <ol style="list-style-type: none"> With specific reference to the complaint received, the OCG was unable to substantiate claims that Import Permits were issued directly and/or indirectly to two (2) of the persons referenced in the complaint. However, there is evidence that at least one (1) Permit was issued to a business, which is connected to the third named individual. The documents provided for review suggest that the issuance of the referenced Permit, was consistent with the procedures employed by the MAF. On at least two (2) occasions, two (2) applicants who were issued with Import Permits, shared the same address; and On at least two (2) occasions, two (2) applicants who were issued with Import Permits shared the same Principal Officers. As the Minister of Agriculture said in his "<i>Statement on the Importation of Chicken Leg Quarters</i>", which was presented to Cabinet on December 15, 2008, no applicant was permitted to import more than the equivalent of one container of Chicken Leg Quarters. As such, the above Findings indicate that in at least one instance, the Minister's directive had been circumvented. The OCG also found that at least seven (7) of the applicants which were granted Import Permits, were incorporated during 2008, with six (6) of the seven (7) being incorporated in October or September of the said year. These companies were then granted an Import Permit in October 2008. <p>The OCG recommends that the Ministry, given the Minister's intent to promote competition and better prices for consumers, should set clear eligibility guidelines and develop a robust due diligence process, with regards to those applicants, which will be granted permits to import Chicken Leg Quarters.</p> <p>In light of the OCG's Findings, and given the annual practice of importing Chicken Leg Quarters during the period leading up to Christmas, the OCG will be monitoring the 2010 application and permit process. The OCG will communicate with the MAF under separate cover in this regard.</p>	

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MINISTRY / AGENCY	Jamaica Tourist Board (JTB)
COMPLAINT SUMMARY	<p>A complaint was received from an Attorney which stated inter alia, that; “....there is a need for a thorough criminal investigation into the activities of the Jamaica Tourist Board for the following reasons :</p> <ol style="list-style-type: none"> 1. The granting of a Tourism license to Gran Bahia Principe Hotel in breach of Section 23 and/ or 23B of the Tourist Board Act... 2. The granting of Tax Incentives to the Grand Bahia Principe Hotel in breach of Sections 8 and/ or 15 of the Hotel (Incentives) Act. 3. The apparent failure of the Attorneys – at - Law of the Jamaica Tourist Board to carry out the instructions of the Director of Tourism. 4. The continued subversion and undermining of Section 23 and/ or 23B of the Tourist Board Act and/ or Section 8 and/ or 15 of the Hotel (Incentives) Act, by failing to take steps to revoke the license and tax granted to Gran Bahia Principe Hotel .”
RELATED PROJECT	N/A
Summary Findings and Recommendations : <ol style="list-style-type: none"> 1. Hojapi Limited, the keeper of the Gran Bahia Principe Jamaica has been granted a Hotel Licence in accordance with the Tourist Board Act and has been afforded the requisite incentives pursuant to the Hotel (Incentives) Act. 2. Hojapi Limited, the Licensee, has secured the requisite approvals and certifications for the construction and operation of the hotel enterprise. 3. Pursuit of this matter does not fall within the OCG's remit. 4. Further, the Office of the Contractor-General (OCG) reviewed the documents which were submitted, and acknowledged that the JTB had not retained external Legal Services to seek advice concerning the grant of a Prescribed Licence to Gran Bahia Principe Hotel. 	

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MINISTRY / AGENCY	National Solid Waste Management Authority (NSWMA)
COMPLAINT SUMMARY	Disagreement between the NSWMA and Domestic & Environment Cleaning Solutions Limited (DECS) regarding lost collection days
RELATED PROJECT	N/A

Summary Findings and Recommendations:

The complaint, which was dated October 10, 2008, from the Managing Director of Domestic and Environment Cleaning Solutions Ltd., outlined the following concerns:

1. *A letter from an NSWMA officer, dated 23, 2008, "referenced a backlog due to the passage of Hurricane Gustav on August 28-29, 2008 which he contends we have refused to pick up."*
2. *"Our contention is that no such backlog exists."*
3. *"...his failure to respond to our letter...as well as his failure to point out same, despite our request to him to do so we believe supports our contention that no backlog exists for collection. Certainly not to the extent of the twenty (20) loads being demanded...records of the work will support this"*
4. *"...the tenor of this letter...is hostile and this disagreement will not be amicably resolved...the underlying intent of the writer if dishonorable."*

In the foregoing regard, the OCG conducted a review of the information received and posited the following :

1. DECS had failed to fulfil its contractual obligation for the period September 2-19, 2008. The NSWMA's letter of September 23, 2008 to DECS, was, therefore, justifiable;
2. During the period September 20-30, 2008, collections in the relevant Zone had improved and were being made in accordance with the contractual schedule;
3. The NSWMA should forward, to DECS, copies of the documents which had informed its assertion that a backlog had occurred. This should include, the Community Relations Department Daily Call Sheet, the Backlog Report and the Public Cleansing Service Daily Inspection Report, for the period under review;
4. In an effort to improve communication between NSWMA and its Contractors, the NSWMA should request from the Contractors, confirmation/acknowledgment of all communications received from the NSWMA; and
5. Both the Zonal Monitor and the Contractor's representative should sign the Daily Inspection Report.

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MINISTRY / AGENCY	Petrojam Limited
COMPLAINT SUMMARY	<p>A complaint was lodged with the Office of the Contractor-General regarding Petrojam Limited's Tender for General Insurance.</p> <p>The main concern posited was:</p> <p><i>"...after the closing date for the tender submission, the brokers who submitted on time were allowed to re-enter the market to further support their submitted programmes, with an authorization letter from Petrojam Limited. We can only assume that they therefore did not meet the tender requirement for a minimum underwriting support of fifty percent, a fact which the Consulting Actuaries would need to confirm. To say the very least however, it is quite unusual for any broker other than the broker who is awarded the tender, to be given permission to seek further terms to support a tender submission. Further, in our experience, a broker is only awarded a tender if they have met the requirements of the tender.</i></p> <p><i>If brokers were allowed to seek further underwriting support for their submitted programmes, after the closing date of the tender, then we humbly submit that they would not have met the qualifying criteria for the tender and that the tender exercise should be done over. "</i></p>
RELATED PROJECT	Tender for General Insurance - Petrojam Limited
Summary Findings and Recommendation(s): <p>The Office of the Contractor General (OCG) has reviewed the matter and has not identified any breaches of the Government of Jamaica Public Sector Procurement Procedures in the award of the referenced contract. The minimum standards were met and the procurement process was undertaken in a fair and transparent manner.</p>	

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MINISTRY / AGENCY	Ministry of National Security
COMPLAINT SUMMARY	Request from the Minister of National Security for the launch of an Office of the Contractor General Investigation into the contractual arrangements between the Jamaica Constabulary Force and Funeral Homes/Morgues for storage and post mortems.
RELATED PROJECT	N/A
Summary Findings and Recommendations: <p>The Minister had requested that the Office of the Contractor General (OCG) <i>"...launch an investigation into the contractual arrangements made between the Jamaica Constabulary Force and funeral homes; morgues for storage and post mortems"</i>. However, no stated reason was given for such a request.</p> <p>The Minister had not suggested, in his letter, whether there was a concern that the referenced contracts were awarded irregularly or whether there was evidence of impropriety in the award of said contracts.</p> <p>A copy of a Jamaica Observer article which was dated November 23, 2010, stated, <i>inter alia</i>, that; <i>"Nelson said his request comes in wake of complaint regarding operations at the Funeral Homes."</i> However, based upon the OCG's understanding of a story which was carried on Television Jamaica's 7:00 p.m. News, on November 22, 2010, residents voiced their concerns as to the time which was taken to retrieve a body from a crime scene, and a prominent funeral home Director, bemoaning the fact that he had lost the Government contract.</p> <p>The OCG posited that any matter regarding the performance of a Contractor can rightly be addressed by the Contractual Terms that are embodied in the Contract. Further, the specific circumstances surrounding the said matter should be enquired into by the Ministry, to determine, <i>inter alia</i>, whether the breakdown was; (a) as a result of poor communication, between the 'on-the-scene' Police and the Funeral Home in question, (b) improper zoning of Tender Opportunities, which could have impacted the response time, or (c) as a result of poor performance of the Funeral Home Contractor.</p>	

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MINISTRY / AGENCY	Ministry of Transport and Works
COMPLAINT SUMMARY	A concerned citizen alleged that there was an individual who works at the JUTC who had been providing Public Relations Services for the Ministry of Transport and Works, supposedly under a Consultancy Contract. It is also alleged, <i>inter alia</i> , that the referenced contract might not have been put to competitive tender.
RELATED PROJECT	N/A
Summary Findings and Recommendations : <p>The OCG has conducted a fulsome review of the referenced matter, a summary of which is outlined below:</p> <ol style="list-style-type: none"> 1. JUTC's Corporate Communications Manager, Mr. Reginald Allen, who assumed this position on November 3, 2008, occasionally assisted the Ministry with certain Public Relations matters involving JUTC at no cost. Mr. Allen was also employed to the Ministry of Transport and Works as the Communications Manager, under an Employment Contract during the period September 17, 2007 to October 31, 2008. 2. The Ministry of Transport and Works is the parent Ministry of the JUTC; as a result, Mr. Reginald Allen had been called upon at different occasions, to provide the Ministry with assistance relating to Public Relations matters, involving the JUTC. 3. There is no Consultancy Contract arrangement between Mr. Allen and the Ministry of Transport and Works. <p>In light of the foregoing, there is no merit to the complainant's claim that; " <i>there is an individual who works at the JUTC who has been providing Public Relations services for the Ministry of Transport and Works, supposedly under a Consultancy Contract,</i>" and that "...<i>the contract might not have been put to competitive tender.</i>"</p>	

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MINISTRY / AGENCY	National Water Commission
COMPLAINT SUMMARY	Allegations of impropriety in the award of a contract to Executive Motors Limited, for the supply of Double Cab 4x4 Pick-up vans. The complainant's concern centred on the non-compliance of the Mazda BT-50 (offered by Executive Motors Limited) with the vehicle specifications, outlined in the Tender Document, provided by the National Water Commission (NWC).
RELATED PROJECT	
Summary Findings and Recommendations: <ol style="list-style-type: none"> There is merit to the allegation that the vehicle selected in the respective category, Double Cab 4 x 4 Pick-up Vans - Category 1, from Executive Motors Limited, was not the most compliant with the NWC's specifications for the respective category. The vehicle proposed by Toyota Jamaica Limited, was closest to the required specifications. Notwithstanding the foregoing, it was noted that while the Technical Proposal was a consideration for the subject contract award, it was not the ultimate deciding factor. Executive Motors Limited, which was awarded the contract, did not obtain the highest score in the Technical Evaluation, but made the best offer as it relates to the Delivery time and Bid Amount. Section 2.0 of the Tender Document stated; <i>inter alia</i>, that; "Preference will be given to suppliers who have the ability to deliver within 60 days of the receipt of a confirmed order." In this regard, the award of the contract was deemed to be fair. The Tender Document, with specific reference to Section 4.1 (4), Fuel Efficiency, stated that; "Fuel Efficiency must be stated as the manufacturer data sheet indicate for city traffic and highway travel." Vehicles & Supplies Limited failed to adequately satisfy this criterion, and consequently, received a score of zero (0), which resulted in their Proposal falling below the minimum score required for the Financial Evaluation. Certain inconsistencies were identified in the Evaluation Report, albeit immaterial. The referenced Report failed to highlight all the deviations which were noted for each bidder. <p>In respect of Finding No. 3, the Office of the Contractor-General (OCG) recommended that for future procurement opportunities of a similar nature, NWC should take every step to ensure that the Evaluation Report, clearly states all deviations for each Bidder, thus eliminating the appearance of possible impropriety.</p> <p>The NWC must also be guided by Sub-Section No.: S-2120 of the Revised Government of Jamaica Public Sector Procurement Procedures Handbook (November 2008), which deals with the evaluation of Bids.</p>	

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MINISTRY / AGENCY	N/A
COMPLAINT SUMMARY	Complaint regarding the inability of small Contractors to acquire Government of Jamaica contracts. The complainant further opined that in previous years, small Contractors were not required to Tender for Government contracts.
RELATED PROJECT	N/A
Summary Findings and Recommendations: <p>The Office of the Contractor-General (OCG) completed 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 further advised to refer the matter to the National Contracts Commission (NCC), which is responsible for registering Contractors, and to the Ministry of Finance and the Public Service, which is the Public Body responsible for the Government of Jamaica Procurement Policy and Procedures.</p>	

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MINISTRY / AGENCY	Portmore Municipal Council
COMPLAINT SUMMARY	Allegations of improper and irregular activities, regarding the opening and operation of a Current Account by the Portmore Municipal Council.
RELATED PROJECT	N/A
Summary Findings and Recommendations : <p>Further to a preliminary review of the referenced complaint, along with additional documents which were provided, the Office of the Contractor General (OCG) determined that the matter be referred to the Permanent Secretary in the Ministry of National Security and the Office of the Auditor General.</p> <p>The matter was formally referred to the Auditor General by way of a copy letter, which was dated August 10, 2010, and which was addressed to the Director General in the Department of Local Government and copied to the Permanent Secretary in the Ministry of National Security.</p>	

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MINISTRY / AGENCY	Ministry of Justice
COMPLAINT SUMMARY	The OCG received a complaint from a concerned citizen, which stated, inter alia, that " <i>We are also very concerned about the procurement process and procedures, and if they were adhered to especially since the Bill proposed 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. We have concerns about the abovementioned provisions, as it is our considered view that the provisions are not only anti-competitive, but that on the face of it, the proposed Bill creates framework which runs counter to the procurement guidelines and procedures as set by the Government of Jamaica.</i> "
RELATED PROJECT	N/A
Summary Findings and Recommendations: <p>The OCG conducted a perusal of documents which were pertinent to the referenced complaint and which revealed that the Casino Gaming Act 2010 is a Bill which was passed in March 2010, by the Upper and Lower Houses of the Parliament of Jamaica.</p> <p>As such, the Casino Gaming Act 2010 is a law that is being promulgated by the Parliament of Jamaica and not a Government Contract or Licence which is being awarded, or issued, as the case may be, by a Public Body.</p> <p>In the circumstances, the matter cannot be pursued any further, as it is outside of the OCG's jurisdiction.</p>	

Annual Report 2010 Enquiry Management Reports	
MINISTRY / AGENCY	Ministry of Information, Culture, Youth and Sports
COMPLAINT SUMMARY	This enquiry emanated from an article, entitled “ <i>Government Extends Test Transmission Period For Nationwide News Network</i> ” which was published on the Jamaica information Service's website, on Wednesday, May 20, 2009. The article indicated, <i>inter alia</i> , that; “...an application was made by NNN to provide news and Current Affairs Production and Presentation Services in the public service on the FM 90 Radio Spectrum Frequency reserved for use by the Public Broadcasting Corporation of Jamaica (PBCJ)...”
RELATED PROJECT	
<p>Summary Findings and Recommendations:</p> <p>The OCG conducted a review of the captioned matter and posited the following:</p> <ol style="list-style-type: none"> 1. The Lease of the frequency, which was reserved for use by the Public Broadcasting Commission of Jamaica (PBCJ), should have been considered as an Asset Divestment and, as such, should have been subjected to Ministry Paper No. 34, Privatisation Policy and Procedures; 2. The proposal for a Public/Private Sector Partnership, and the consequent Lease of the frequency, given that it was subject to the provisions of the aforementioned Ministry Paper, should have been publicly advertised; 3. Further, given the structure of the agreement that was entered into with Nationwide News Network (NNN), the OCG is unaware of any legal constraints which would have prevented a public advertisement; and 4. The proposal which was received from NNN should not have been considered as an “unsolicited proposal” as it was, nor was the issue a procurement one. Consequently, it was improperly treated as falling outside of the strictures of the Government of Jamaica Privatisation Policy and Procedures when, in fact, it should have been treated as an Asset Divestment which fell within the ambit of the said Privatisation Policy and Procedures. <p>Although the OCG was aware that approval had been received from the Cabinet for the referenced matter, the Findings of the OCG were nevertheless communicated to the Ministry in an effort to prevent a recurrence of a similar nature.</p> <p>The OCG also recommended that the Ministry should closely monitor the provisions of its contractual arrangements with NNN, given the strategic importance of its Public Radio Broadcasting mandate.</p>	

QUARTERLY CONTRACT AWARD (QCA) REPORTS

All Procuring Public Bodies are required to prepare and to submit, to the OCG, Quarterly Contract Award (QCA) Reports indicating the particulars of contracts which have been awarded by them in the value range of J\$275,000.00 to J\$10,000,000.00. QCA Reports are required 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 introduction of the OCG's Quarterly Contracts Award (QCA) Reporting regime in May 2006, the OCG has seen a remarkable improvement in compliance levels of Public Bodies. QCA compliance has increased from 13% in its initial year in 2006 to an unprecedented 100% for the two (2) consecutive calendar years 2009 and 2010.

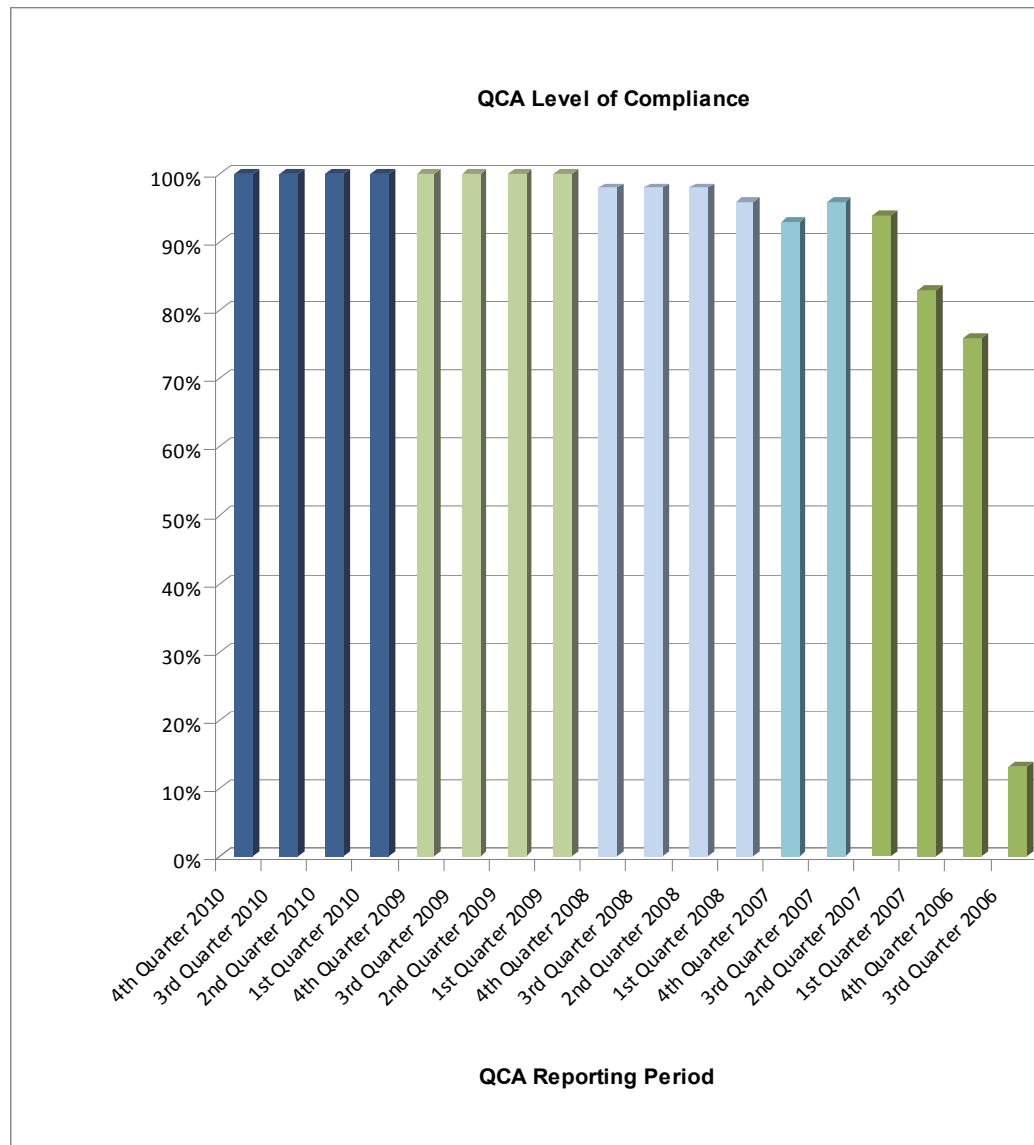
The consistently high compliance rate of Public Bodies, in the submission of QCA Reports, can be attributed to the OCG's rigidly enforced Zero Tolerance Policy which dictates that a failure, on the part of any Public Body, to comply with the OCG's QCA Requisition, will result in the automatic referral 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 between the period of 2006 to 2010:

Table 1 - QCA Reporting Compliance

Reporting Period	Number of Requisitioned Public Bodies	Number of compliant Public Bodies	Level of Compliance
4th Quarter 2010	198	198	100%
3rd Quarter 2010	198	198	100%
2nd Quarter 2010	197	197	100%
1st Quarter 2010	197	197	100%
4th Quarter 2009	196	196	100%
3rd Quarter 2009	193	193	100%
2nd Quarter 2009	193	193	100%
1st Quarter 2009	193	193	100%
4th Quarter 2008	190	186	98%
3rd Quarter 2008	188	185	98%
2nd Quarter 2008	188	184	98%
1st Quarter 2008	188	181	96%
4th Quarter 2007	188	175	93%
3rd Quarter 2007	191	184	96%
2nd Quarter 2007	191	180	94%
1st Quarter 2007	191	159	83%
4th Quarter 2006	191	146	76%
3rd Quarter 2006	191	25	13%
2nd Quarter 2006	191	81	42%

Table 1 above further illustrates that there has been an increase in the number of Public Bodies from 188 in 2007 to 198 at the end of the 2010 reporting period.

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 through to 2010. It should be noted that the OCG has realised 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 2010.

QCA Uploads

The OCG routinely delays the uploading of the QCA Reports of several Public Bodies, pending their satisfactory completion and submission of the QCA Reports in both the required Microsoft Excel electronic and hard copy formats.

Table 2 demonstrates an increase in the rate of reports which have been successfully verified and added to the QCA Consolidated Database. In 2009, 95% of the QCA Reports which were received from Public Bodies were uploaded whilst 96% of the Reports were uploaded in 2010.

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	2010 Reporting Period			2009 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
1st Qtr	197	195	99	193	187	97%
2nd Qtr	197	194	98	193	191	99%
3rd Qtr	198	188	95	193	186	96%
4th Qtr	198	180	91	196	171	87%
Total	790	757	96%	775	735	95%

Contract Award Data

The OCG received approximately 790 QCA Reports for the year ending December 31, 2010. Of the 790 Reports received, 757 were uploaded to the OCG's website. Please note that information provided, in this section, is relevant to the particulars of the 757 reports which were checked and verified for upload.

In 2010, 10,455 contracts were reported at a total value of \$14,307,249,677.00. The values of goods and services contracts were \$8,141,253,520.00 and \$4,116,608,537.00, respectively, whilst the value of other unspecified contracts was \$11,339,745.

The summary in Tables 3 and 4 below illustrates a comparison of the compliance levels for 2009 and 2010:

Table 3 – Summary of Contracts Awarded

2010 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 Procurement
1st Qtr	3,022	\$4,021,881,630	789 (26%)	\$1,230,461,777	382 (19%)	\$382,209,221	198 (8%)
2nd Qtr	2,475	\$3,414,950,184	662 (27%)	\$1,018,688,139	341 (14%)	\$354,559,540	189 (8%)
3rd Qtr	2,640	\$3,624,907,325	872 (33%)	\$1,378,756,486	422 (16%)	\$512,380,733	181 (7%)
4th Qtr	2,318	\$3,245,510,538	570 (25%)	\$957,910,155	355 (15%)	\$350,024,490	196 (8%)
Total	10,455	\$14,307,249,677	2,893 (28%)	\$4,585,816,557	1,500 (14%)	15,991,739,984	764 (7%)

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 procurement
2009	11,256	\$15,508,086,974	3,025 (27%)	\$4,351,556,617	1,719 (15%)	\$1,619,126,259	1,055 (9%)
2010	10,455	\$14,307,249,677	2,893 (28%)	\$4,585,816,557	1,500 (14%)	\$15,991,739,984	764 (7%)

QCA 2ND PHASE ASSESSMENT

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, and which advised, *inter alia*, of the commencement of the 2nd Phase of the Quarterly Contracts Awards (QCA) Report Regime, the Office of the Contractor-General (OCG) commenced the electronic assessment of QCA Reports that are to be submitted by the 190 plus Public Bodies.

The initiative is 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.

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.

The Contractor-General's letter of September 14, 2009, which was directed to all Accounting and/or Principal Officers of Public Bodies, the Cabinet Secretary and the Hon. Prime Minister, advised of the decision to make certain adjustments to the assessment process by:

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.

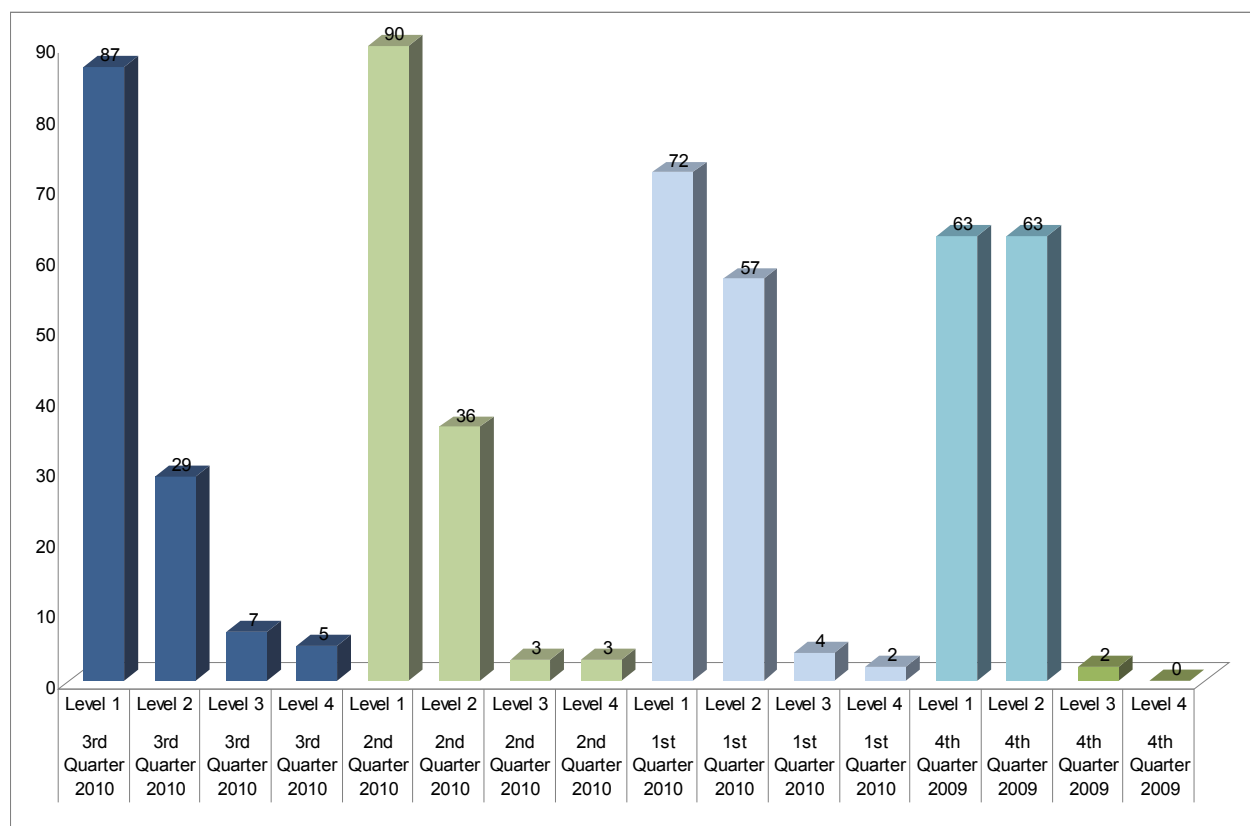
The adjustment of the assessment process was undertaken as a result of the OCG receiving numerous letters from Public Bodies outlining varying concerns and enquiries relating to the assessment results.

Subsequently, the OCG resumed the 2nd Phase Assessment process, effective with QCA Reports for the 4th Quarter of 2009. See Summary in Table 4 below:

Table 5 – Summary 2nd Phase Assessment Results

	Level 1	Level 2	Level 3	Level 4	Submissions with no contracts	Un-Assessed	Total
3rd Quarter 2010	87	29	7	5	56	3	187
2nd Quarter 2010	90	36	3	3	53	5	190
1 st Quarter 2010	72	57	4	2	57	1	193
4 th Quarter 2009	63	63	2	0	64	3	195

Figure 2 – 2nd Phase Assessment Results 2010



MONITORING OF CONSTITUENCY DEVELOPMENT FUND

Background

The Constituency Development Fund (CDF) was established and implemented in 2008 and provided Members of Parliament with financial resources to execute approved Social and Economical programmes within their respective Constituencies.

The concept of the CDF was developed within the context of the need for improved governance and greater effectiveness of the people's representatives in responding to the development needs of the constituents. The main thrust of the Fund is to:

- Promote Human and Infrastructure Development at the community and constituency levels;
- Catalyse economic activities at the constituency level;
- Foster local governance including good environmental stewardship;
- Improve service delivery to the constituents;
- Improve the relationship between the government and the citizens of the society; and
- Increase the response capacity of the elected representative.

The respective Members of Parliament, in consultation with their Constituencies, are required to develop projects for 2009/2010, in conjunction with a five (5) year development plan for each Constituency within a specified timeline. Developmental project proposals were submitted in March 2008. The programmes and projects are required to be undertaken annually and managed by the Constituency Development Fund Programme Management Unit (CDFPMU).

Additionally, under the terms of the programme, five percent (5%) of the annual allocation of the Fund is to be reserved to respond to 'Welfare and Emergency' needs, while another five percent (5%) will address 'Social Housing' needs.

The approved budget for the Constituency Development Fund (CDF), submitted by the CDFPMU, in a letter which was dated May 13, 2010, was approximately J\$1.2 Billion. These included CDF projects from the original listing of projects that were approved from January to August 2009, of which 50% of the budget was cut based upon a decision that was made by Parliament in September 2009.

Monitoring by the OCG

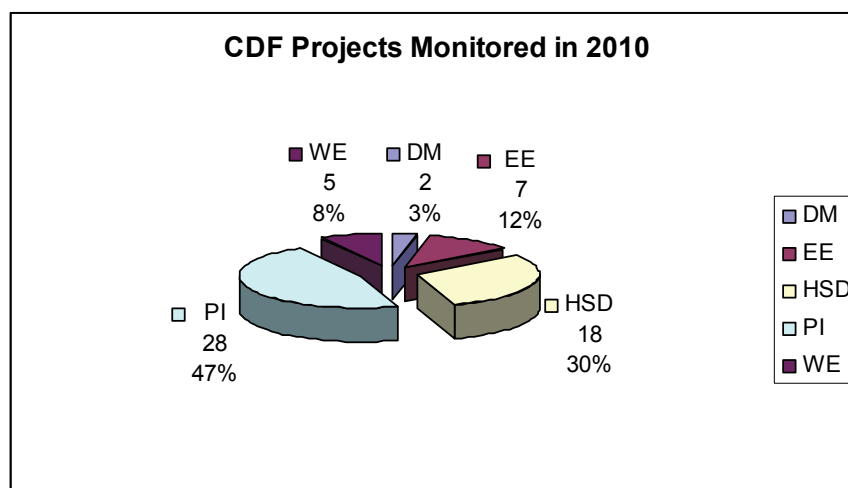
The OCG, in carrying out its mandate, pursuant to Section 4 of the Contractor-General Act, implemented an internal framework to monitor, *inter alia*; (a) the CDF process, (b) select projects, and (c) all the approved disbursed funds by the Parliamentary Committee.

The OCG, in the discharge of its mandate, in accordance with the internal monitoring procedures, conducted sustained monitoring of approximately sixty (60) new CDF projects. Each OCG Inspector was assigned a CDF project that was randomly selected from a Listing of Parliamentary Committee approved CDF Projects for 2010, as at June 2010.

The Sixty (60) CDF projects monitored were apportioned in the following project types:

No	Project Type	Number of Projects
1	Disaster Mitigation (DM)	2 = (3.3%)
2	Economic Enablement (EE)	7 = (11.6%)
3	Human & Social Development (HSD)	18 = (30%)
4	Welfare & Emergency (WE)	5 = (8.3%)
5	Physical Infrastructure (PI)	28 = (46.6%)
	Total Project	60 = (100%)
	Approximate (Approved) Total Value	\$175,773,304.14

Below is a Pie Chart giving a graphic representation of the apportioned projects monitored in 2010:



In a meeting that was convened between the CDFPMU, the Social Development Commission (SDC) and the OCG, on January 12, 2010, regarding the “Functions of the Implementing Agencies” the following positions, *inter alia*, were recorded:

1. The CDFPMU was of the opinion that the supply of goods and services required from the various Constituencies, particularly for Human and Social Development, Economic Enablement and Welfare and Emergency, could not be purchased under the GOJ Public Sector Procurement Procedures, based upon the number of beneficiaries and taking into consideration how the funds were expended. The CDFPMU explained that no one person would have received payments in excess of the established J\$275,000.00 threshold.
2. Each Implementing Agency was required to sign a Memorandum of Understanding (MOU) outlining its roles, responsibilities and accountability requirements, as outlined in the CDF Operational Guidelines. However, the CDFPMU reported that after two (2) years, the MOU had gone under several reviews and was now with the Solicitor General.
3. In instances where there is a change in the scope of the project, the Member of Parliament (MP) is required to submit a Project Document in the event that additional funding was required, for which Parliamentary Committee approval would have to be sought.

4. In the case of Social Housing and Welfare & Emergency, the approved allocation of \$500,000.00 or \$1,000,000.00, was distributed among individuals based upon the needs of the constituents. The listings of beneficiaries are at the discretion of the MP and the funds are allocated so that they (the MPs), can respond efficiently to the needs of the constituents.
5. The CDF representatives explained that in most cases, especially in respect of the Economic Enablement and Human and Social Development project types, the Implementing Agency's practice was to purchase goods from several suppliers within the Constituency, based upon the availability of same. It was, however, further stated that in other areas, based upon the remoteness of the geographical location, only one (1) supplier may be available and, hence, the necessary goods and/or equipment are all purchased from that said supplier.
6. The Social Development Commission's (SDC's) internal process, for financial transactions, commences with recording the receipts and payments. A list of beneficiaries is thereafter provided by each MP for disbursement. Depending upon the need, for example in the case of death, a Death Certificate would be verified, as well as an invoice from the Funeral Home confirming the approved disbursed sum that is expended in accordance with the proposals that is submitted by the MPs.
7. The OCG was informed by the representatives from the CDFPMU that the CDF Operational Procedural Manual was to be revised. The OCG suggested that it would be prudent for an Inspector to be included in the deliberation process for the revision of the CDF Manual.

Arising from this meeting, the OCG has had a better understanding of the functions and responsibilities of the SDC, regarding the disbursement of allotted sums that are approved for CDF projects. In this regard, the OCG conducted a review of the respective files at the SDC, taking into consideration the SDC's limited staffing resources to provide all the financial records that were requested. This review was undertaken on January 14-15 & 18, 2010.

Challenges with the CDFPMU

Based upon the monitoring of the referenced sixty (60) projects, the OCG was again faced with similar challenges expressed previously in the OCG's Annual Report of 2009, and is of the opinion that the CDFPMU is still not operating effectively and efficiently in accordance with the provisions which are outlined in its Operational Procedures. It is important to note that, up to December 31, 2010, the Revised Procedures were not yet approved by the Ministry of Finance and the Public Service.

While the OCG is aware that the staff complement and budget for the CDFPMU has been significantly reduced, the CDFPMU should endeavour to be more vigilant in addressing the issues and/or concerns and status of each of the projects to ensure that the Taxpayers of Jamaica obtain value for money in regard to the expended funds.

The Project Managers/Officers of the CDFPMU should be more involved in the Tender process and the preparation of Tender documents. Succinctly stated, all aspects of each project, from approval through to completion, should be monitored more closely. It is recommended that in the Revised Procedural Guidelines for the CDF/CDFPMU, Project Managers/Officers for each Constituency should create a comprehensive file on each CDF project, which should include the following to improve the effectiveness and efficiency of their monitoring:

1. The Proposal Submissions from the MP;
2. The Approval(s) that are obtained from the Parliamentary Committee;
3. All information pertaining to the Tender Process, including Tender Receipt and Tender Opening records, along with a copy of the Evaluation Report, where applicable;

4. Copies of expenditures on the project, from implementation to completion, from the Implementing Agency;
5. Detailed site inspection reports, inclusive of photographs as supporting evidence of project status; and
6. A Final Report /Account of the completed project.

Having regard to the foregoing, the OCG has found that for the entire year of 2010, the CDFPMU has been operating without proper established procedural guidelines, which means that the monitoring of CDF projects are being undertaken without proper structure or direction. The OCG maintains that the CDFPMU is unable to operate effectively without the referenced guidelines and in accordance with the provisions of the GOJ Procurement Procedures.

Thirty percent (30%) of the projects which were monitored by the OCG were Human and Social Development Projects, which were implemented by the Social Development Commission (SDC). However, the OCG was unable to get thorough and timely responses from the SDC, owing to limited human resources which resulted in the inability of the OCG to properly monitor some of the projects under review.

As at December 31, 2010, no further information was obtained from the SDC. Arrangements have been made for a team from the OCG to visit the offices of the SDC in early 2011, in an effort to obtain the information required, relative to the CDF Projects that are being monitored.

The OCG, over the past year, continued to observe that there were numerous shortcomings in the operation and administration of the CDFPMU. The OCG will continue to keenly and assiduously monitor the award, implementation and execution of the approved CDF Projects in 2011.

TECHNICAL SERVICES DIVISION

OVERVIEW

During the calendar year 2010, the Technical Services Division (TSD) of the Office of the Contractor General (OCG), continued to perform its dual role of Secretariat to the National Contracts Commission (NCC) through the provision of technical, administrative and secretarial support, while simultaneously carrying out an OCG monitoring function in relation to the operations of the NCC.

The main functions of the TSD involve, *inter alia*, the following:

1. The registration of Goods, Services and Works Contractors in the appropriate categories;
2. The management of correspondence between Private and Public Sector Entities and the NCC; and
3. Representing the NCC on its seven (7) Sector Committees and reviewing the submissions from the said Sector Committees to ensure probity in the endorsements of the recommended award and implementation of contracts.

STAFFING

The TSD in 2010 maintained its overall staff complement of eleven (11) persons. The TSD is headed by the Director of Technical Services, supported by an Administrative Assistant, two (2) TSD Managers, four (4) Technical Officers, a Goods & Services Supervisor and two (2) Records Clerks.

NCC COMMISSIONERS

The NCC was established in 1999, by way of an amendment to the Contractor-General Act. The Commission consists of eight (8) members, appointed by the Governor General, serving for a period of seven (7) years.

The year 2010 began with the following Commissioners: The Hon. Shirley Tyndall, CD, O.J., Chair of the Commission; Mr. Robert Martin, Deputy Financial Secretary; Mr. Lascelles Dixon, representing the Professional Societies Association of Jamaica; Mr. Karl Martin, Director of Special Projects, Ministry of Transport and Works; Mr. Donald Moore, Senior General Manager, National Housing Trust; Mrs. Jean Fairclough, Senior Policy Analyst, Cabinet Office; Mr. Milton Hodelin, former CEO of the National Works Agency (NWA); and Mr. Donald Miller, who was appointed by the Construction Industry Council and who is the past Chairman of the NCC.

The NCC's Chairman, the Hon. Shirley Tyndall, resigned on February 1, 2010 and Mr. Raymond McIntyre was appointed as the new NCC Chairman. Mr. Donald Miller also resigned from the Commission close to the end of the year, and, as at the time of this report, had not been replaced.

The tenure of the present panel of Commissioners will expire on May 16, 2013.

CONTRACTOR REGISTRATION

The registration of Contractors continues to represent a critical element in the Government of Jamaica Procurement Process. It is through this process that Contractors are evaluated and placed in the appropriate category/grade in tandem with their level of competence. Evaluation is carried out using the following criteria in accordance with section 23H of the Contractor-General Act:

1. Financial Soundness;

2. Expertise; and
3. Managerial/technical competence.

Registration and Re-registration of Contractors

As part of its drive for continuous improvement, the OCG implemented a one hundred percent (100%) compliance Audit on all applications for Works Contractors' registration. Through this exercise, various attempts on the part of Contractors to obtain grades, not in keeping with their level of competence, were unearthed.

During 2010, there was a general decline of 14% in the total number of registered Suppliers of Goods and Services, moving from a total of 1,798 in 2009 to 1,537 in 2010.

The Table below illustrates the number of registered Contractors for the period 2007 to 2010

Table 1 - Number of Registered Contractors 2007 – 2010

Year	Category									Total
	GOODS &SERVICES			WORKS GRADE 1-4			WORKS GRADE 5			
	NEW	R-r	Total	NEW	R-r	Total	NEW	R-r	Total	
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

Having seen a reduction of 25% in 2009, in the registration of new Suppliers of Goods and Services, there was a further reduction in 2010 of 39%, moving from a total of 520 in 2009 to 316 in 2010.

The total number of re-registration of Suppliers of Goods and Services represented an increase of 8% in 2009 and a reduction in 2010 of 4%, moving from a total of 1278 in 2009 to 1221.

The total number of re-registered Suppliers of Goods and Services, moved from a total of 1278 in 2009 to 1221 in 2010, which represents a reduction of 4% in 2010, as against the 8% increase in 2009.

GRADES 1- 4 WORKS CONTRACTORS

In 2010, there was a dramatic decline of 57% in the total number of Grade 1-4 Works Contractors, moving from 519 in 2009 to 223.

The overall decline in the registration of Grades 1 - 4 Contractors by 57%, 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 this initiative, there has also been a reduction in the submission of Applications by Contractors, seeking either new or re-registration, which consequently resulted in a similar 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 75%, from 142 in 2009 to 35 in 2010, while re-registered Works Contractors (Grades 1 - 4) decreased by 50%, moving from 377 in 2009 to 188 in 2010.

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 an increase of 186%, moving from 3 in 2009 to 59 in 2010, while re-registered Grade 5 Works Contractors decreased by 33%, moving from 15 in 2009 to 10 in 2010.

The significant increase in the number of newly registered Grade 5 Works Contractors was due mainly to an influx of Applications for the supply of the specific service. This 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 is not expected.

NATIONAL CONTRACTS COMMISSION ENDORSEMENT OF CONTRACT AWARD RECOMMENDATIONS

During 2010, a total of 348 recommendations for contract awards were endorsed by the NCC, with an aggregated Jamaican Dollar value of Nineteen billion, nine hundred and eighty million, three hundred and sixty-seven thousand, nine hundred and forty-three dollars (J\$19,980,367,943.00).

The OCG has noted that there has been a consecutive reduction in the total numbers of endorsed contracts over a two (2) year period, moving from 928 to 630 between 2008 and 2009 and subsequently to 348 in 2010. This represents a 32% decrease in 2009 and 45% decrease in 2010.

Tables 2 and 3 below, illustrate the total number of contracts which were endorsed by the NCC between 2005 and 2010:

Table 2 – National Contracts Commission Endorsed Contracts 2005-2010

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
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
2005	187	16,926,239,397	126	6,886,476,314	87	2,914,160,319	400	26,726,876,030

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
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
2005	82	77	80	27	164	66	94	62

NCC Endorsed Contracts by Method of Procurement

Of the 348 contract award recommendations which were endorsed by the NCC in 2010, the Selective Tender Procurement Methodology was utilised in 178 instances, which represents 51% of the total NCC endorsements. The Sole Source Procurement Methodology was utilised in 83 instances, which represents 24% of the total NCC endorsements and was, therefore, the second most frequent procurement methodology.

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 2010

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	19	30	34	83	24	4,929,184,917
Direct Contracting	5	15	8	28	8	1,903,609,181
Limited Tender	5	7	15	27	7	1,520,185,640
Selective Tender	82	40	56	178	51	8,315,619,659
Open Tender	7	5	18	30	9	3,208,800,546
Other	-	-	2	2	1	102,968,000
Total	118	97	133	348	100	19,980,367,943

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 2010. The NCC endorsed 348 contract recommendations during the referenced period. However, there were no endorsed contracts sums for 15 of these contracts.

Table 5 - National Contracts Commission Endorsed Contracts 2010

Range	Number of Contracts	Percentage of Total No. of Endorsed Contracts	Total Value of Endorsed Contracts J\$
Under \$3M	3	1	7,222,442
\$3M - \$10M	37	11	231,405,833
Over \$10M - \$ 29,999,999.99M	185	56	3,252,028,412
Over \$30M - \$150M	84	25	5,393,467,881
Over \$150M	24	7	11,096,243,375
Total	333	100	19,980,367,943

Special Note – The Proposed Jamaica Development Infrastructure Programme (JDIP)

The NCC Endorsed Contracts data which are contained in this document does not include or make reference to the contract that was awarded by the National Works Agency (NWA), via the Sole Source Procurement Methodology, to the Chinese contractor, China Harbour Engineering Company Limited (CHEC).

The NCC, at its meeting of January 13, 2010, **NOTED** that the contract was a Government to Government Agreement, between the Government of China and the Government of Jamaica, in the amount of US\$400M or J\$35,592,000,000.00. Further, the NCC expressed its concerns that a contract of that size and value was not subjected to competitive tender, to secure value for money.

Table 6 – National Contracts Commission Endorsed Contracts 02/01/2010-31/12/2010

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 \$		109	JA \$10,148,689,286	49	JA \$2,102,309,558	98	JA \$2,508,339,657	JA \$14,759,338,501
US \$		8	7,432,354	46	15,656,396	33	15,735,214	US \$38,823,964
JA EQU	85.90		JA \$638,439,212		JA \$1,344,884,475		JA \$1,351,654,859	JA \$3,334,978,546
UK £		-	-	2	1,110,840	-	-	UK £1,110,840
JA EQU	133.74		-		JA \$148,563,742		-	JA \$148,563,742
EURO €		-	-	-	-	-	-	-
JA EQU	-	-	-	-	-	-	-	-
CAD \$		1	19,999,974	-	-	2	359,613	CAD \$20,359,587
JA EQU	85.34	-	JA \$1,706,797,781		-		JA \$30,689,373	JA \$1,737,487,154
GROSS TOTAL		118	JA \$12,493,926,279	97	JA \$3,595,757,775	133	JA\$3,890,683,889	JA \$19,980,367,943

The information is to the nearest dollar. The Bank of Jamaica (BOJ) 2010 average rate for US \$1.00 = JA \$85.90. The average rate for the Pound Sterling UK £1= JA \$133.74 and the average rate for the Canadian \$1 = JA \$85.34. The NCC endorsed 348 contracts for 2010. Please note that a service contract has a substantial +US \$ and J\$ component. (Only the US Dollar contract is included in the quantities, since it is one (1) contract). DATE: February 14, 2011.

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 2010, by various Government Ministries and had been subsequently endorsed.

Figure 1

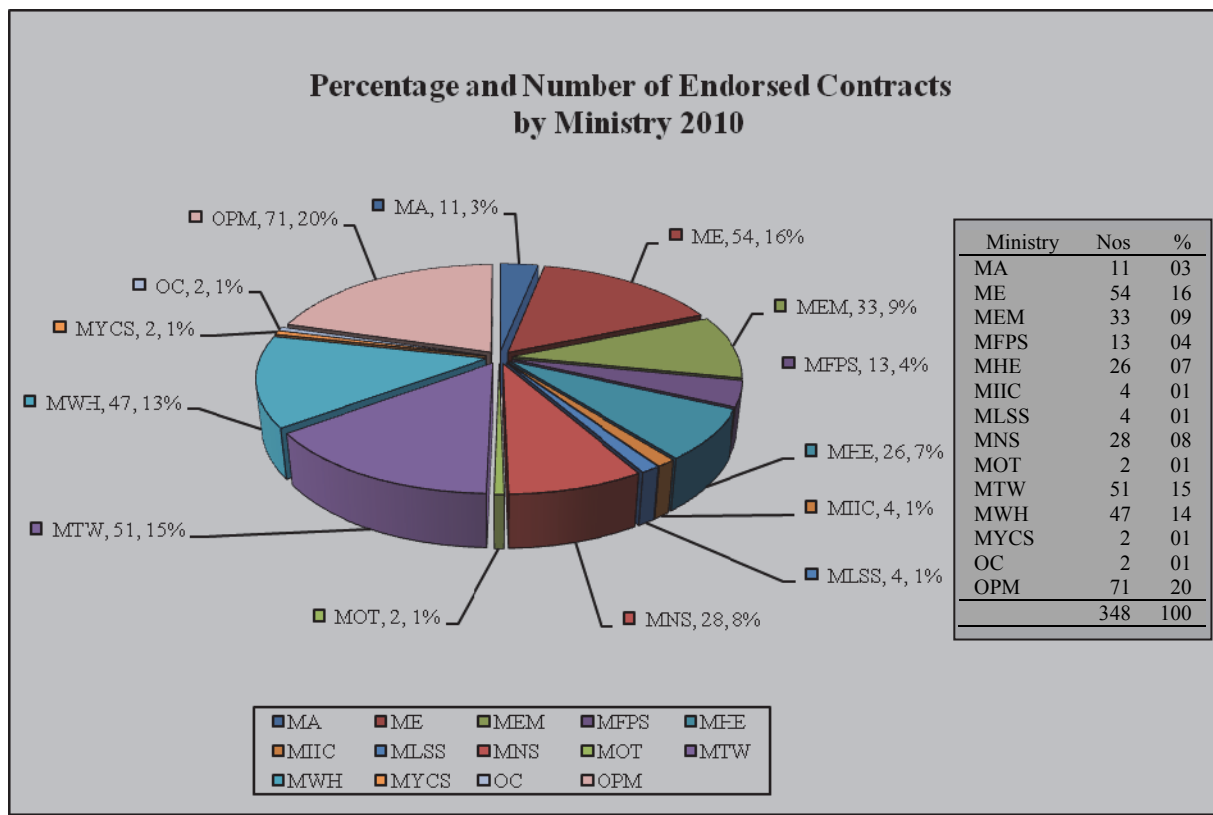
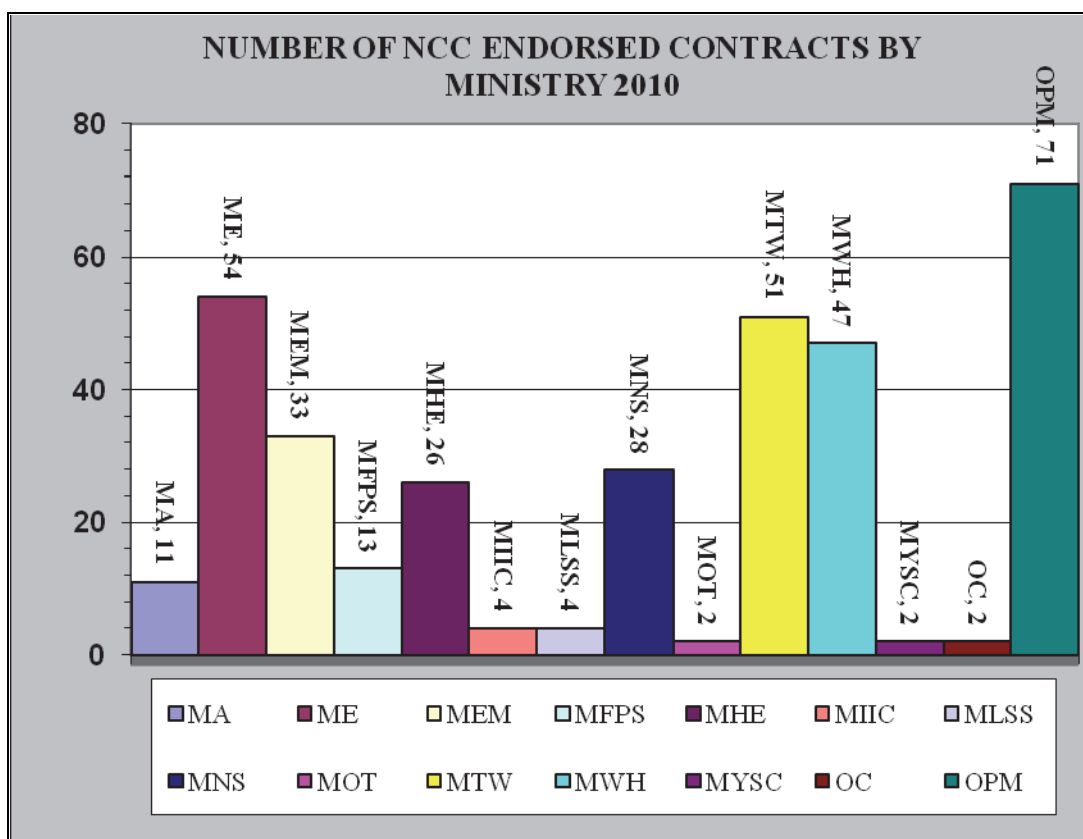


Figure 2



In 2010, the Office of the Prime Minister, and its related agencies, accounted for the highest number of NCC endorsed contract recommendations with a total of seventy-one (71) 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 2010.

Table 7 - NCC Endorsed Goods Contracts 2010

Categories	No. of Contracts	% No. of Contracts	JA \$	US \$	UK £	EURO €	CND \$	TOTAL JA\$	% \$ Value
*Chemicals & Pesticides	3	3.09	69,181,504.00	946,800.00				150,511,624.00	4.19
Books & Stationery Supplies	12	12.37	695,051,558.28		1,110,840.00			843,615,299.88	23.46
Computers & Related Supplies	8	8.25	64,294,406.75	711,326.27				125,397,333.34	3.49
Electrical & Communication Supplies	1	1.03		140,000.00				12,026,000.00	0.33
General Supplies	27	27.84	236,763,757.68	7,229,489.24				857,776,883.40	23.86
Industrial, Construction Equipment & Machinery	4	4.12		3,003,236.14				257,977,984.43	7.17
Information Technology Items	7	7.22	287,098,461.85	775,810.42				353,740,576.93	9.84
Medical, Pharmaceutical Equipment & Supplies	16	16.49	500,768,905.09	1,982,953.61				671,104,620.19	18.66
Merchandise	7	7.22	162,195,000.00	191,580.00				178,651,722.00	4.97
Motor Vehicle Spares & Accessories	6	6.19	10,345,553.85	448,839.00				48,900,823.95	1.36
Motor Vehicle & Spares	2	2.06		226,362.00				19,444,495.80	0.54
Safety Products	1	1.03	20,800,786.00					20,800,786.00	0.58
Textile & Garment Manufacturers	3	3.09	55,809,624.50					55,809,624.50	1.55
Total	97	100	2,102,309,558.00	15,656,396.68	1,110,840.00	-	-	3,595,757,774.41	100
Bank of Jamaica Annual Average for US \$1 = JA85.90. The Pound Sterling UK £1 = JA 133.74\$. The Canadian \$1 = J\$85.34									

Table 8 - NCC Endorsed Works Contracts 2010

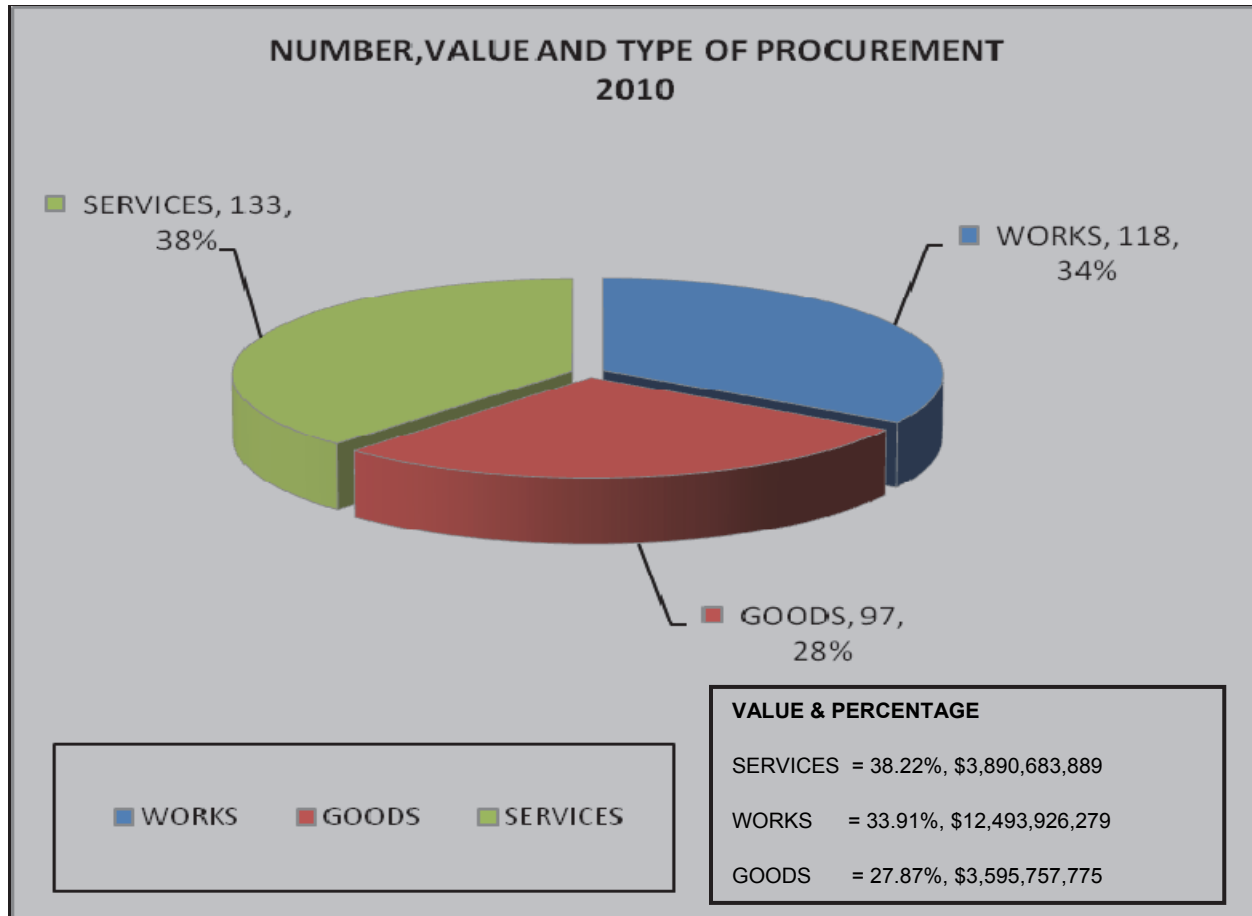
Categories	No. of Contracts	% No. of Contracts	JA \$	US \$	UK £	EURO €	CND \$	TOTAL JA\$	% \$ Value
Bridge Construction	1	0.85		5,758,033.00				494,615,034.70	3.96
Building Construction	53	44.92	5,610,594,551.11	640,000.00			19,999,974.00	7,372,368,332.27	59.01
Civil Engineering	23	19.49	2,815,875,220.94					2,815,875,220.94	22.54
Drilling	1	0.85	32,522,432.89					32,522,432.89	0.26
Electrical Works	2	1.69	39,622,143.52					39,622,143.52	0.32
General Road Works	17	14.41	1,252,150,883.72					1,252,150,883.72	10.02
Heating, Ventilation, Air-Conditioning, Refrigeration	5	4.24	45,023,760.61					45,023,760.61	0.36
Instrumentation	1	0.85		35,526.00				3,051,683.40	0.02
Marine Engineering	1	0.85		243,000.00				20,873,700.00	0.17
Mechanical Works	7	5.93	161,342,067.73	336,930.00				190,284,354.73	1.52
Micro Surfacing Works	1	0.85	138,571,664.00					138,571,664.00	1.11
Painting and Decorative Finishes	1	0.85	18,602,790.00					18,602,790.00	0.15
Pipe Laying	2	1.69	23,933,770.97					23,933,770.97	0.19
Steel Fabrication	2	1.69	10,450,000.00	265,947.00				33,294,847.30	0.27
Systems Building	1	0.85		152,918.04				13,135,659.64	0.11
Total	118	100	10,148,689,285.49	7,432,354.04	-	-	19,999,974.00	12,493,926,278.69	100
<i>Bank of Jamaica Annual Average for US \$1 = JA85.90. The Pound Sterling UK £1 = JA 133.74\$. The Canadian \$1 = J\$85.34</i>									

Table 9 - NCC Endorsed Services Contracts 2010

Categories	No. of Contracts	% No. of Contracts	JA \$	US \$	UK £	EURO €	CAN \$	TOTAL JA\$	% \$ Value
Chemicals & Pesticides	1.00	0.75	15,591,505.00					15,591,505.00	0.40
Audio Visual	1.00	0.75		928,400.00				79,749,560.00	2.05
Catering	3.00	2.26	117,027,862.50					117,027,862.50	3.01
Computer and Related Services	1.00	0.75	10,585,737.95					10,585,737.95	0.27
Consulting Services	17.00	12.78	123,934,691.34	2,857,309.43				369,377,571.38	9.49
Courier Services	5.00	3.76	68,904,515.48					68,904,515.48	1.77
Electrical and Communication Supplies	1.00	0.75	4,757,728.40					4,757,728.40	0.12
General Services	45.00	33.83	497,367,969.15	5,089,377.17			359,613.00	965,234,841.47	24.81
Information & Technology Services	10.00	7.52	39,572,207.23	5,995,612.13				554,595,289.20	14.25
Insurance Services	13.00	9.77	695,051,558.28	383,667.00				351,500,793.30	9.03
Janitorial, Sanitation Services	5.00	3.76	169,734,895.15					169,734,895.15	4.36
Lithographic and Printing Services	1.00	0.75	89,384,400.00					89,384,400.00	2.30
Marine Services	2.00	1.50		480,848.00				41,304,843.20	1.06
Safety and Security Services	18.00	13.53	876,081,346.30					876,081,346.30	22.52
Transportation & Haulage	10.00	7.52	176,853,000.00					176,853,000.00	4.55
Total	133.00	100.00	2,884,847,416.78	15,735,213.73	-	-	359,613.00	3,890,683,889.33	100.00
Bank of Jamaica Annual Average for US \$1 = JA85.90. The Pound Sterling UK £1 = JA 133.74\$. The Canadian \$1 = J\$85.34									

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 2010.

Figure 3



Number and Type of NCC Endorsed Contracts

Table 10 - Number and Type of NCC Endorsed Contracts for Period 2006 – 2010

Year	Works Contracts		Goods Contracts		Services Contracts		Total
	Number of contracts	%	Number of contracts	%	Number of contracts	%	Number of contracts
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
2006	287	50	197	34	91	16	575

TOP TEN CATEGORIES

Following a comprehensive analysis of the endorsed recommendations for the award of contracts and the number of registered Contractors, the Top Ten (10) Categories and Agencies were identified and are detailed in Tables 11 – 14.

The analysis indicates that while the Ministry of Education is ranked number one for having the largest number of endorsed recommendations, representing 9% of the total endorsed recommendations for 2010, the Housing Agency of Jamaica Limited was ranked as the top Agency with the highest value of endorsed recommendations, which accounted for 19% of the total value.

For the period under review, Works Contracts in the area of Building Construction, accounted for 15% of the 348 endorsed recommendations for the award of contract, and represented the largest number of recommendations for award in any one category. With respect to Goods and Services contracts, General Supplies and General Services were the top categories with 27 and 45 endorsed recommendations for the award of contract, respectively.

The Top Ten (10) Agencies, having the highest value of endorsed recommendations for the award of contract, represent 73% of the \$19.9 billion which was endorsed in 2010, while accounting for 52% of the total number of endorsed recommendations.

Table 11 - Top Ten Categories in which Contracts were Endorsed 2010

Rank	Categories	Type Of Contract	Number Of Contracts	Total JA\$
1	Building Construction	Works	53	7,372,368,332.27
2	General Services	Service	45	965,234,841.47
3	General Supplies	Goods	27	857,776,883.40
4	Civil Engineering	Works	23	2,815,875,220.94
5	Safety and Security Services	Service	18	876,081,346.30
6	General Road Works	Works	17	1,252,150,883.72
7	Consulting Services	Service	17	369,377,571.38
8	Medical, Pharmaceutical Equipment & Supplies	Goods	16	671,104,620.19
9	Insurance Services	Service	13	351,500,793.30
10	Books & Stationery Supplies	Goods	12	843,615,299.88

Table 12 illustrates the Top Ten (10) registered Works Contractor Categories, ranked according to the number of Contractors registered per Category and respective Grade Levels. The analysis shows that the largest number of Contractors registered in any one Works Category, was in the area of Building Construction, with 129.

Of the total number of Contractors registered in the Top Ten (10) Categories, those registered as Grade 1 Contractors accounted for 9.5%, while Grade 4 Contractors accounted for 60%.

Table 12 - Top Ten Number of Works Contractors Registered by Category and Grade Level 2010

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	13	10	30	76	129
2	Building Maintenance			22	77	99
3	Civil Engineering Works	14	15	17	41	87
4	General Road Works	13	6	20	45	84
5	Road Maintenance Works	8	6	21	45	80
6	Interior Construction Works	3	8	14	34	59
7	Pipe Laying	7	12	9	29	57
8	Electrical Works	10	2	7	33	52
9	Painting and Decorative Finishes	1	5	9	35	50
10	Fencing	1	6	8	24	39
	Total	70	70	157	439	736

Table 13 - Top Ten Agencies/Entities with the Largest Number of Endorsed Recommendations for Award of Contract

Rank	Government Agency	No. of contracts	\$ Value	Procurement Methodology				
				Sole Source	Direct Contracting	Limited Tender	Selective Tender	Open Tender
1	Ministry of Education	31	1,574,309,298.93	3	1	-	23	4
2	Petrojam Limited	29	452,907,110.41	13	3	5	8	-
3	Jamaica Social Investment Fund	27	716,889,272.75	2	-	-	25	-
4	National Water Commission	24	1,058,976,358.44	4	2	-	17	1
5	National Housing Trust	18	2,690,654,676.86	3	1	-	14	-
6	Housing Agency of Jamaica Ltd	15	3,854,204,987.81	4	-	5	3	3
7	Ministry of National Security	15	490,777,340.30	7	1	1	3	3
8	National Works Agency	13	1,550,407,050.96	2	1	-	9	1
9	Port Authority of Jamaica	10	480,498,493.93	4	4	-	1	1
10	Ministry of Agriculture and Fisheries	10	207,593,309.78	1	2	-	7	-
	Total	192	13,077,217,900.17	43	15	11	110	13

Table 14 - Top Ten Agencies/Entities with the Largest value of Endorsed Recommendations for Award of Contract

Rank	Government Agency	No. of Contracts	\$ Value	Procurement Methodology				
				Sole Source	Direct Contracting	Limited Tender	Selective Tender	Open Tender
1	Housing Agency of Jamaica Ltd	15	3,854,204,987.81	4	-	5	3	3
2	National Housing Trust	18	2,690,654,676.86	3	1	-	14	-
3	Jamaica Civil Aviation Authority	1	1,706,797,781.16	1	-	-	-	-
4	Ministry of Education	31	1,574,309,298.93	3	1	-	23	4
5	National Works Agency	13	1,550,407,050.96	2	1	-	9	1
6	National Water Commission	24	1,058,976,358.44	4	2	-	17	1
7	Jamaica Social Investment Fund	27	716,889,272.75	2	-	-	25	-
8	Ministry of National Security	15	490,777,340.30	7	1	1	3	3
9	Port Authority of Jamaica	10	480,498,493.93	4	4	-	1	1
10	Petrojam Limited	29	452,907,110.41	13	3	5	8	-
	Total	183	14,576,422,371.55	43	13	11	103	13

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 Government Procuring Entities. The Sector Committees consist of members with particular expertise in varying fields within the Public Sector.

The OCG, pursuant to its mandate under Section 4 of the Contractor-General Act, assigns representatives to attend meetings of the respective Sector Committees, to monitor proceedings.

During the year 2010, the NCC Sector Committees convened a total of one hundred and twenty-two (122) meetings, at which a total of three hundred and three (303) recommendations for the award of contracts were reviewed.

In 2010, there was a 6.19% decline 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 2009 and 2010 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 of thirty-six (36) meetings. This represents the highest number of meetings for any one Sector Committee for the period. The Ministry of Water and Housing Sector Committee was second, with a total of twenty-one (21) meetings, while the Ministry of Education Sector Committee was a close third, having convened a total of nineteen (19) meetings.

Table 15 - National Contracts Commission Sector Committee Meetings for 2010 Compared to 2009

NCC Sector Committees	Number of Meetings in 2010	Number of Meetings in 2009	Number of Agencies / Departments Assigned
The Port Authority of Jamaica	10	10	13
Ministry of Health & Environment	15	18	46
Jamaica Social Investment Fund	12	14	6
Urban Development Corporation	9	11	30
Ministry of Education	19	15	74
Ministry of Water & Housing	21	30	39
National Works Agency	36	40	120
Total	122	138	328

Table 16 – Submissions to Sector Committees for 2010

NCC Sector Committees	No. of Works		No. of Goods		No. of Services		Total	
	2010	2009	2010	2009	2010	2009	2010	2009
The Port Authority of Jamaica	5	6	3	6	6	10	14	22
Ministry of Health & Environment	12	9	15	11	11	15	38	35
Jamaica Social Investment Fund	31	53	1	0	0	7	32	60
Urban Development Corporation	0	8	2	3	14	3	16	14
Ministry of Education	17	27	7	11	13	10	37	48
Ministry of Water & Housing	38	46	4	4	16	9	58	59
National Works Agency	23	36	9	12	76	37	108	85
Total	117	185	41	47	136	91	303	323

NEW DEVELOPMENTS

Contractor Registration Process

The allegations of fraud relating to the Contractors which were registered with the NCC or sought re-registration with the NCC, during the year 2010, had a significant impact on the processing of all Works 1 - 4 Contractor Applications.

The OCG, following on the events from the 2009 investigation of Contractors, which were, among other things, a part of the NHT Small Contractor's Programme, where it was alleged that at least five (5) Contractors and NHT employees colluded to operate fictitious Construction companies in the pursuit of being awarded government contracts, has instituted a more robust anti-corruption mechanism.

In addition, the OCG uncovered irregularities in the Works 1 - 4 Contractor Registration Process such as:

1. The falsification of Academic Qualification/Professional documents;
2. Misrepresentation of information on Resumes;
3. Certification of documents by a Justice of Peace (J.P.) without evidence of the submission of the original documents;
4. Payment to persons for the use of their Academic Qualifications and Professional Certifications to qualify for NCC registration;
5. Impersonation of the staff assigned to the Application Form during the staff verification process;
6. Misrepresentation of the information on the "Audited Financial Statement" in order to be awarded a higher registration grade;
7. Falsification of the Project Information on the Application Form in order to be awarded a higher registration grade;

8. The Affidavit which accompanies the Application under the Voluntary Declaration Act is required to be signed in the presence of a Justice of the Peace by the Contractor. There are times when the Contractor does not sign in the presence of the J.P, as is required by law, or the Contractor's signature is forged; and
9. Misrepresentation of the staffing experience and Academic Qualifications on the Application Form.

Based on the abovementioned, the OCG instituted anti-corruption initiatives to combat/prevent the aforementioned irregularities.

One of these initiatives was the enforcement of the NCC registration requirements; this required all the Contractors, whether new or registering, to submit all the required documents such as:

1. A Completed Works 1 – 4 Application Form;
2. Valid Tax Compliance Certificate;*
3. Company Certificate of Registration/Incorporation* or
4. Valid Business Name Registration Certificate;*
5. Current Audited Financial Statement;
6. Academic Qualifications and/Professional Certification or Registration* for each Professional and Technical Staff assigned on the Application Form;
7. Updated Resume for each Professional and Technical Staff assigned on the Application Form;
8. Professional Certification* for each Supervisory Staff assigned on the Application Form;
9. Updated Resume for each Supervisory Staff assigned on the Application Form;
10. The relevant Licence for the Specialist Category/ (ies) such as Electrical Works and/ Blasting Licence*;
11. Supporting documents for all projects represented by the Contractor on Page 11 of the current and previous Works Application Forms.

*The Original documents were required to be submitted and accompanied by a photocopy. No document/(s) certified by a Justice of Peace were accepted.

In addition, an Internal Auditor position was created, within the OCG, with the responsibility for ensuring the adherence to NCC registration requirements. The Internal Auditor also conducted a 100% due diligence check on applications prior to their submission to the NCC. The implementation of the 100% due diligence checks had a negative impact on the processing time of the applications and led to an increase in the processing of all applications.

The increase in the processing time of Applications led to a backlog. However, with the limited resources in the OCG's Technical Services Department (TSD), the OCG, proactively, instituted interim measures such as the re-assignment of some of its general and operating staff, drawn from other OCG divisions, to assist with the processing of these Applications.

This, in certain respects, had some impact upon the backlog. However, this was still not sufficient and, as such, the OCG co-opted staff to work in the evenings with the aim of reducing the backlog. The exercise is presently ongoing and has had some impact on reducing the backlog of Applications. However, without additional full-time human resources, the desired rapid reduction in the present backlog of Applications will not be realised.

The NCC, on February 14, 2011, increased the processing time for the registration of Contractors from four (4) weeks to eight (8) weeks. This will assist, to some extent, in dealing with the backlog of applications. However, the ultimate solution is an increase in the OCG's current staffing complement.

Subsequent to the institution of the 100% due diligence checks in September 2010, there was a significant decrease in the submission and receipt of Applications with irregularities. Only three (3) Contractors were added to the listing of Contractor Files which are under investigation. There were at least sixty (60) Contractors who were being investigated for irregularities in relation to their current and/or previous NCC application/registration. All Contractors were advised formally via letter.

During this period, formal interviews were conducted with some of these Contractors. The Contractors were given a forum through which they could challenge the allegations that were made against them. Subsequent to the conducting of the OCG's formal interviews, the Contractor files were submitted to the Commission of the NCC and also to the Fraud Squad, where warranted.

The OCG referred at least twenty-five (25) files, which were under investigation, for the NCC's determination. To date, the Commission of the NCC has not provided a definitive response on the status of the referred Contractors.

ANTICIPATED DEVELOPMENTS FOR 2011

The OCG anticipates that the present challenges will persist in 2011, as the call of the OCG for additional staffing has seemingly fallen on deaf ears. Until the request is satisfied, the aforementioned challenges that were experienced in 2010 will continue.

Another area of concern for the Division is the impending separation of the NCC, from the OCG, which is scheduled to unfold in 2011. The OCG's concern surrounds the pace at which deliberations regarding same are being undertaken, as this new development will affect the operations of the Division. The functions of the Division will have to be re-visited, which will ultimately result in the re-structuring of the Division. Notwithstanding the impact which the changes will have on the Division, the OCG is co-operating with the NCC, to ensure a seamless and harmonious transition when the proposed separation takes place.

CORPORATE SERVICES DIVISION

During the 2010 calendar year, the Corporate Services Division continued to provide support services to the other Divisions of the OCG. A number of internal processes and procedures were implemented in an effort to increase efficiency, and heighten the overall security of the Office.

HUMAN RESOURCE MANAGEMENT

During 2010, the OCG revised a number of its existing internal Policies and Procedures and introduced several new policies and guidelines. Among the Policies and Guidelines that were introduced, were the following:

- **Document Retention & Destruction Policy** – Consultations were made with a number of Government Entities to ascertain the guidelines they employ for the retention of documents, as there is no formal GOJ document to govern same. In this regard, an OCG Records Committee was established by the Contractor General, out of which an Internal Records Management Policy was developed to provide for the systematic review, retention, and destruction of documents that are received or created by the OCG,

The Policy covers all records and documents, regardless of physical form, contains guidelines relative to how long certain documents should be kept before being destroyed, and how records should be destroyed. It is also designed to ensure compliance with all relevant GOJ regulations, to eliminate accidental or innocent destruction of records, and to facilitate the OCG's operations, by promoting efficiency and releasing valuable storage space.

- **Policy on Listening to Audio Devices** – The Policy was designed to inform the staff of acceptable behaviour when using audio devices, while on the job.
- **Access Control Policy** - The subject Policy was revamped to heighten the overall security of the Office.

Awards and Recognition Programme

In September 2010, the OCG held its inaugural Awards and Recognition Ceremony to recognise staff for their contribution to the OCG, and their performance in various categories. The event was well-received by the staff, all of whom have performed at the highest standard. While it was not possible to reward everyone, those members of staff who were exceptional in each category were recipients of awards. An Awards and Recognition Ceremony is scheduled to be held twice annually. Awards were received in the following categories:

- Internal Customer Service
- Most Improved Staff
- Above and Beyond the Call of Duty
- Highest Performance Management Appraisal System Score
- Punctuality

It is anticipated that the categories will be increased for future Award Ceremonies.

Staff Training

The OCG continued in its quest to identify appropriate Training Opportunities for its staff-members, in an effort to enhance their skills and professional well-being and thereby to assist the OCG organisation to fulfil its mandate in a more efficient and effective manner. In 2010, 28 OCG staff members benefitted from a variety of training opportunities which were identified. (Please refer to Appendix IX for details).

Staff Welfare Programmes

The Social Activities Committee

The Social Activities Committee (SAC) is charged with the responsibility to ensure staff wellness and promote social interactivensess, with a view to creating and nurturing a 'good vibe' and comradeship among the staff of the OCG. Committee members are drawn from each Division, and is headed by a duly elected Chairperson and seven other serving members.

During the reporting period, the Social Activities Committee held a number of staff events (that were self-funded by regular monthly financial contributions which are deducted directly from staff-members' salaries), which included:

- Games Evenings
- Valentine's Treat
- Movie Evenings
- Quarterly Birthday Socials
- Christmas Pixie
- Christmas Tree-Lighting Ceremony
- Christmas Luncheon (100% staff funded)

The Committee also provided an avenue for staff members to make donations to a Children's Home during the Christmas Holiday and participated in the Planning Institute of Jamaica's (PIOJ's) Emancipation Celebrations. In an effort to improve staff wellness, the Committee also facilitated Gym Memberships for staff at the Spartan Health Club, under the Club's Corporate Package.

OFFICE MANAGEMENT DEPARTMENT

The Office Management Department, in keeping with the mandate of the OCG, sought to ensure that all procurement activities that are undertaken, on behalf of the OCG, were executed in accordance with the requisite Government Public Sector Procurement Guidelines and Regulations. A number of items were procured for the Office, during the 2010 calendar year. These included the following:

Table 1 - Computer Accessories & Hardware/Office Furniture & Accessories

Items Procured	Quantity
Tape Recorder	Two (2)
Standing Fan	Ten (10)
Camera	Three (3)
Port Switch	Two (2)
Heavy Duty Scanner	Two (2)
Printer	One (1)
Guillotine	One (1)
Three-Drawer Filing Cabinet	One (1)
Storage Cabinet	Two (2)
Binding Machine	One (1)
Trolleys	Two (2)

Items Procured	Quantity
Air Purifier	Seven (7)
Executive High Back Chair	One (1)
Wireless N Access	One (1)
Task Chair	One (1)
UPS 18KVA	One (1)
UPS 10 KVA	Two (2)
External Tape Drive	One (1)
External Hard Drive	Ten (10)
Two-Tiered Clothes Locker	One (1)

Water Consumption

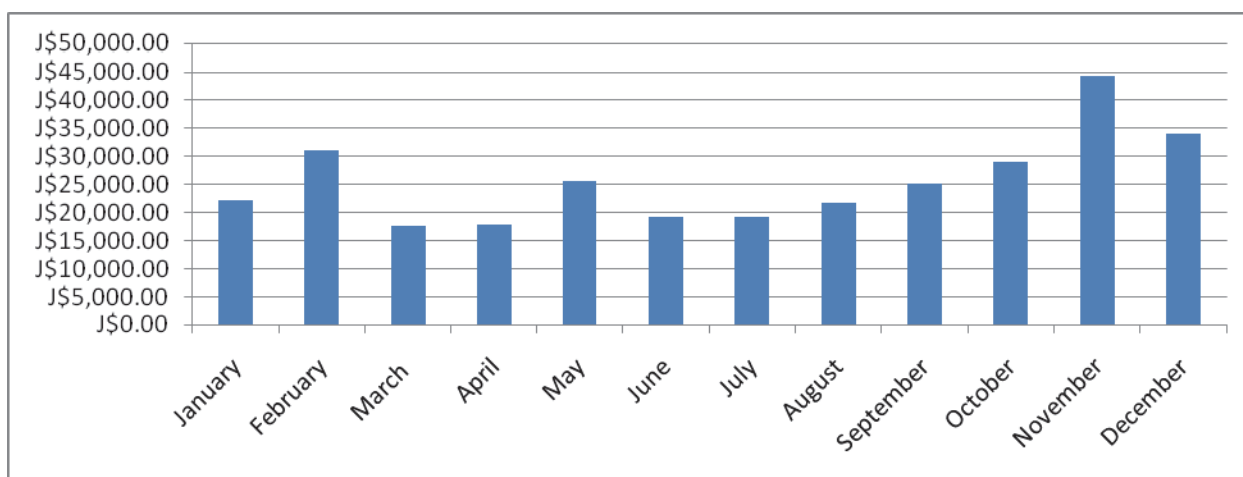
The Lease Agreement that was signed in 2008 between the Planning Institute of Jamaica (PIOJ) and the OCG provides for the inclusion of water consumption charges.

Electricity Consumption

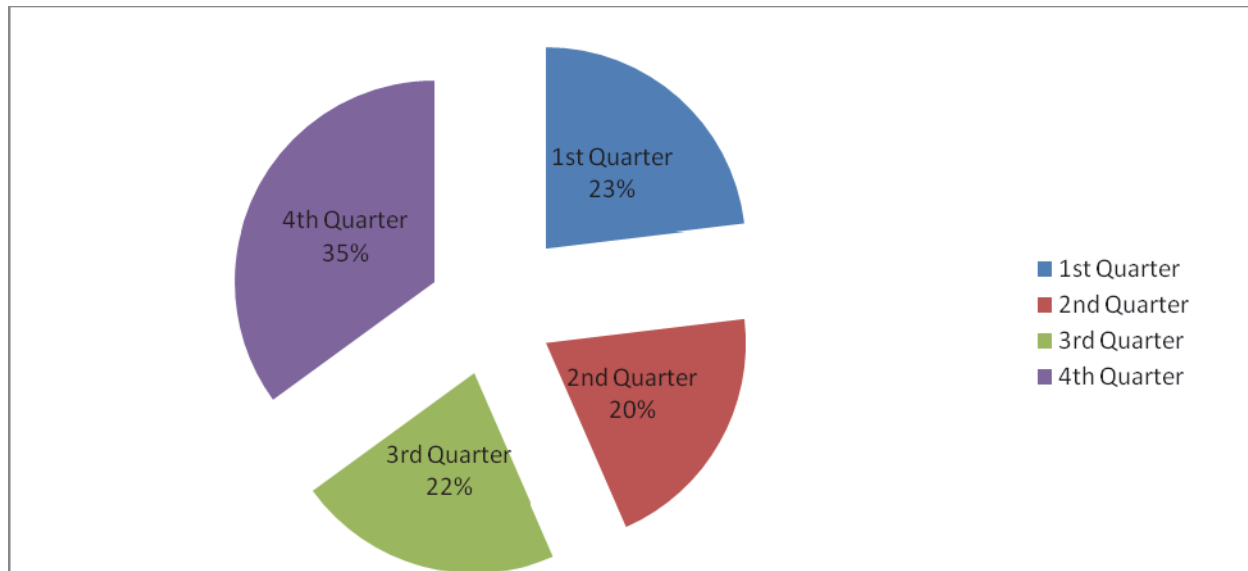
The OCG does not have an individually assigned meter, thus, the organisation is currently being billed by the PIOJ on a 'square footage basis'. The square footage that the OCG occupies is approximately 24% of the entire building space. The average amount that was paid by the OCG for electricity in 2010 was the sum of \$464,366.59 per month.

Telephone Usage

Figure 1 - Monthly Call Charges for 2010



The graph above represents telephone call charges that were incurred by the OCG for the period January to December 2010. The months of March, April, June & July incurred the lowest call charges for the year, while February, November and December incurred the highest call charges.

Figure 2 - Quarterly Telephone Call Charges

Emergency Response System

A simulation fire drill was conducted during the year, in collaboration with the PIOJ, to identify any weaknesses in the building's emergency response systems and procedures. Subsequently, certain corrective measures were implemented by the OCG, including a joint PIOJ/OCG participation in an earthquake sensitisation session that was hosted by the Office of Disaster Preparedness and Emergency Management (ODPEM).

Procurement Procedures

The OCG has relentlessly continued to monitor its internal procurement procedures, in order to ensure full compliance with the GOJ Public Sector Procurement Procedures. Regular meetings were convened throughout the 2010 calendar year, in order to facilitate monitoring activities and to strengthen the organisation's procurement procedures, and record keeping for internal procurements.

A directive was given to the OCG's Inspectorate, by the Contractor General, in 2010, to conduct a comprehensive Audit of the OCG's procurement practices to ensure that the OCG was fully compliant with all the applicable OCG/Government of Jamaica Procurement, Accounting and Financial Regulations and Rules. As at December 31, 2010, the Audit was still ongoing.

FINANCE & ACCOUNTING DEPARTMENT

In 2010, the Finance and Accounting Department continued to improve upon its budgetary, financial and accounting processes to ensure that its functions were executed in a more efficient, compliant and effective manner.

Job Classification – Finance and Accounts Department

A revision of the job descriptions for the Finance & Accounts Department was conducted, during the year 2009, for submission to the Office of the Cabinet. The revision was in keeping with the mandate that was outlined by the Ministry of Finance and the Public Service (MOF&PS) in Paper No. 56, which required the implementation of the accrual accounting FinMan system in the Public Sector.

The OCG was subsequently advised, through the Cabinet Office, in a correspondence which was dated September 30, 2010, that the Post Operations Committee of the MOF&PS granted approval to operate three (3) reclassified posts which are to become effective on April 1, 2011, as follows:

1. The post of Senior Accountant FMG/AT 2 – re-titled and re-classified as Accounts Payable Supervisor FMG/AT 3.
2. The post of Accounting Clerk FMG/AC 2 – re-titled and re-classified as Accounts Payable Officer FMG/AT 2.
3. The post of Accounting Clerk FMG/AC 2 – re-titled and re-classified as Payroll Officer FMG/AT 2.

Estimates of Expenditure 2010- 2011

The OCG's Estimate of Expenditure Proposals for the Financial Year 2010/2011 were drafted and forwarded to the MOF&PS on January 28, 2010, in keeping with the requirements to develop the budget within the ceiling of \$179,158,000.00.

However, the budget ceiling of \$179,158,000.00 could only accommodate the amount of \$20,921,000.00 for Retiring Benefits which were projected at \$29,359,763.79. A request was made to the MOF&PS for an increase in the budget ceiling or a contingency provision, during the financial year 2010/11.

Recurrent Warrant Allocation 2010/2011

The OCG's request for an increase in the budget ceiling was not supported by the MOF&PS and no contingency provision was granted in 2010. Recurrent Warrant Allocation as at December 31, 2010 was \$129,755,000.00, with a remaining balance of \$40,972,000.00 for the last quarter of the Financial Year.

Audit Inspection – Accounts 2009/2010

An Audit of the accounting records and financial transactions of the OCG was undertaken by the Auditor General's Department (AGD) to assess whether the OCG's financial, accounting and procurement operations were in compliance with the Regulations and Circulars which were issued by the MOF&PS. An assessment of the OCG's internal controls was also undertaken to determine whether such controls were in place and operating effectively.

As has been the case at the OCG for the past several years, the Findings of the AGD, which were received by the OCG on December 6, 2010, reported a generally satisfactory state of affairs for the period which is presently under examination.

Appropriation Account 2009/2010

An examination of the Appropriation Account for the year ended March 31, 2010, which was submitted by the OCG on May 11, 2010, was still being conducted by the (AGD), at the end of December 2010.

Recurrent Expenditure for the year totalled \$168,537,559.79 and an uncertified surplus of \$2,189,440.22 was surrendered to the Consolidated Fund during the Year 2010. (Please refer to the section on the Appropriation Account).

Annual Return Declarations

All Annual Return Declarations for the Year 2009 were submitted before March 31, 2010. These included the following:

- The National Insurance Return Declaration was submitted on February 5, 2010.
- The National Housing Trust Declaration was submitted on January 18, 2010.
- The Income and Education Taxes Return Declaration was submitted on January 18, 2010.

Auditor General's Comments over the last 11 Years

A review of the Auditor General's Reports over the last (eleven) 11 years has consistently revealed that the OCG's Financial Accounts, during the period April 1999 to March 2010, 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 again 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.

Office of the Contractor General

Summary of Appropriation Accounts
(1999 – 2010)

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'	<u>170,727,000.00</u>	<u>168,540,488.73</u>	<u>2,186,511.27</u>
Total	<u>1,046,194,000.00</u>	<u>1,015,697,710.34</u>	<u>30,496,289.66</u>

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INFORMATION SYSTEMS DIVISION

OVERVIEW

In the 2010 calendar year, the OCG's Information Systems Division (ISD) continued to provide technological support for the operations of the Office of the Contractor General (OCG) and the National Contracts Commission (NCC). This was accomplished through the provision of software development, systems administration and support services by the ISD.

NETWORK INFRASTRUCTURE

The Systems Administrators, who are charged with maintaining the current network infrastructure and providing technical support to OCG, have continued to make strides in improving the Office's IS infrastructure. Over the past year, infrastructure upgrade projects have been successfully completed and have allowed the ISD to support the Office in a more effective manner.

The more significant Projects included the following:

- The installation of an 18KVA and two (2) 10KVA Uninterruptable Power Supply (UPS) units - The 18KVA UPS unit supplies desktop computers, while the two (2) 10KVA Units redundantly supply power to server systems and network devices.
- The strengthening of the OCG's Data Protection Programme - Routine backups were extended to workstations on a phased basis. The first phase targeted laptop computers due to their increased level of vulnerability of data loss because of their mobility. Further, to protect the confidentiality of information stored on these laptops, software was installed to encrypt highly confidential data.

The OCG also procured an Offsite Data Storage service, from a third party organisation, to aid the OCG's disaster recovery mechanisms. This service provides storage for the OCG's data media in a climate controlled, fireproof, and waterproof vault, and serves to ensure the Office's operational continuity in case of a catastrophic disaster.

- The implementation of Server Systems and Website monitoring - Several server monitoring applications were implemented within the 2010 calendar year which included a Nagios Server to monitor the health, resources and services of all of the organisations servers. The referenced monitoring services were implemented in addition to website and database monitoring services, which were developed in-house.

SOFTWARE DEVELOPMENT

ISD's Software Development continues to improve the reach, effectiveness and efficiency of the OCG's frontline Divisions without significant increases in the capital budget. The Software Development team, by its continued development and maintenance of 'in-house' systems, continues to aid in the achievement of the OCG's strategic objectives.

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.

New developments

NCC Consolidated Database – In 2010, the ISD commenced work to develop a spreadsheet, which provides basic statistics on NCC Endorsements Particulars dating back to June 2000. The NCC Consolidated Database will be published on the OCG's and CG's websites in 2011.

QCA Management System

The Quarterly Contracts Award (QCA) system was developed and implemented internally to manage, *inter alia*, the receipt, collation and assessment of the QCA data which is submitted to the OCG, on a quarterly basis, by approximately 190 Public Bodies.

New Developments

QCA Phase II - Following a refinement in the assessment rules, the Assessment Module was re-launched in 2010. Public Bodies' compliance with the GOJ Public Sector Procurement Guidelines is now automatically assessed and the areas which require improvement are highlighted. The assessment is based upon information submitted, to the OCG, via the Public Bodies' QCA Report submissions. [With the introduction of this new module, compliance with GOJ Public Sector Procurement Guidelines has been seen to trend positively, which is, itself, another strategic objective of the OCG.]

Prescribed Licences Database

The OCG's Prescribed Licences Information Database (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 system is comprised of two (2) main components; the internal component, which facilitates data storage and the external component. The referenced two (2) components are housed on both the OCG's and CG's websites and allows members of the public and Public Bodies to view information that is related to all Government Licenses and Permits.

The external component also provides Public Bodies with access to update the PLID with information that is associated with their Public Body and its respective licensing and permitting operations.

SPECIAL INVESTIGATIONS UNIT

During the 2010 calendar year, the Office of the Contractor General (OCG) concluded ten (10) 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 ten (10) matters were promptly submitted to *“the principal officer of the Public Body concerned and the Minister having (portfolio) responsibility therefore.”*

Additionally, the Reports of Investigation for nine (9) of the ten (10) above-referenced Investigations were submitted to 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 nine (9) Reports of Investigations which were submitted to Parliament are as follows:

- Special Report of Investigation Conducted into the Award of Contracts to Taylor and Associates for the Supply of Ammunition.
- Special Report of Investigation Conducted into the Air-lift Guarantee Agreements which were entered into between American Airlines (AA) and Jamaica Vacations Limited (JAMVAC) and Supplemental Report of Investigation into the Retention of the Legal Services of the Law Firm DunnCox, by JAMVAC.
- Special Report of Investigation Conducted into the Procurement Practices of the Ministry of Health and Environment and/or its Regional Health Authorities.
- Special Report of Investigation Conducted into the Auction Process for Abandoned Motor Vehicles by the Jamaica Customs Department (JCD) on 2009 June 30 and 2009 July 1.
- Special Report of Investigation Conducted into the Alleged Conflict of Interest on the Part of Dr. Henry Lowe, Former Chairman of the Bureau of Standards Jamaica (BSJ), in the Procurement of Health Insurance Services for BSJ, whilst he was the Chairman of Blue Cross of Jamaica Ltd.
- Special Report of Investigation Conducted into the Award of Contracts for the Olympic Athletes Homecoming Week of Celebrations – 2008 October 3-10.
- Special Report of Investigation Conducted into the Alleged *“Sweetheart Deals”* Involving the Government of Jamaica and Dehring, Bunting and Golding (DB&G) Ltd.
- Special Report of Investigation Conducted into the Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer.
- Special Report of Investigation Conducted into the Award of a Multi-Million Dollar Consultancy Contract to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd.

It is instructive to note that in furtherance of the authorisation that was granted by the Cabinet, and acting in accordance with the discretionary powers that are reserved to a Contractor General by Section 28 (2) of the Contractor-General Act, that the Contractor General submitted to the Parliament of Jamaica the Special Report of Investigation into the Award of Contracts, by the Ministry of National Security and/or the Jamaica Constabulary Force, to Taylor and Associates, for the Supply of Ammunition.

The Report was previously submitted, on February 25, 2010, by the Contractor General, directly to the Cabinet Secretary, Ambassador Douglas Saunders, in keeping with the requirements of Section 15 (2) of the Contractor General Act.

Section 15 (2) of the Contractor-General Act prohibits a Contractor General from investigating any government contract which is entered into for the purposes of defense or for the supply of equipment to the Security Forces, without the approval of the Secretary of the Cabinet acting at the direction of the Cabinet. The Section also requires that *“any report or comment thereon, by the Contractor-General, shall be made only to the Cabinet”*.

However, in an unprecedented move, the Cabinet Secretary wrote to the Contractor General advising him that Cabinet had made the following decisions after reviewing the Report at its March 22, 2010 meeting:

1. *“Noted the Report;*
2. *Accepted the conclusions and recommendations contained in the Report;*
3. *Referred the Report to the Ministry of National Security, the Ministry of Finance and the Public Service and the Attorney General’s Chambers for necessary action, as applicable, and*
4. *Authorized the Contractor General to table the Report in Parliament”*

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 content of these nine (9) 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 OCG’s Special Reports of Investigations have identified numerous issues which are related to governance, 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 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 pattern with issues which are related to the following:

1. Conflicts of Interest;
2. Breaches of duty on the part of Accounting and Accountable Officers;
3. Breaches of Duty on the part of Boards of Directors;
4. 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;
5. 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.

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 is important to note that many of the OCG's Recommendations have been repeated *ad infinitum* and *ad nauseam*, but to no avail.

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. Public Bodies must be reminded that the Contractor General, pursuant to Section 4 of the Contractor-General Act, has jurisdiction over the award and implementation of **all** government contracts, irrespective of whether or not such contracts are exempted from the GOJ procurement guidelines.

The OCG therefore recommends that Public Bodies ensure that the award and implementation of government contracts are awarded impartially and on merit and that the circumstances in which each contract is awarded does not involve any level of impropriety or irregularity.

To effect same, the OCG respectfully recommends that the MOFPS, through the issuance of an appropriate Circular, advise all Public Bodies that an exemption from the procurement guidelines does not preclude the award of any government contract from the jurisdiction and oversight of the OCG.

2. 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 organisations 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, 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.

3. All Public Bodies, which become involved in Public Private Partnerships should prepare an internal project plan or policy in accordance with the applicable GOJ procurement and accounting procedures, to guide any future project which is to be undertaken. The policy must, at a minimum, make provision for:
 - a. Details of the scope of work for the project;
 - b. A project implementation plan which should include a detailed breakdown of the estimated project costs, its completion time and its progress benchmarks;
 - c. The roles, responsibilities and accountabilities of all parties which will be involved in the project; and
 - d. The approvals and authorisations which must be secured before the commencement of the project as well as those which must be obtained throughout the execution of the project before the award of contract. These approvals should include provision for the agency's Procurement Committee, its Accounting/Accountable Officers, the NCC and the Cabinet.

4. The OCG recommends that in instances where 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.
5. In instances where a Member of the Board or any other Public Official finds himself/herself in a probable Conflict of Interest scenario, it is recommended that the individual not only makes the necessary and principled disclosures with an intent to remove himself/herself from the conflict of interest situation but also withdraws himself/herself entirely from the process.
6. The Cabinet should move to immediately develop and implement a comprehensive and overriding policy that is 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.
7. In light of the gravity of the challenges which have been mounted against the OCG by DunnCox, as well as the nature of the false, injurious and damaging allegations which were made by DunnCox against the OCG regarding the OCG's motives for investigating the contract between DunnCox and JAMVAC, the OCG hereby posits what it considers to be a fundamental and necessary recommendation to insulate and protect the OCG against unfounded and factually incorrect assertions.

The OCG respectfully recommends that the Parliament and Government of Jamaica take the necessary and reasonable steps to ensure that Government contractors and Public Bodies are unambiguously and forthrightly advised that exemptions from the procurement guidelines do not equate to an exemption or exclusion from the jurisdiction of the scrutiny of the OCG.

Further, the OCG respectfully recommends that the Parliament of Jamaica should, in the public interest, review the Contractor-General Act and, in particular, Section 18 thereof, to ensure that Section 18 (5) of the Act cannot be utilized to restrict the provision, to a Contractor General, of any information regarding Government of Jamaica contract awards, on the basis that to do so would violate the Attorney/Client privilege, or any other secrecy or confidentiality prohibition which is otherwise recognised by law.

8. It is recommended that an immediate review of the evaluation and approval processes for commercial agreements, by the Ministry of Finance and the Public Service, be undertaken by the Public Administration and Appropriations Committee of the House of Representatives and by the Auditor General.

This review should be conducted to ensure that adequate procedures, systems, checks and balances are not only implemented by these Public Bodies, but are aggressively enforced to secure a radically improved level of compliance with the relevant Government approved procedures, regulations and laws. Particular attention must also be paid to the requirements of the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act, the Contractor-General Act and the Government's Procurement Procedures

9. The OCG is of the view that the concept of the unsolicited proposal, which has found its way into the country's procurement conventions, should be immediately excised from the Government's Procurement Guidelines. The OCG has formally made this considered Recommendation before, but, like so many of its other considered Recommendations, nothing has come of it.

The OCG is concerned that the **unsolicited proposal** mechanism is a corruption enabling device which can be utilised 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 contention that all such proposals must be tested for propriety, legitimacy, cost-effectiveness, quality, value for money and competitiveness in the open market place.

10. The OCG is obliged to strongly recommend that all Public Bodies and Public Officers should ensure that proper procedures are adhered to in the consummation and execution of any and all GOJ contracts. In this regard, the OCG is recommending that every GOJ contract should be finalised and evidenced in writing prior to the execution of same.

The aforementioned Recommendation should be applicable to all forms of GOJ contracts and should have even greater applicability and implications for financial transactions and commercial agreements in which GOJ assets and/or finances are being negotiated, divested and/or realised.

11. Finally, the OCG is obliged to repeat a Recommendation which it has previously made on occasions which are now too many to count. The Recommendation is that immediate steps should be taken by the Legislature to significantly strengthen the sanctions which are currently provided for in Section 29 of the Contractor-General Act, Section 40 of Public Sector Procurement Regulations and Section 15 of the Corruption Prevention Act. The OCG would respectfully propose the following:
 - a. Increase the penalty under Section 29 of the Contractor General Act for (i) making a false statement to mislead a Contractor General, (ii) misleading a Contractor General, (iii) attempting to mislead a Contractor General, (iv) obstructing, hindering or resisting a Contractor General in the execution of his functions and/or (v) failing to comply with a lawful requirement of a Contractor General, to a mandatory minimum fine of \$3 Million or to imprisonment for a mandatory minimum term of 3 years, or both. The current penalty is a fine not exceeding \$5,000 or imprisonment for a term not exceeding 12 months, or both.
 - b. 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. The current penalty is a fine not exceeding \$1,000 or imprisonment not exceeding three months, or both. Consideration must also be given to the imposition of civil and/or administrative sanctions, whether in addition to, or in lieu of, the recommended criminal sanctions, depending upon the nature and gravity of the breach.
 - c. 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. If the offence is committed by 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. In addition, the Public Official's retirement and employment benefits should be forfeited to the State. In both instances, the proceeds of the corrupt act should also be forfeited to the State. The current minimum penalty for corruption offences under the Corruption Prevention Act is a fine not exceeding \$1 Million or imprisonment for a term not exceeding 2 years, or both. The maximum penalty is a fine not exceeding \$10 Million or imprisonment for a term not exceeding 10 years, or both.

Until and unless powerful sanctions are promulgated for criminal breaches of the Contractor-General Act, the Government's Procurement Regulations and the Corruption Prevention Act, and until and unless those who transgress these laws are vigorously and relentlessly investigated and prosecuted by the relevant State Agencies without regard to their social, political or economic standing, Public Officers and their Private Sector co-conspirators will obviously continue to pay scant regard to the due observance of the said Laws to the certain detriment of the Public Purse, the People and Taxpayers of Jamaica.

SUMMARY OF SPECIAL INVESTIGATION REFERRALS

SUMMARY OF SPECIAL INVESTIGATION REFERRALS

The Office of the Contractor General																	
Status Report as at December 31, 2010																	
Summary of Referrals Made Pursuant to Section 21 &/or Recommendations for Prosecution Pursuant to Section 29 of the Contractor General Act regarding Formal Investigations Conducted by the OCG																	
NO		Year Investigation Completed	Name of Investigation	Name(s) of Person(s) Referred &/or Recommended	Date of Referral &/or Recommendation	Reason(s) / Nature of Referral &/or Recommendation	Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	Action Taken to Date/Remarks
1	2010	Ministry of Tourism – Investigation Conducted into the Air-lift Guarantee Agreements which were entered into between American Airlines (AA) & Jamaica Vacations Ltd. (JAMVAC) & Supplemental Report of Investigation on the Retention of the Legal services of the Law Firm DunnCox by JAMVAC.	Hon. Edmund Bartlett- Minister of Tourism	Feb-2010	Misled the Cabinet of the Government of Jamaica in his 2008 September 9 Cabinet Submission by falsely representing, in writing that “JAMVAC has favourably considered a verbal, unsolicited proposal for American Airlines” when, in point of fact the entire matter was initiated with AA by none other than the Minister himself and Mr. John Lynch at a meeting which was convened in Miami on or about 2008 March 22’.				✓	✓							By way of a letter , which was dated December 9, 2010 to the Ministry of Finance, and copied to the Contractor General, the Prime Minister instructed that the Ministry of Finance & the Public Service undertake a review of the evaluation and approval process for commercial agreements being entered into by government agencies and examine the guidelines and procedures which government agencies were required to submit concerning procurement in those specified circumstances where Cabinet had approved exemption from the standard procurement procedures. It was also indicated that Consultation was to be held with the Contractor General on both matters. The Prime Minister also requested to be advised on whether these instructions were carried out and to be provided with a brief report on the actions that have been taken so far.

The Office of the Contractor General																		
Status Report as at December 31, 2010																		
Summary of Referrals Made Pursuant to Section 21 &/or Recommendations for Prosecution Pursuant to Section 29 of the Contractor General Act regarding Formal Investigations Conducted by the OCG																		
NO	Year Investigation Completed	Name of Investigation	Name(s) of Person(s) Referred &/or Recommended	Date of Referral &/or Recommendation	Reason(s) / Nature of Referral &/or Recommendation	State Authority to whom Referral/Recommendation was Made								Action Taken to Date/Remarks				
						Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission		Commissioner of Police	Other State Authorities		
			Mr. John Lynch- Chairman of the Board of Directors of JAMVAC	Feb-2010	Signed contracts with American Airlines prior to same being submitted to and/or approved by the Cabinet of the Government of Jamaica, despite the fact that Cabinet Approval was held out by him as a condition precedent for the award of the referenced contracts. To date, no proof of any Cabinet Approval, regarding the deal has been shown to the OCG.				✓			✓					None on record &/or conveyed to the OCG, by the Attorney General, as at December 31, 2010.	
			Mr. Lionel Reid – Executive Director of JAMVAC	Feb-2010	Engaged the services of the law firm of DunnCox prior to and without obtaining the requisite approvals of the Board of Directors of JAMVAC and/or the Permanent Secretary of the MOT.												None on record &/or conveyed to the OCG, by the Attorney General, as at December 31, 2010.	
2	2010	Ministry of National Security - Investigation Conducted in the Award of Contracts to Taylor and Associates for the Supply of Ammunition (Directed to the Office of the Cabinet)	Nil	N/A	Nil													

SUMMARY OF SPECIAL INVESTIGATION REFERRALS

The Office of the Contractor General																
Status Report as at December 31, 2010																
Summary of Referrals Made Pursuant to Section 21 &/or Recommendations for Prosecution Pursuant to Section 29 of the Contractor General Act regarding Formal Investigations Conducted by the OCG																
NO	Year Investigation Completed	Name of Investigation	Name(s) of Person(s) Referred &/or Recommended	Date of Referral &/or Recommendation	Reason(s) / Nature of Referral &/or Recommendation	Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	Action Taken to Date/Remarks
3	2010	Ministry of Health and Environment- Investigation Conducted into the Procurement Practices of the Ministry of Health & Environment and/or its Regional Health Authorities.	Nil	N/A	Nil											

The Office of the Contractor General																	
Status Report as at December 31, 2010																	
Summary of Referrals Made Pursuant to Section 21 &/or Recommendations for Prosecution Pursuant to Section 29 of the Contractor General Act regarding Formal Investigations Conducted by the OCG																	
State Authority to whom Referral/Recommendation was Made																	
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4	2010	Ministry of Finance and the Public Service - Enquiry Conducted into the Auction Process for Abandoned Motor Vehicles by the Jamaica Customs Department (JCD) on 2009 June 30 and 2009 July 1	Mr. Danville Walker, Director of the Jamaica Customs Department	Mar-2010	Referred to the Attorney General for her to determine and to advise what steps may be taken to hold to account the Commissioner of Customs, Mr. Danville Walker, with regard to the instructions which were given by him and the role which was played by him which resulted in the irregularities which have been identified by the OCG in this matter. Referred to the Public Defender for him to determine what actions or legal recourse, if any, can be had against the JCD or the Government for the alleged bidders who had <u>properly</u> won bids at the JCD's 2009 June 30 and July 1 Auction, but who were deprived of their right to consummate the purchases of the said vehicles. Referred to the Auditor General for her to conduct a comprehensive audit to ensure regularity and propriety in the registration, disposition and use of the referenced twenty-five (25) vehicles.						✓	✓				By way of a letter, dated July 8, 2010, the Ministry of Finance & the Public Service, provided the OCG with a letter from the Attorney General's Chambers, (AG) dated June 8, 2010. In the referenced letter, the AG expressed, inter alia, that "I is my opinion that the sale of the abandoned vehicles by public auction by the Jamaica Customs Department is not a matter that is subject to the supervisory jurisdiction of the Contractor-General as outlined in the Contractor-General Act." Consequently, the OCG, in a letter dated July 15, 2010, wrote, inter alia, to the AG, the Solicitor General, the Financial Secretary & the Commissioner of Customs, indicating, inter alia, as follows: "...the referenced Opinion is flawed and represents an inaccurate and misguided interpretation of the Contractor General Act and is, in consequence, incapable of being upheld in a Court of Law. The Opinion is based on arguments which have been considered by eminent counsel, Dr. the Hon. Lloyd Barnett, O.J. in a formal Independent Legal Opinion which is dated January 25, 2009. ... The views of the OCG that a "Government contract", as defined by Section 2 of the Contractor General Act, is not limited in meaning and in the terms that the referenced Opinion of the Learned Attorney General of July 8, 2010 would suggest, is fully supported by the Opinion of Dr. Barnett.... By way of letter which was dated June 4, 2010, a copy of Dr. Barnett's Opinion was formally conveyed by me to the Learned Attorney and Solicitor Generals.... It is a matter of public record that the positions which were outlined by me in the referenced letter as regards the lawful jurisdiction of the OCG over Government asset divestment matters, as well as the positions which were argued by Dr. Lloyd Barnett in his Opinion regarding the manner in which the term "Government contract" should be properly construed, have since been implicitly and otherwise conceded by the Cabinet and the Government of Jamaica. The OCG has no intention of retreating from its considered position that its Enquiry into the captioned Auction Process...was one in respect of which its jurisdiction was lawfully founded."	

SUMMARY OF SPECIAL INVESTIGATION REFERRALS

The Office of the Contractor General																
Status Report as at December 31, 2010																
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5	2010	Former Ministry of Industry, Technology, Energy and Commerce – Investigation Conducted into the Alleged Conflict of Interest on the Part of Dr. Henry Lowe, Former Chairman of the Bureau of Standards and Quality (BSQ), in the Procurement of Health Insurance Services for BSQ, whilst he was the Chairman of Blue Cross of Jamaica Ltd.	Dr. Henry Lowe, the then Chairman of the BSQ Board of Directors and Chairman of the then Blue Cross of Jamaica.	May -2010	Contravention of Section 6, 17 and 25 of the Public Bodies Management & Accountability Act						√					None on record &/or conveyed to the OCG as at December 31, 2010.
6	2010	The Former Ministry of Information, Culture, Youth & Sports (MICYS) Ministry of Youth Sports & Culture - Investigation Conducted into the Award of Contracts for the Olympic Athletes Homecoming Celebrations – 2008 October 3-10	Mrs. Faith Inerarity, the then Permanent Secretary, in the former MICYS	Jun-2010	Breach of Duty and the provisions of the GOJ Public Sector Procurement Guidelines and Circulars #35 and 36, dated 2008 September 22, in approving invoices for the Olympics Athletes Homecoming Week of Celebrations after the referenced contracts were awarded and executed, without the prior approval from the Head of the Agency, the NCC and/or the Cabinet.							√			√ (Financial Secretary in the Ministry of Finance and the Public Service (MOFPS))	None on record &/or conveyed to the OCG as at December 31, 2010.

The Office of the Contractor General																
Status Report as at December 31, 2010																
Summary of Referrals Made Pursuant to Section 21 &/or Recommendations for Prosecution Pursuant to Section 29 of the Contractor General Act regarding Formal Investigations Conducted by the OCG																
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						Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission		Commissioner of Police	Other State Authorities
			Mr. Shawn Thompson – Director of Corporate Services, in the former MICYS	Jun-2010	Breach of the provisions of the GOJ Public Sector Procurement Guidelines and the provisions of the Financial Administration and Audit Act											None on record &/or conveyed to the OCG as at December 31, 2010.
7	2010	Ministry of Energy and Mining (MEM) Formerly Ministry of Industry, Technology, Energy and Commerce (MITEC)- Investigation Conducted into the Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) & Trafalguira Beheer	Mr. Colin Campbell	Aug-2010	Breaches of Section 29 (b) of the Contractor General Act					Y						The Director of Public Prosecutions (DPP), on October 8, 2010, ruled that no criminal charges would be laid against Mr. Colin Campbell. In her Ruling, the DPP provided reasons as to why she felt that she could not commence criminal prosecution proceedings against Mr. Colin Campbell, despite conceding that she had established the presence of the fundamental elements of the <i>mens rea</i> and the <i>actus reus</i> of the crime in question. Four (4) of the six (6) reasons which the DPP gave in her public Ruling, related to the lapse of time between the commission of the alleged offence/offences and the date upon which same was referred by the OCG to the ODPP. Further, the DPP had also relied upon what was a patent misstatement of the applicable law as one of her reasons for not proceeding to prosecution. She ruled that the offence in question, which is prescribed by Section 29 of the CGA, "... is a summary offence and one for which <u>the maximum penalty is \$5,000.00</u> ". However, contrary to the Ruling of the DPP, Section 29 of the CGA provides for a penalty of "... a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment."

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The Office of the Contractor General																
Status Report as at December 31, 2010																
Summary of Referrals Made Pursuant to Section 21 &/or Recommendations for Prosecution Pursuant to Section 29 of the Contractor General Act regarding Formal Investigations Conducted by the OCG																
NO	Year Investigation Completed	Name of Investigation	Name(s) of Person(s) Referred &/or Recommended	Date of Referral &/or Recommendation	Reason(s) / Nature of Referral &/or Recommendation	Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission	Commissioner of Police	Other State Authorities	Action Taken to Date/Remarks
8	2010	Ministry of Finance and the Public Service (Formerly Ministry of Finance and Planning) – Investigation Conducted into the Alleged "Sweetheart Deals" Involving the Government of Jamaica and Dehning, Bunting and Golding (DB&G) Ltd.	NIF Representatives	Aug-2010	For a determination to be made as to whether or not the actions of the Representatives of the NIF, with regard to the participation in the purchase of the AIC receivables, amounted to a breach of the National Insurance Act.						√					None on record &/or conveyed to the OCG as at December 31, 2010.
											√ (Solicitor General)					

SUMMARY OF SPECIAL INVESTIGATION REFERRALS

The Office of the Contractor General																
Status Report as at December 31, 2010																
Summary of Referrals Made Pursuant to Section 21 &/or Recommendations for Prosecution Pursuant to Section 29 of the Contractor General Act regarding Formal Investigations Conducted by the OCG																
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9	2010	Ministry of Agriculture & Fisheries- Investigation- Conducted in to the Award of a Multi-Million Dollar Consultancy Contract to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd.	Dr. Christopher Tufon- Minister of Agriculture and Fisheries	Sep-2010	Contravention of Section 29 of the Contractor General Act and Section 8 of the Perjury Act. Report was also conveyed to the Learned Attorney General for a formal determination to be made as to what sanctions, if any, may be imposed upon the Minister of Agriculture and Fisheries, Dr. Christopher Tufon for his conduct in the matter of the sanctioning of the appointment of Mr. Aubyn Hill, in July 2009, as the Chairman of the Board of Directors of SCJ Holdings Ltd. and as a Member of the Board of Directors of the SCJ. These actions placed Mr. Hill in a clear conflict of interest situation, viz.-a-viz. his fiduciary duties as a Director of the referenced companies and his functions as a Director of SCJ/MAF Consultancy, and thus in a situation which threatened the interests of SCJ Holdings Ltd and the SCJ.					✓	✓					The DPP, on September 28, 2010, ruled that no criminal charges would be laid against Dr. Christopher Tufon. None on record &/or conveyed to the OCG, by the Attorney General, as at December 31, 2010. NB. The OCG issued a formal statement, dated October 5, 2010, regarding this matter. A copy of the referenced statement, which was formally issued to all members of both Houses of Parliament as well as to members of the local Media fraternity, is reproduced herein in Appendix 1.

The Office of the Contractor General																
Status Report as at December 31, 2010																
Summary of Referrals Made Pursuant to Section 21 &/or Recommendations for Prosecution Pursuant to Section 29 of the Contractor General Act regarding Formal Investigations Conducted by the OCG																
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						Houses of Parliament	Responsible Minister	Accounting/ Accountable Officer	Prime Minister	DPP	Attorney General	Auditor General	Corruption Prevention Commission		Commissioner of Police	Other State Authorities
			Mr. Donovan Stanberry- Permanent Secretary	Sep-2010	Contravention of Section 29 of the Contractor General Act and Section 8 of the Perjury Act. Breach of the Government Procurement Rules, the Government Procurement Regulations and Section 4 (1) of the Contractor General Act					✓	✓					The DPP, on September 28, 2010, ruled that no criminal charges would be laid against Mr. Donovan Stanberry. None on record &/or conveyed to the OCG, by the Attorney General, as at December 31, 2010.
			Mr. Aubyn Hill – the then Chairman of the Board of Directors of SCJ Holdings Ltd.	Sep-2010	Contravention of Section 29 of the Contractor General Act and Section 8 of the Perjury Act. Contravention, <i>inter alia</i> , of Sections 17(1) (a) and (b), 17 (2) and 6 of the Public Bodies Management and Accountability Act.					✓	✓					The DPP, on September 28, 2010, ruled that no criminal charges would be laid against Mr. Aubyn Hill. None on record &/or conveyed to the OCG, by the Attorney General, as at December 31, 2010.

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APPROPRIATION ACCOUNT

Page Number : 1
03/05/2011
10:00



0400 - Office of the Contractor General
16 Oxford Road

FS6 - Statement of Expenditure by Objects (Object Summary) - Selected Items ONLY

Financial years : 02 (2009/2010) Financial Pattern : 10 - Recurrent Voted
Period Number: 1 (Close) To : 12 (Open) (Apr 01 2009 - Mar 31 2010)

Function	Sub-Programme	Activity/Proj	Sub-Function	Sub-Project	Programme	Sub-Project	Warrant Allocate	Approved Vote	Month Expense	YTD Expense	Advance	Un-Discharged	YTD Exp & Adv	UnComit Harr.	Bal on Vote
							To Date	1	3	4	5	6	7=(4+5+6)	8=(2-7)	9=(1-7)
Object	21	Compensation of Emp	88,874,000.00	88,874,000.00	5,326,742.05	88,722,964.77	00.00	00.00	00.00	00.00	00.00	00.00	88,722,964.77	151,035.23	151,035.23
Object	22	Travel Expenses and	27,033,000.00	27,033,000.00	1,515,403.00	19,974,860.11	00.00	00.00	00.00	00.00	00.00	00.00	19,974,860.11	7,058,139.89	7,058,139.89
Object	23	Rental of Property,	15,446,000.00	15,446,000.00	1,291,260.25	14,007,533.05	00.00	00.00	00.00	00.00	00.00	00.00	14,007,533.05	1,438,466.95	1,438,466.95
Object	24	Public Utility Serv	8,982,000.00	8,982,000.00	1,730,211.96	8,842,924.10	00.00	00.00	00.00	00.00	00.00	00.00	8,842,924.10	139,075.90	139,075.90
Object	25	Purchase of Other G	12,000,000.00	11,999,999.99	3,327,787.25	16,680,289.16	00.00	00.00	00.00	00.00	00.00	00.00	16,680,289.16	-4,680,289.17	-4,680,289.16
Object	28	Retirement Benefits	17,392,000.00	17,392,000.00	1,035,544.81	14,643,593.98	00.00	00.00	00.00	00.00	00.00	00.00	14,643,593.98	2,748,406.02	2,748,406.02
Object	31	Purchase of Equipme	1,000,000.00	1,000,000.00	5,826,632.38	5,668,323.56	00.00	00.00	00.00	00.00	00.00	00.00	5,668,323.56	-4,668,323.56	-4,668,323.56
Total for Fin. Pattern: 10 - Recurrent Voted			170,727,000.00	170,726,999.99	20,053,587.70	168,540,488.73	00.00	00.00	00.00	00.00	00.00	00.00	168,540,488.73	2,186,511.26	2,186,511.27

Accounting Officer

Date:

Dir of Finance/
Financial Controller

Date: 2011/5/4

OFFICE OF THE CONTRACTOR-GENERAL**APPROPRIATION ACCOUNT****Year ended 31st March 2010**

Explanation of the causes of variation between approved estimates and expenditure of object heads:

21 - COMPENSATION OF EMPLOYEES

The under expenditure of \$151,035.23 was the result of an over estimation of the Approved Estimates.

22 - TRAVEL EXPENSE AND SUBSISTENCE ALLOWANCE

The under expenditure of \$7,058,139.89 was a result of an over estimation of anticipated travelling over the period.

23 - RENTAL OF PROPERTY, MACHINERY AND EQUIPMENT

The under-expenditure of \$1,438,466.95 was the result of a non-payment of rental, in advance, to the PIOJ, for the month of April 2010 in keeping with the instructions of the Ministry of Finance.

24 - PUBLIC UTILITY SERVICE

The under expenditure of \$139,075.90 was the result of cost saving measures that were implemented over the period.

25 - PURCHASE OF OTHER GOODS AND SERVICES

The over-expenditure of \$4,692,289.16 was a result of an under provision in the Approved Estimates and an increase on the cost of goods and services over the period.

28 - RETIRING BENEFITS

The under-expenditure of \$2,748,406.02 was the result of savings realised from the premature termination, by the OCG, of Contracts of Engagement of three employees.

31 - PURCHASE OF EQUIPMENT

The over-expenditure of \$4,668,323.56 was the result of the procurement of well needed capital items, including an item which was carried forward from the previous year that was supported by the Ministry of Finance.

.....
Greg Christie
CONTRACTOR-GENERAL

May 4, 2011

.....
Date

EXCERPTS FROM THE AUDITOR GENERAL'S REPORT TO THE ACCOUNTING OFFICER OF THE OFFICE OF THE CONTRACTOR GENERAL – DATED JUNE 22, 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 Accounts by Objects, Activity / Projects and explanatory statement of the causes for variation between approved estimates and expenditure as at March 31, 2010.

Opinion

In my opinion, the Attached Appropriation Account is a fair representation of the financial transactions for the year ended March 31, 2010 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

APPENDIX I - SUMMARIES OF SPECIAL INVESTIGATION REPORTS

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Conducted into the Award of Contracts to Taylor and Associates for the Supply of Ammunition

Ministry of National Security

(Directed to the Office of the Cabinet)

Initiated: 2008 October

Concluded: 2010 February

On 2008 October 21, the Office of the Contractor General (OCG), acting on behalf of the Contractor General, and pursuant to Sections 15 (1) and (2) and 16 of the Contractor General Act, initiated an Investigation into the circumstances surrounding the award of a contract to Taylor & Associates by the Ministry of National Security (MNS) and/or the Jamaica Constabulary Force (JCF), for the supply of ammunition.

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 15 (2) of the Act provides that “A Contractor General shall not, without the prior approval of the Secretary to the Cabinet acting at the direction of the Cabinet, investigate-

- (a) any government contract or any matters concerning any such contract entered into for purposes of defence or for the supply of equipment to the Security Forces; or
- (b) the grant or issue of any prescribed licence for the purposes of defence or for the supply of equipment to the Security Forces,

and any report or comment thereon by the Contractor General shall be made only to the Cabinet.”

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 record that the OCG’s decision to commence the formal Investigation followed upon certain specified events.

On 2008 September 7, an article which was entitled “Arms broker violated US law” was published in the *Jamaica Gleaner* newspaper. The article alleged that Mr. Lance Brooks, the operator of Taylor & Associates, an arms-brokering business in Lauder-Hill, Florida, was charged with being an unlicensed broker of defence articles, in violation of the United States (U.S.) Arms Export Act.

The article further indicated that “...from as early as October 2007 to March 5, 2008, Brooks was brokering the sale of defence articles to the JCF. This indicated that the JCF had been dealing with Brooks prior to his initial indictment and continued to do so after he was arrested, charged, pleaded guilty to the charges and was out on bond awaiting sentencing.”⁵

The foregoing allegations raised critical questions about (a) the integrity and adequacy of the Government's Procurement Policy and Procedures, particularly as they relate to the procurement of items of a sensitive nature for national defence and/or security purposes and (b) the implications for national security and issues of accountability.

Further, the allegations, in relation to the award of the contract to Taylor & Associates inferred, *inter alia*, (a) impropriety; (b) a lack of transparency; (c) a breach of applicable Government Procurement Procedures; (d) mismanagement; and (e) a breach of applicable Public Service administrative and accounting procedures.

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 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*”.

Consequently, pursuant to Section 15 (2) of the Contractor-General Act, the OCG by way of a letter, which was dated 2008 September 12, wrote to the Cabinet Secretary, Ambassador Douglas Saunders, seeking formal approval to conduct an independent and thorough investigation into the matter.

By way of a letter, which was dated 2008 September 30, the Cabinet Secretary, Ambassador Douglas Saunders, informed the OCG that; “*This is to confirm that, on the direction of the Cabinet, I hereby convey the required prior approval for the investigation to be undertaken.*”⁶

At the commencement of its Investigation on 2008 October 21, the OCG undertook a preliminary review of (a) the allegations which were contained in the *Jamaica Gleaner* article, which was dated 2008 September 7; and (b) the documents which were submitted to the National Contracts Commission (NCC), by the MNS and/or the JCF, with regard to the contract award recommendation in favour of Taylor & Associates. 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 circumstances which surrounded the award of a contract to Taylor & Associates, by the MNS and/or the JCF, for the supply of ammunition, 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 the Contractor General Act, 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 OCG's Investigation sought to determine, *inter alia*, the following:

⁵ Jamaica Gleaner. “*Arms broker violated the US law*”. 2008 September 7

⁶ Cabinet Secretary. Letter to the OCG 2008 September 30

1. Whether there was compliance with the provisions of the Contractor General Act (1983) by the MNS and/or the JCF.
2. The merits of the allegations, which have been made, that Mr. Lance Brooks, the operator of Taylor & Associates, an arms-brokering business in Lauder-Hill, Florida, was charged with being an unlicensed broker of defence articles, in violation of the U.S. Arms Export Act.
3. The procurement process which was employed by the MNS and/or the JCF and/or by anyone acting on their behalf, in the award, implementation, execution and/or variation of the contract which was awarded to Taylor & Associates, for the supply of ammunition.
4. Whether there were any breaches of the Government's Procurement Procedures or applicable laws on the part of the MNS and/or the JCF and/or by anyone acting on their behalf, in the facilitation, procurement, award, implementation, execution and/or variation of the referenced contract.
5. Whether the process which led to the award of the contract to Taylor & Associates was fair, impartial, transparent and devoid of irregularity or impropriety.
6. Whether there was any *prima facie* evidence that would suggest impropriety on the part of any individual or entity which contributed to the award (or non-award) of the contract to Taylor & Associates.

It is instructive to note that Section 18 (3) of the Contractor-General Act stipulates that "For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents". (OCG Emphasis)

Further, Section 17 (1) of the Contractor-General Act empowers a Contractor General "to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit". (OCG Emphasis)

The primary method of data collection and evidence gathering which was utilised throughout the Investigation was the issue, by the OCG, of written Requisitions/Questionnaires pursuant to the provisions of the Contractor-General Act, the Voluntary Declarations Act and the Perjury Act.

Very importantly, the form of written Requisition, which was utilised by the OCG, also required each Respondent to provide, under the pain of criminal prosecution, complete, accurate and truthful written answers to a specified list of written questions and to make a formal declaration attesting to the veracity of same before a Justice of the Peace.

The Requisitions were issued pursuant to the powers that are reserved to the Contractor General under the Contractor-General Act and, in particular, under Sections 4, 15, 17, 18 and 29 thereof. The Requisitions were also issued pursuant to Sections 2 and 7 of the Voluntary Declarations Act and Section 8 of the Perjury Act.

A preliminary set of Requisitions/Questionnaires, which was dated 2008 October 24, was sent by the Contractor General to the then Permanent Secretary, Mr. Gilbert Scott, MNS. Further Requisitions/Questionnaires were subsequently directed to other Public Officials, and other persons and/or entities that 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 discrepancies in the information which was supplied by the Respondents.

The Findings of the OCG's Investigation into the circumstances which surrounded the award of a contract to Taylor & Associates by the MNS and/or the JCF, for the supply of ammunition, 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.

It is also instructive to note that letters were directed on 2008 October 21, by the Contractor General, to the then Minister of National Security, Senator the Hon. Colonel Trevor MacMillan, the then Permanent Secretary in the Ministry of National Security, Mr. Gilbert Scott, and the then Commissioner of Police, Rear Admiral Hardley Lewin, to formally advise them of the commencement of the OCG's Investigation into the circumstances which surrounded the award of a contract to Taylor & Associates, by the MNS and/or the JCF, for the supply of ammunition.

Findings

Contract awarded to Taylor & Associates and/or Lance Brooks

The OCG found that by way of a letter, which was dated 2008 January 2, the MNS sought the approval of the NCC for the “...**SOLE-SOURCING AND AWARD OF CONTRACT FOR AMMUNITION**...” for and on behalf of the JCF.

In the referenced letter to the NCC, the MNS stated that; “*We are hereby seeking approval for utilizing the sole-source method of procurement and for the award of contract to **Taylor and Associates** for the amount of Eighty-Seven Thousand, One Hundred Dollars in United States Currency (US\$87,100.00) to supply the following:*”⁷

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL COST
2000	Browning (Original) Magazine DA	US\$ 17.20	US\$ 34,400.00
150,000	.38 Jacketed Soft Point	0.25	37,500.00
20,000	.380 Jacketed Soft Point	0.22	4,400.00
200	Crime Scene Tape (100ft roll)	8.00	1,600.00
100,000	.223 55gr Jacketed Soft Point	0.35	35,000.00

By way of a letter, which was dated 2008 January 29, the NCC approved the request for the use of the sole-source method of procurement and the award of a contract to Taylor & Associates, by the MNS, for the supply of ammunition.

Consequently, by way of a letter, which was dated 2008 February 28, the JCF, wrote to the Bank of Nova Scotia, Jamaica, and instructed that the JCF “...*would be grateful if you would effect by telegraphic transfer the payment of United States Eighty-One Thousand, One Hundred Dollars (US\$81,100.00) to :- Taylor & Associates...*”⁸

However, the then Permanent Secretary, Mr. Gilbert Scott, informed the OCG that; “*The **contract for the supply of ammunition by Taylor and Associates to the Jamaica Constabulary Force became frustrated on March 30, 2008** when the FBI, by virtue of a search warrant, intercepted the package containing the End User Certificate – a document that had to be obtained by Taylor and Associates before a license could be granted by the US State Department.*”⁹ (OCG EMPHASIS)

It is instructive to note that the MNS and/or the JCF prepared a report, which detailed the intricacies of the circumstances surrounding the award of the contract to Taylor & Associates by the MNS and/or the JCF.

The referenced report, which was dated 2008 May 12, was prepared by Assistant Commissioner of Police (ACP) Paul Robinson, Firearms and Use of Force Task Group, JCF.

⁷ MNS. Letter to the NCC. 2008 January 2

⁸ JCF. Letter to the Bank of Nova Scotia. 2008 February 28

⁹ Gilbert Scott. Response to the OCG's Requisition. 2008 November 18

Below are verbatim extracts from the referenced report, which was dated 2008 May 12:

1. *"In November 2006 I was contacted by a person who identified himself as Mr Lance Brooks who stated that he had been furnished with my details by the Commissioners [sic] Office. He stated that he was a supplier of Defence Equipment and would be happy to quote on items of police equipment.*
2. *Initially he was offering to supply flotation devices for the Police Marine Unit. He later offered to quote on Hyatt handcuffs and boat shoes for marine. He also stated that he could provide ammunition.*
3. *In October 2007 I was asked to obtain quotations for ammunition required by the Jamaica Constabulary Force to cover a shortfall in the current stock. I contacted Mr Brooks as one of the potential suppliers. And he agreed to supply me a quotation, which he did on 7th October 2007.*
4. *On 29th January 2008 approval was obtained from the National Contracts Commission for sole source sourcing of the ammunition sought.*
5. *On 22nd February 2008 I received a revised faxed quotation from him offering to supply the required goods for US\$81,000. This was passed to the procurement department for action.*
6. *On 26th February 2008 an End User Certificate, issued by the Ministry of National Security was sent to Taylor and Associates at the Lauderhill address.*
7. *On 28th February 2008 a purchase order was sent confirming an order by the JCF.*
8. *On 3rd March 2008 authorisation was sent to Scotiabank for them to transfer the funds to Taylor and Associates.*
9. *It is now known that the end user certificate was intercepted by agents from the US State Department who had been monitoring Mr. Brooks, having indicted him the previous November on criminal charges.*
10. *Approximately the US State Department informed representatives of the Jamaica Ministry of National Security informing them of suspected breaches under US law but asked for them not to alert Mr. Brooks whilst their investigations continued.*
11. *On 10th May 2008 I was informed by the US State Department that Mr. Brooks had been arrested and charged with arms export violations."*¹⁰

It is instructive to note that by way of a letter, which was dated 2009 June 23, the Consulate General of Jamaica informed the MNS, *inter alia*, as follows:

1. *"The Consulate General has been monitoring in the Florida Courts the progress of the above case (United States of America vs. Lance Brooks) in which the Government of Jamaica (GOJ) had a direct interest, and hereby provides an update as at approximately 10:30 a.m. on Friday, 22 May 2009.*
2. *In this regard, final sentencing of three (3) years imprisonment as well as three (3) years supervised sentence was pronounced for Mr. Lance Brooks by the presiding Judge His Honor, Mr. Jose Gonzalez at the Broward County Federal Courthouse.*
3. *It should be noted that the FBI Agent of record, Mr. Adam Mastrianni, has indicated that funds of **some Twenty thousand United States Dollars (US\$20,000.00) taken from Mr. Brooks' bank account will in due course be handed over to the Government of Jamaica. The FBI Agent has recommended that the GOJ should file a suit for the remaining amount due.**"*¹¹ (OCG Emphasis)

¹⁰ ACP Paul Robinson. Report on the Procurement of Ammunition from Taylor & Associates. 2008 May 12

¹¹ Consulate General of Jamaica. Letter to the MNS. 2009 June 23

Further, by way of a letter, which was dated 2009 September 4, the U.S. Department of Justice wrote to the MNS and informed, *inter alia*, as follows:

1. *"The petition for remission or mitigation of the forfeiture of the above-described property, filed by you on behalf of the Government of Jamaica, dated September 3, 2008, has been reviewed and is hereby granted.*
2. *An investigation conducted by the Federal Bureau of Investigation (FBI) has determined that the Government of Jamaica is a victim of the violation of law which resulted in the seizure and forfeiture of the above-described property.*
3. *Specifically, there is cause to believe that the Government of Jamaica is a victim of fraud perpetrated by Lance Brooks, doing business as Taylor and Associates.*
4. *Pursuant to Title 28, Code of Federal Regulations (C.F.R.), Section 9.8, the Government of Jamaica will be reimbursed in the amount of \$20,122.00, and will receive a check in this amount by separate correspondence."*¹²

United States Laws with regard to the Control of Arms Export and Import

In light of the foregoing information, the OCG thought it prudent to highlight the relevant U.S. laws with respect to the export of arms and ammunition.

In this regard, it is instructive to note that the US Code: Title 22, Section 2778 – 'Control of Arms Exports and Imports' - provides, *inter alia*, as follows:

- (b) **"Registration and licensing requirements for manufacturers, exporters, or importers of designated defense articles and defense services ...**
- (I) *As prescribed in regulations issued under this section, every person (other than an officer or employee of the United States Government acting in official capacity) who engages in the business of brokering activities with respect to the manufacture, export, import, or transfer of any defense article or defense service designated by the President under subsection (a)(1) of this section, or in the business of brokering activities with respect to the manufacture, export, import, or transfer of any foreign defense article or defense service (as defined in subclause (IV)), shall register with the United States Government agency charged with the administration of this section, and shall pay a registration fee which shall be prescribed by such regulations.*
 - (II) *Such brokering activities shall include the financing, transportation, freight forwarding, or taking of any other action that facilitates the manufacture, export, or import of a defense article or defense service.*
 - (III) **No person may engage in the business of brokering activities described in subclause (I) without a license, issued in accordance with this chapter, except that no license shall be required for such activities undertaken by or for an agency of the United States Government—**...¹³ (OCG Emphasis)

The US Code: Title 22, Section 2785 – 'End-use Monitoring of Defense Articles and Defense Services' - also provides, *inter alia*, as follows:

(a) **"Establishment of monitoring program**

(1) In general

In order to improve accountability with respect to defense articles and defense services sold, leased, or exported under this chapter or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), the President shall establish a program which provides for the end-use monitoring of such articles and services. (OCG Emphasis)

¹² U.S. Department of Justice. Letter to the MNS. 2009 September 4

¹³ US Code: Title 22, Section 2778. Control of Arms Export & Imports.

http://www.law.cornell.edu/uscode/search/display.html?terms=2778&url=/uscode/html/uscode22/usc_sec_22_00002778----000-.html

(2) Requirements of program

To the extent practicable, such program—

(A) **shall provide for the end-use monitoring of defense articles and defense services in accordance with the standards that apply for identifying high-risk exports for regular end-use verification developed under section 2778 (g)(7) of this title** (commonly referred to as the “Blue Lantern” program); and

(B) *shall be designed to provide reasonable assurance that—*

(i) *the recipient is complying with the requirements imposed by the United States Government with respect to use, transfers, and security of defense articles and defense services; and*

(ii) *such articles and services are being used for the purposes for which they are provided.*

(b) Conduct of program

In carrying out the program established under subsection (a) of this section, the President shall ensure that the program—

(1) *provides for the end-use verification of defense articles and defense services that incorporate sensitive technology, defense articles and defense services that are particularly vulnerable to diversion or other misuse, or defense articles or defense services whose diversion or other misuse could have significant consequences; and...*¹⁴

Based upon the foregoing, the OCG has made the following determinations:

1. The MNS would have been required to supply Taylor & Associates with an End User Certificate, pursuant to the US Code: Title 22, Section 2785.
2. Taylor & Associates was required to be licensed to export arms pursuant to the US Code: Title 22 Section 2778.

In this regard, the US State Department Policy requires that; “...**any person or company who intends to export or to temporarily import a defense article, defense service, or technical data must obtain prior approval from DDTC. The appropriate license form must be submitted for the purpose of seeking approval.** Furthermore, in most cases, in order for a license to be considered, you first must be registered with DDTC.”¹⁵ (OCG Emphasis)

As such, the Directorate of Defense Trade Controls (DDTC), requires that “*All manufacturers, exporters, and brokers of defense articles, defense services, or related technical data, as defined on the United States Munitions List (Part 121 of the ITAR) , are required to register with DDTC. Registration is primarily a means to provide the U.S. Government with necessary information on who is involved in certain manufacturing and exporting activities. Registration does not confer any export rights or privileges, but is a precondition for the issuance of any license or other approval for export.*”¹⁶

¹⁴ US Code: Title 22, Section 2785. End-use monitoring of defense articles and defense services.

http://www.law.cornell.edu/uscode/search/display.html?terms=2785&url=/uscode/html/uscode22/usc_sec_22_00002785----000-.html

¹⁵ US State Department. Policy. <http://www.pmddtc.state.gov/licensing/index.html>

¹⁶ US State Department. Policy. <http://www.pmddtc.state.gov/registration/index.html>

Procurement Procedures utilised by the Ministry of National Security and/or the Jamaica Constabulary Force

In light of (a) the implications for national security in the award of the contract to Taylor & Associates by the MNS, and (b) the fact that procurement of a “*sensitive nature for national defence and/or security purposes*” are outside of the scope of the Government Procurement Handbook (2001), the OCG was interested in finding out the procurement procedures which were utilised by the MNS and/or the JCF in the award of the contract to Taylor & Associates.

Consequently, the OCG in its Requisition, that was addressed to the then Permanent Secretary in the MNS, Mr. Gilbert Scott, and which was dated 2008 October 24, asked the following question:

“What methodology was used in selecting Taylor & Associates and/or Lance Brooks for the supply of ammunition to the MNS and/or the JCF? Please provide documentary evidence, where possible, to substantiate your assertions/responses.”¹⁷

In his response to the OCG’s Requisition, which was dated 2008 November 12, Mr. Gilbert Scott stated as follows:

- ***“Three (3) quotations were forwarded to the JCF Finance Branch by ACP Paul Robinson through the Police Headquarters stores.”*** (OCG Emphasis)
- *The decision was taken by the procurement committee members who evaluated the quotations to request approval for sole-sourcing of the items from Taylor & Associates on the basis that :-*
 - *two (2) of the suppliers were unable to supply all items needed*
 - *the very competitive pricing of the items*
 - *the items were indicated by Taylor & Associates as being in stock which meant they could be shipped without delay. This was a significant factor as the JCF was in urgent need of the items.”¹⁸*

¹⁷ OCG Requisition to Mr. Gilbert Scott. 2008 October 24

¹⁸ Gilbert Scott. Response to the OCG’s Requisition. 2008 November 12

The assertions of the then Permanent Secretary was substantiated by a spreadsheet that was submitted by the MNS, to the NCC, on 2008 January 2, which compared the quotations from three (3) suppliers of ammunition.

Particulars of the referenced spreadsheet, which was dated 2007 December 24, are detailed in the following table:

JCF- FINANCE BRANCH								
Procurement for: Ammunition								
Division: HQ Stores and Armoury								
Date: December 24, 2007								
Item No.	Quantity	Specification	Taylor & Associates		Fnherstal		Federal Premium	
			Unit Price US\$	Total Cost US\$	Unit Price US\$	Total Cost US\$	Unit Price US\$	Total Cost US\$
1	2000	Browning (Original) Magazine DA	17.20	34,400.00	21.80	43,600.00	615.00	30,750.00
2	150,000	.38 Jacketed Soft Point	0.25	37,500.00	0.00	0.00	0.31	46,500.00
3	20,000	.380 Jacketed Soft Point	0.22	4,400.00	0.00	0.00	0.36	7,200.00
4	200	Crime Scene Tape (100ft roll)	8.00	1,600.00	0.00	0.00	0.00	0.00
5	100,000	.223 55gr Jacketed Soft Point	0.35	35,000.00	0.00	0.00	0.44	43,550.00
Total Cost of Quotation				87,100.00		43,600.00		128,000.00
			JA\$6,184,100		JA\$3,095,600		JA\$9,088,000	
Delivery Period of Items Stated Above			In stock		21 weeks		8-10 weeks	
These items will be sole source from Taylor and Associates based on security reasons and the delivery period.								

The OCG found that based upon the foregoing information, the JCF Procurement Committee approved the procurement of ammunition from Taylor & Associates.

Further, ACP Paul Robinson, in his response to the OCG's Requisition, which was dated 2008 October 28, informed the OCG that *"In response to a request to obtain quotations for ammunition I made telephone and e-mail enquiries with several suppliers. One of those suppliers, Taylor and Associates provided a quotation which I passed to Finance Branch, together with other quotations received, for their consideration."*¹⁹

It is instructive to note that the OCG, in its Requisition that was addressed to the then Permanent Secretary in the MNS, Mr. Gilbert Scott, and which was dated 2008 October 24, also asked the following questions:

¹⁹ ACP Paul Robinson. Response to the OCG's Requisition. 2008 October 28

"In regard to the selection of Taylor & Associates and/or Lance Brooks for the supply of ammunition to the MNS and/or the JCF, please provide answers to the following questions and, where possible, provide documentary evidence to substantiate your assertions/responses:

- i. The criteria by which Taylor & Associates and/or Lance Brooks was assessed and/or evaluated;*
- ii. Detail the primary conditions of agreement which the proposal(s) should satisfy.*²⁰

In his response to the OCG's Requisition, which was dated 2008 November 12, Mr. Gilbert Scott stated that **"The JCF Procurement Committee was not required to and did not independently assess and evaluate Taylor & Associates but relied on ACP Firearms & Tactical Training Unit."**²¹ (OCG Emphasis)

Further, the OCG, in its Requisition that was addressed to the then Permanent Secretary in the MNS, Mr. Gilbert Scott, and which was dated 2008 October 24, asked the following questions:

"Please provide an Executive Summary detailing the Procurement Procedure(s) which are utilized by the MNS and/or the JCF, for the procurement of ammunition, and/or items for national defence. The summary should detail:

- i. The due diligence checks which are undertaken by the MNS and/or the JCF;*
- ii. The relevant approval processes which are required, when procuring ammunition;*
- iii. The documents and/or requisite licences which each supplier is required to submit to the MNS and/or the JCF...*²²

In his response to the OCG's Requisition, which was dated 2008 November 12, Mr. Gilbert Scott stated as follows:

"Executive Summary

(i) (See Appendix 4)

(ii) The relevant approval processes which are required when procuring ammunition are as follows:

- Request for procurement of the ammunition is generated by the Police Headquarters Stores who has responsibility for ensuring that adequate stocks are available for use by the JCF.*
- Request is submitted to the Senior Director of Finance & Administration who will direct the procurement of the ammunition to the Procurement Unit of the JCF Finance Branch.*
- The Procurement Unit requests and receives quotation(s) from suitable suppliers from the Assistant Commissioner in charge of the Firearms & Tactical Training Unit (FITU).*
- A spreadsheet is prepared by the Procurement Unit analyzing proposals/quotations from suppliers to facilitate proper evaluation by the Procurement Committee of the JCF.*
- The Procurement Committee of the JCF evaluates the quotations and makes a recommendation for the award of a contract for the supply of the ammunition.*
- Based on the value of the contract, the necessary approval from the National Contracts Commission (NCC) or Cabinet is sought.*
- On receipt of the approval from the NCC or Cabinet, the ACP, Firearms & Tactical Training Unit is advised. The ACP places the order with the supplier and ensures that the relevant permits/documentation (export licence, end user certificate etc) are in place.*

²⁰ OCG Requisition to Mr. Gilbert Scott. 2008 October 24

²¹ Gilbert Scott. Response to the OCG's Requisition. 2008 November 12

²² OCG Requisition to Mr. Gilbert Scott. 2008 October 24

- *The ACP, Firearms & Tactical Training Unit also monitors the order with the supplier, requests payment when it is due, and generally ensures that the items are shipped within the specified delivery period.*
- (iii) *The documents and/or requisite licences which each supplier is required to submit to the JCF are as follows:*
- *Price quotation based on specifications*
 - *Export licence from the relevant government authority...*²³

It is instructive to note that by way of a letter, which was dated 2008 November 18, the then Permanent Secretary, Mr. Gilbert Scott, provided the OCG with further details with respect of its foregoing questions.

In the referenced letter, Mr. Gilbert Scott provided, *inter alia*, the following information with regard to the 'due diligence checks which were undertaken by the JCF':

- *"Mr. Lance Brooks, owner and operator of Taylor and Associates was identified by the Jamaica Constabulary Force as a legitimate supplier of defence equipment and has been engaging the Jamaica Constabulary Force since November 2006.*
- **No formal due diligence checks were made in relation to Lance Brooks or Taylor & Associates.** (OCG Emphasis)
- **Currently there is no established due diligence process to be followed in relation to overseas suppliers. The Jamaica Constabulary Force recognizes this to be a weakness in the procurement procedure and is currently reviewing its internal procurement systems and procedures to be followed by the Jamaica Constabulary Force Procurement Committee to ensure that proper steps are taken to verify the legitimacy status of suppliers, not only at the identification stage, but continuously from identification through to supply and conclusion.**²⁴ (OCG Emphasis)

Due Diligence Checks

In light of the grave implications of the MNS purchasing ammunition from an unlicensed supplier, who was allegedly facing criminal charges in relation to the export of arms, the OCG was interested in finding out (a) the respective due diligence checks which were undertaken by the MNS and/or the JCF and (b) the operating procedures with respect to the identification of the suitability of suppliers of ammunition.

In this regard, the OCG in its Requisition, that was addressed to the then Permanent Secretary, Mr. Gilbert Scott, MNS and which was dated 2008 October 24, asked the following questions:

"Did the MNS and/or JCF request a copy of Taylor & Associates and/or Lance Brooks' US State Department licence for arms-brokering, prior to the award of the contract to supply ammunition?

- a. *If yes, please state the date(s) on which this was done and the circumstances relating to the same.*
- b. *If no, why was this not done, and is it customary for the MNS and/JCF to procure ammunition without requesting a copy of the relevant licences.*²⁵

²³ Gilbert Scott. Response to the OCG's Requisition. 2008 November 12

²⁴ Gilbert Scott. Response to the OCG's Requisition. 2008 November 18

²⁵ OCG Requisition to Mr. Gilbert Scott. 2008 October 24

In his response to the OCG's Requisition, which was dated 2008 November 18, Mr. Gilbert Scott stated as follows:

- **"The Jamaica Constabulary Force did not request a copy of Lance Brooks' or Taylor & Associates State Department licence for arms-brokering, prior to the award of the contract to supply ammunition?"[sic] (OCG Emphasis)**
- **It is customary for the Jamaica Constabulary Force not to request a licence at the point of ordering as our understanding of the US licensing regime is that an order be placed and other documentation prepared (such as an End User Certificate) prior to the arms dealer being granted a licence by the US State Department.** (OCG Emphasis)
- *In October 2007, Mr. Brooks was asked to supply a quotation for the supply of ammunition to cover a shortfall in stock. The quotation was supplied on October 7, 2007.*
- *On November 6, 2007, Mr. Brooks, unknown to the Jamaica Constabulary Force, was indicted for violations of the Arms Export Act, Title 22, United States Code arising out of a transaction with another country and pleaded guilty on December 20, 2007.*
- *There were no systems or procedures in place to alert the Jamaica Constabulary Force that Mr. Brooks had run afoul of US arms export laws.*
- *Approval was sought and received from the National Contracts Commission on January 29, 2008, for sole-sourcing the ammunition from Taylor and Associates. The Jamaica Constabulary Force was never informed that a Licence should be obtained from Lance Brooks or Taylor & Associates.*
- *The contract for the supply of ammunition by Taylor and Associates to the Jamaica Constabulary Force became frustrated on March 30, 2008 when the FBI, by virtue of a search warrant, intercepted the package containing the End User Certificate – a document that had to be obtained by Taylor and Associates before a license could be granted by the US State Department.*²⁶

Further, the OCG in its Requisition, that was addressed to the then Permanent Secretary, Mr. Gilbert Scott, MNS and which was dated 2008 October 24, also asked the following questions:

"Did the MNS and/or JCF (i) undertake a thorough background check; (ii) request criminal records; and (iii) request tax compliance certification, for Taylor & Associates and/or Lance Brooks, prior to the award of the contract to supply ammunition?

- a. *If yes, please state the date(s) on which this was done and the circumstances relating to the same.*
- b. *If no, why was this not done, and is it customary for the MNS and/JCF to procure ammunition without (i) undertaking a thorough background check; (ii) requesting criminal records and (iii) requesting tax compliance certification.*²⁷

In his response to the OCG's Requisition, which was dated 2008 November 18, Mr. Gilbert Scott stated as follows:

- **"The Jamaica Constabulary Force did not undertake a thorough background check, request criminal records, or request tax compliance certification for Lance Brooks or Taylor & Associates.** (OCG Emphasis)
- **It is customary for the Jamaica Constabulary Force to procure ammunition without (i) undertaking a thorough background check; (ii) requesting criminal records and (iii) requesting tax compliance certification, as the Jamaica Constabulary Force is not aware of any procedural requirement that any of the above be done, in relation to overseas suppliers.** (OCG Emphasis)

²⁶ Gilbert Scott. Response to the OCG's Requisition. 2008 November 18

²⁷ OCG Requisition to Mr. Gilbert Scott. 2008 October 24

- *At the time of obtaining the quotation for the ammunition on October 7, 2007, Taylor & Associates was ostensibly a legitimate ammunition broker.*
- *Lance Brooks ran afoul of US subsequent to being engaged by the Jamaica Constabulary Force and there were no systems or procedures in place to alert the JCF of same....*²⁸

Of import, is the fact that the MNS is required to issue an End User Certificate to the suppliers of ammunition for the export of arms, pursuant the US Code Title 22, Section 2785.

In this regard, the OCG in its Requisition, which was dated 2009 April 30, asked ACP Paul Robinson the following questions:

“Did Taylor and Associates and/or Lance Brooks provide a copy of its ammunition export licence prior to the End User Certificate being prepared by the Ministry of National Security (MNS)?

- If yes, please state the date(s) on which this was done and the circumstances relating to same.*
- If no, why was this not done, and is it customary for the MNS to prepare an End User Certificate without proof of the ammunition export licence?...*²⁹

In his response, to the OCG’s Requisition, which was dated 2009 May 5, ACP Paul Robinson stated that; “As far as I am aware **Taylor and Associates/Lance Brooks were not asked to provide a copy of the ammunition export licence prior to the End User Certificate being prepared.** As far as I am aware the Government of the Country of origin will not issue an export licence for ammunition without firstly receiving an end user certificate from the requesting country. In the case of the United States a form DSP-83 also need to be completed. It is usual for the MNS to prepare and forward an End User Certificate to a supplier without proof of the ammunition export licence.”³⁰ (OCG Emphasis)

In addition, in his response to the OCG’s Requisition, ACP Paul Robinson informed the OCG that “As regards why [sic] no proof of the ammunition export licence was obtained I can only reiterate that I have never been asked to undertake such a task and **I am unaware of any process in the JCF that requires this to be undertaken. Since taking up my position in April 2006 I have obtained quotations for items including weapons, ammunition, and protective vests and helmets and have never been asked to seek copies of export licences...**”³¹ (OCG Emphasis)

Further, the OCG in its Requisition, which was dated 2009 April 29, and which was addressed to the Permanent Secretary, Major Richard Reese, asked the following questions:

“Please provide an Executive Summary detailing the process which is utilised by the Ministry of National Security (MNS) in the preparation of an End User Certificate for the procurement of ammunition. The summary should detail:

- The due diligence checks which are undertaken by the MNS prior to the issuance of an End User Certificate;*
- The relevant approval processes which are required;*
- The documents and/or requisite information which are required to be submitted to the MNS;*
- The name(s) and title(s) of the designated approving officer(s), in regard to the issuance of an End User Certificate for the procurement of ammunition;*

²⁸ Gilbert Scott. Response to the OCG’s Requisition. 2008 November 18

²⁹ OCG Requisition to ACP Paul Robinson. 2009 April 30

³⁰ ACP Paul Robinson. Response to the OCG’s Requisition. 2009 May 5

³¹ ACP Paul Robinson. Response to the OCG’s Requisition. 2009 May 5

- v. *The name(s) and title(s) of the designated approving officer(s), whom was/were responsible for issuing the End User Certificate for the procurement of ammunition from Taylor and Associates and/or Lance Brooks.*³²

In his response to the OCG's Requisition, which was dated 2009 May 29, Major Richard Reese stated as follows:

- i. *"The due diligence checks which are undertaken by the MNS prior to the issuance of an End User Certificate are as follows:*
- (a) The Director, Protective Security Unit in the Ministry of National Security receives all import permits from the Firearm Licensing Authority (FLA).*
 - (b) If the document originates from the Jamaica Constabulary Force (JCF) or the Jamaica Defence Force (JDF), no due diligence is conducted as the Protective Security Unit assumes that it is already done, on the basis that these agencies have the capacity to do so.*** (OCG Emphasis)
 - (c) Note that the FLA, in issuing the permit, would also have been required to conduct their own due diligence before a permit is issued, with the exception of Government of Jamaica (GoJ) entities.*
 - (d) On the basis of steps (a) to (c) outlined above, the Permanent Secretary signs off on the End User Certificate.*
- ii. *The relevant approval processes required are:*
- (a) Import Permit from FLA*
 - (b) Trade Board License*
- iii. *The documents and/or requisite information which are required to be submitted to the MNS are as follows:*
- (a) The Import Permit from the FLA*
 - (b) Trade Board License*
 - (c) Completed End User Certificate*
- iv. *The name(s) and title(s) of the designated approving officer(s) in regard to the issuance of an End User Certificate for the procurement of ammunition is:*
- (a) Mr. Gilbert F. Scott, Permanent Secretary, Ministry of National Security*³³

In addition, Major Richard Reese also submitted to the OCG an internal Memorandum, which was dated 2009 September 17, from Mr. Lincoln Allen, Director, Protective Security.

In the referenced Memorandum, Mr. Lincoln Allen asserted that; *"It should be noted however, that section 52(a) of the Firearms Act 1967 allows for the lawful import and export of ammunition and firearms owned by the Government of Jamaica without the issuance of import and export permits. Notwithstanding, the Ministry for the past decade has thought it prudent to have licences prepared in several instances for greater accountability as these licences are permanent records that can be used for future reference should any problems arise..."*³⁴

³² OCG Requisition to Major Richard Reese. 2009 April 29

³³ Major Richard Reese. Response to the OCG's Requisition. 2009 May 29

³⁴ Lincoln Allen. MNS Memorandum. 2009 September 17

It is instructive to note that by way of a JCF Memorandum, which was dated 2009 September 22, Ms. Donna Burnett-Beckford, Senior Director, JCF Finance Branch, informed the Permanent Secretary, Major Richard Reese, MNS, as follows:

1. *"Since the beginning of my tenure with the JCF in 2003, the selection of companies to supply guns, ammunition, protective gears, riot control supplies and equipment and other such sensitive items was done from the Office of the Commissioner of Police. The JCF Finance Branch, a civilian unit, was responsible for ensuring that the procurement procedures were complied with and for effecting payment when it became due.*
2. *In **2006 when ACP Paul Robinson**, an International Police Officer began his tenure with the JCF, it was communicated that ACP Paul Robinson, as **head of the newly formed Firearms & Coastal Security Branch, would be responsible for sourcing quotations for the procurement of guns, ammunition, riot supplies, handcuffs, protective gear and other such sensitive equipment/supplies.*** (OCG Emphasis)
3. *It was our understanding that **implicit in his portfolio responsibility, ACP Paul Robinson would ensure that quotations for these items would be sourced from reputable, legal entities, and that relevant documentation required for the procurement such as End User Certificates and Export Licenses, were in place.***³⁵ (OCG Emphasis)

However, it is instructive to note that ACP Paul Robinson, by way of a letter, which was addressed to the former Permanent Secretary, Mr. Gilbert Scott and which was dated 2008 November 26, stated that; *"...**the ACP Firearms and Tactical Training unit was not required, and was not asked, to assess Taylor & Associates, nor do I consider it my role to assess the financial or operational status of these companies. I believed that the JCF procurement process undertook this research.***"³⁶ (OCG Emphasis)

ACP Paul Robinson, in the referenced letter further stated that; *"Additionally **there does not appear to be a clearly documented process with unequivocal allocation of responsibilities in the procurement process for assessing financial and commercial status of international companies.***"³⁷ (OCG Emphasis)

Given the disclosures which were made to the OCG regarding the Due Diligence Checks, or lack thereof, which were undertaken by the MNS and/or the JCF, the OCG has found that the administration of the processes for vetting the qualification, suitability and capacity of potential suppliers was in fact very 'loose'.

The sworn documentary evidence has indicated, *inter alia*, that *"At the time of obtaining the quotation for the ammunition on October 7, 2007, Taylor & Associates was ostensibly a legitimate ammunition broker."* (Ref. Gilbert Scott's Response of 2008 November 18 to the OCG's Requisition). Such a representation was made despite that fact that the JCF had not conducted any form of due diligence regarding Mr. Lance Brooks and/or Taylor and Associates.

The matter is one which, given the absence of any strict guidelines for the procurement of 'sensitive items', the OCG has found to be both irregular and, consequently, irresponsible, on the part of the MNS and the JCF.

The matter is indeed further compounded by the fact that the then Permanent Secretary in the MNS, Mr. Gilbert Scott, indicated, in his sworn statement to the OCG, that it is **customary** for the JCF to procure ammunition without:

1. Undertaking background checks;
2. Requesting criminal records;
3. Requesting a tax compliance certificate.

³⁵ Donna Burnett-Beckford. Memorandum to Major Richard Reese. 2009 September 17

³⁶ ACP Paul Robinson. Letter to Mr. Gilbert Scott. 2008 November 26

³⁷ ACP Paul Robinson. Letter to Mr. Gilbert Scott. 2008 November 26

Further, given the fact that there appears to be a misunderstanding regarding the roles and responsibilities of persons who are involved in the procurement of ammunition, the OCG has found that, based upon an analysis of the compendium of facts, that the MNS and/or the JCF undertook the procurement of ammunition from Taylor & Associates in a highly irregular administrative environment.

Was there Impropriety involved in the Award of the Contract to Taylor & Associates?

On 2009 August 27, the OCG received a telephone call from an 'Anonymous Citizen'. The 'Anonymous Citizen' expressed concern about the fact that he had not heard anything about the OCG's Special Report of Investigation into the circumstances surrounding the purchase of ammunition from Taylor & Associates by the MNS and/or the JCF.

The 'Anonymous Citizen' further stated that these concerns were raised in light of the fact that it was known to himself, and other members of the JCF, that the Contractor is the brother-in law of 'DCP Bent'.

The 'Anonymous Citizen' also informed the OCG that he and other members of the JCF were concerned that the Report was being buried.

In light of the allegations which were made by the 'Anonymous Citizen' the OCG must place upon the record that in its 2009 April 30 Requisition to ACP Paul Robinson, the following verbatim question was asked:

"In a letter which was dated October 28, 2008, addressed to Ms. Donna Burnett Beckford, you stated that "At the request of the Finance Branch, I made enquiries regarding previous suppliers to the Jamaica Constabulary Force as well as obtaining quotations referred by the Commissioner of Police..." Please provide answers to the following questions and, where possible, provide documentary evidence to substantiate your assertions/response:

- i. To whom were your referenced queries directed at the JCF?*
- ii. The name(s) and title(s) of the person(s) from the JCF who provided you with the information which was requested by you in regard to previous suppliers?"³⁸*

It is, therefore, instructive to note that ACP Paul Robinson, in his response to the OCG's Requisition, which was dated 2009 May 5, stated that; "As stated in my letter to Mrs. Donna Burnett-Beckford dated 28th October 2008, I made verbal enquiries regarding previous suppliers of ammunition. **I sought the advice of DCP Bent who had also instructed me to obtain quotations from suppliers regarding ammunition.** When I asked regarding the previous supplier **I was informed by DCP Bent that previous supplies had been obtained through a local agent, A Mr Billion Young Chin, but there were concerns regarding the integrity of those transactions and I was asked to contact suppliers direct.**"³⁹ (OCG EMPAHSIS)

Given the foregoing assertion of ACP Paul Robinson, and the gravity of the allegations which were made by the 'Anonymous Citizen', the OCG, in its Requisition which was dated 2009 September 1, asked ACP Paul Robinson, *inter alia*, the following questions:

- i. "Kindly state whether your reference to a DCP Bent was with regard to DCP Jeneve Bent;*
- ii. What advice did you seek from DCP Bent?*
- iii. Kindly detail the information which was given to you by DCP Bent in response to your request for advice.*
- iv. Did DCP Bent provide you with the name(s) of potential suppliers for ammunition? If yes, please provide a list of the suppliers which were recommended."⁴⁰*

³⁸ OCG Requisition. ACP Paul Robinson. 2009 April 30

³⁹ ACP Paul Robinson. Response to the OCG's Requisition. 2009 May 5

⁴⁰ OCG Requisition. ACP Paul Robinson. 2009 September 1

In his response to the OCG's Requisition, which was dated 2009 September 4, ACP Paul Robinson stated as follows:

- i. *"All references in my statement refer to DCP Jeneve Bent.*
- ii. *To the best of my recollection I asked DCP Jeneve Bent if the JCF had a preferred supplier and she informed me they did not. I was advised that previous shipments had been sourced through a third party, namely Mr Young- Chin. She advised me to speak to the JCF H.Q. Stores and the Jamaica Defence Force.*
- iii. **DCP Jevene did not provide me with any names or contact numbers for potential suppliers.**⁴¹
(OCG Emphasis)

In addition, the OCG, in its Requisition which was dated 2009 September 1, asked Deputy Commissioner of Police (DCP) Jevene Bent the following questions:

"Do you know, or do you have, or have you had a personal, business or other relationship with, any of the principals, shareholders, directors, partners, officers and/or employees of Taylor & Associates? If yes, please indicate:

- a. *The full name of the Taylor & Associates Representative and his/her relationship with Taylor & Associates;*
 - b. *The length of time that you have known the Taylor & Associates Representative;*
- A full description of the nature of the relationship between yourself and the Taylor & Associates Representative.*⁴²

In her response to the OCG's Requisition, which was dated 2009 September 11, DCP Jeneve Bent stated **"No."**⁴³(OCG Emphasis)

Further, the OCG in its Requisition, which was dated 2009 September 1, also asked ACP Paul Robinson the following questions:

"Are you aware of any relationship and/or association between DCP Jeneve (sic) Bent and Mr. Lance Brooks and/or Taylor & Associates? If yes, please provide answers to the following questions and detail the information which is requested:

- i. *State the nature of the relationship and/or association;*
- ii. *The date(s) you became aware of said relationship and/or association;*
- iii. *The manner in which you became aware of such a relationship and/or association....*⁴⁴

In his response to the OCG's Requisition, which was dated 2009 September 4, ACP Paul Robinson stated that *"I am unaware of any relationship between DCP Jevene Bent and Mr. Lance Brooks and/or Taylor and Associates."*⁴⁵

⁴¹ ACP Paul Robinson. Response to the OCG's Requisition. 2009 September 4

⁴² OCG Requisition. DCP Bent. 2009 September 1

⁴³ DCP Jeneve Bent. Response to the OCG's Requisition. 2009 September 11

⁴⁴ OCG Requisition. ACP Paul Robinson. 2009 September 1

⁴⁵ ACP Paul Robinson. Response to the OCG's Requisition. 2009 September 4

Notwithstanding the assertions of ACP Paul Robinson, the OCG, based upon the complaint from the 'Anonymous Citizen', in its Requisition, which was dated 2009 September 1, asked DCP Jevene Bent the following question:

*"Kindly provide an Executive Summary detailing your role(s) and responsibility(ies), if any, in (a) the procurement of ammunition; (b) the approval of the End User Certificate by the Ministry of National Security (MNS); and (c) the due diligence process which is/was undertaken by the Jamaica Constabulary Force (JCF), specifically as it relates to the determination of the suitability of ammunition suppliers to the JCF and/or the MNS. Please provide documentary evidence, where possible, to substantiate your assertions/responses."*⁴⁶

In her response to the OCG's Requisition, which was dated 2009 September 11, DCP Jevene Bent stated as follows:

- (a) **"I have oversight responsibility to monitor the outgoings from the budgetary allocation to the JCF. As it relates to the procurement of ammunition my responsibility is to ensure the quantity of ammunition being proposed for procurement is adequate and necessary and has budgetary support."** (OCG Emphasis)
- (b) *I have no role or responsibility as it relates to the approval of the End User Certificate.*
- (c) **"I have no role or responsibility as it relates to the due diligence process that was undertaken by the JCF and/or the MNS as it relates to the determination of the suitability of ammunition suppliers to the JCF and/or the MNS."**⁴⁷ (OCG Emphasis)

Further, the OCG, in an effort to ascertain whether DCP Jevene Bent (a) influenced and or (b) recommended the award of the contract to Taylor & Associates, in its Requisition which was dated 2009 September 1, also asked DCP Jevene Bent the following question:

*"Did you in any way (a) recommend, (b) influence and/or (c) approve the arrangement and/or contract with Taylor & Associates and/or Lance Brooks to provide ammunition to the JCF and/or the MNS? If yes, please provide all relevant particulars."*⁴⁸

In her response, to the OCG's Requisition, which was dated 2009 September 11, DCP Jevene Bent stated **"No."**⁴⁹ (OCG Emphasis)

Initiative on the part of the Ministry of National Security

It is instructive to note that under cover of a letter, which was dated 2009 November 25, the MNS submitted to the OCG a copy of a draft Procurement Procedure, in respect of the *"Proposed Procurement Guidelines for Firearms, Ammunition and Dangerous Goods"*.

In the referenced letter, the MNS stated that; *"The Ministry of National Security is in the process of developing a Cabinet Submission on the proposed Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods. This document, if approved by Cabinet, will be an official guide on the procedures and methods for government officials engaged in the planning and management of the procurement of firearms, ammunition and dangerous goods on behalf of the security forces and other paramilitary organisations."*⁵⁰

In the said letter, the MNS also requested that the OCG review and comment on the proposed procurement guidelines.

⁴⁶ OCG Requisition. DCP Bent. 2009 September 1

⁴⁷ DCP Jevene Bent. Response to the OCG's Requisition. 2009 September 11

⁴⁸ OCG Requisition. DCP Bent. 2009 September 1

⁴⁹ DCP Jevene Bent. Response to the OCG's Requisition. 2009 September 11

⁵⁰ MNS. Letter to the OCG. 2009 November 25

Based upon the OCG's review of the proposed "*Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*", the OCG found that the MNS is seeking to establish a due diligence process which is to be followed for the procurement of items of a 'sensitive nature'.

The proposed procurement process included, *inter alia*, the following:

1. Suppliers/ Contractors/Agents are required to meet certain requirements and are expected to submit the following evidence:
 - i. *"Tax compliance*
 - ii. *Registration in the country of origin*
 - iii. *Licence to sell/ trade in country of origin and for export*
 - iv. *Relevant experience*
 - v. *Past performance record and*
 - vi. *Financial and technical capacities*"⁵¹
2. The National Intelligence Bureau (NIB), an intelligence arm of the JCF, is required to conduct a vetting process of the "... *successful bid and the second place...*" According to the document, "*The vetting procedures will include checks into the background of the contractor, his business and his business partners or senior members of staff, locally and internationally, for any adverse information.*"⁵²
3. The NIB's investigation should include:
 - i. *"criminal records checks both locally and internationally*
 - ii. *Background information*
 - iii. *Interpol checks*
 - iv. *Checks with consular offices or government agencies in other countries*"⁵³

Further, "*Where the investigation reveals information adverse to the interest of the GOJ, the bid must be rejected and the next best contractor should be selected for investigation. Where the investigation reveals information relating to the second select is adverse to the interest of the GOJ, the bid must be nominees.*"⁵⁴

Having reviewed the referenced documents, it is instructive to note that by way of a letter, which was dated 2009 December 11, the OCG wrote to the MNS and sought clarification on what exactly was intended by the assertion that the "...*bid must be nominee.*"

In the referenced letter, the OCG stated that; "*The OCG is unclear as to what is being communicated in the assertion that, 'where the investigation reveals information relating to the second select is adverse to the interests of the GOJ, the bid must be nominees'. Kindly clarify.*"⁵⁵

⁵¹ MNS. "*Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*"

⁵² MNS. "*Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*"

⁵³ MNS. "*Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*"

⁵⁴ MNS. "*Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*"

⁵⁵ OCG. Letter to the MNS. 2009 December 11

It is instructive to note that the proposed “Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods” also indicated that “These guidelines have been developed to primarily look at the procurement of firearms, ammunition and to a lesser extent explosives/explosive materials by the security forces or other government entities. **It however, can be used generally for the procurement of other less sensitive items.**”⁵⁶ (OCG Emphasis)

Of import is the fact that the Revised Government of Jamaica Handbook of Public Sector Procurement Procedures (RHPP), states that only the “**Procurement of a sensitive nature for national defense and /or security purposes**” is exempted. (OCG Emphasis)

Consequently, the OCG, by way of a letter, which was dated 2009 December 11, wrote to the MNS and informed it that “The OCG is of the view that this assertion should be excised...Any other procurement, for “less sensitive items”, should be undertaken in accordance with the RHPP.”⁵⁷

Further, the OCG in its letter, which was dated 2009 December 11, also included several other comments with respect of the proposed document. These included, *inter alia*, the following:

i. “Procurement of Sensitive Items – Regulation, Corruption and Monitoring of Contracts

It is clearly stated that the referenced procurement is exempted from the RHPP; therefore, it is axiomatic that the referenced procurement is also exempted from the Public Sector Procurement Regulations.

The OCG is unaware of any other legislation or regulation which governs the procurement of goods, works and services, save and except for the Contractor-General Act, which does not address sanctions for exempted procurement breaches.

We therefore, respectfully posit that the “mechanisms” which the Ministry have put in place to “combat” corruption and unethical behaviour be included in the document as appendices.

ii. Selection of successful Quote by the Procurement Committee

The OCG notes that the document asserts that the Procurement Committee will deliberate and arrive at a successful Bidder; however, no mention is made of the bids being evaluated by an Evaluation Committee.

iii. Approval Authority and Monetary Approval Level

*The document does not address approval authority with the associated monetary approval levels.”*⁵⁸

Conclusions

Based upon the documents which have been reviewed as well as the sworn testimony which has been received from the representatives of the MNS and the JCF, other Public Officials and persons of interest, the OCG has arrived at the following considered Conclusions:

1. The JCF utilised the Limited Tender Methodology to obtain quotations from three (3) suppliers of arms. However, following a review of the quotations by the JCF Procurement Committee, a recommendation was made for the award of the contract to Taylor & Associates.

Consequently, by way of a letter, which was dated 2008 January 2, the MNS sought the approval of the NCC for the “**SOLE-SOURCING AND AWARD OF CONTRACT FOR AMMUNITION...**” for and on behalf of the JCF. This request from the MNS, was approved by the NCC on 2008 January 29.

⁵⁶ MNS. “Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods”

⁵⁷ OCG. Letter to the MNS. 2009 December 11

⁵⁸ OCG. Letter to the MN. 2009 December 11

2. Based strictly upon the procurement process which was utilised by the MNS and the JCF, the OCG has concluded that the process which led to the award of the contract to Taylor & Associates appears, on the face of it, to have been fair, impartial and transparent.

This is premised upon the fact that (a) the JCF obtained three (3) quotations from suppliers of ammunition, (b) the JCF Procurement Committee conducted a comparative analysis of the quotations which were submitted to it, and (c) approval was sought and granted by the NCC for the award of the contract to Taylor & Associates. As such, in the OCG's considered opinion, the JCF made an attempt to undertake a competitive bidding exercise.

3. However, at the time of the procurement of ammunition from Taylor & Associates, the MNS and the JCF failed to carry out effective and efficient due diligence checks with respect of the suitability of the arms suppliers.

In point of fact the MNS has asserted that **"No formal due diligence checks were made in relation to Lance Brooks or Taylor & Associates."**⁵⁹ (OCG Emphasis)

Further, the then Permanent Secretary, Mr. Gilbert Scott, stated that; **"Currently there is no established due diligence process to be followed in relation to overseas suppliers. The Jamaica Constabulary Force recognizes this to be a weakness in the procurement procedure and is currently reviewing its internal procurement systems and procedures..."**⁶⁰ (OCG Emphasis)

Consequently, the OCG has concluded that the procurement process for items of a sensitive was wholly inadequate in light of the implications for national security.

4. In light of the fact that (1) the JCF was approached by Mr. Lance Brooks and/or Taylor and Associates and (2) no due diligence checks were conducted regarding Mr. Lance Brooks and/or Taylor & Associates, the OCG hereby concludes that there is no clear and unequivocal basis upon which to confirm that the contract to Taylor & Associates was indeed meritorious.

Consequently, the OCG has found and concluded that the MNS and/or the JCF engaged and entered into a contract with a supplier of ammunition in respect of which neither of the state agencies could practically, objectively, and authoritatively attest to the capacity, legitimacy and suitability of Mr. Lance Brooks and/or Taylor & Associates.

5. Ms. Donna Burnett-Beckford in a JCF Memorandum, that was addressed to the Permanent Secretary, Major Richard Reese, stated that; **"It was our understanding that implicit in his portfolio responsibility, ACP Paul Robinson would ensure that quotations for these items would be sourced from reputable, legal entities, and that relevant documentation required for the procurement such as End User Certificates and Export License, were in place."**⁶¹ (OCG Emphasis)

However, contrary to Ms. Donna Burnett-Beckford's assertions, ACP Paul Robinson in his letter to the then Permanent Secretary, Mr. Gilbert Scott, which was dated 2008 November 26, stated that; **"...the ACP Firearms and Tactical Training unit was not required, and was not asked, to assess Taylor & Associates, nor do I consider it my role to assess the financial or operational status of these companies. I believed that the JCF procurement process undertook this research."**⁶² (OCG Emphasis)

⁵⁹ Gilbert Scott. Response to the OCG's Requisition. 2008 November 18

⁶⁰ Gilbert Scott. Response to the OCG's Requisition. 2008 November 18

⁶¹ Donna Burnett-Beckford. Memorandum to Major Richard Reese. 2009 September 17

⁶² ACP Paul Robinson. Letter to Mr. Gilbert Scott. 2008 November 26

Based upon the conflicting statements from Ms. Donna Burnett-Beckford and ACP Paul Robinson, specifically with regard to the role of the Firearms and Tactical Training Unit in identifying suitable suppliers, the OCG has concluded that there were no clear guidelines detailing the responsibilities of the units and/or individuals which were involved in the procurement of ammunition, at the time of the award of a contract to Taylor & Associates.

In point of fact, ACP Paul Robinson has asserted that; “...**there does not appear to be a clearly documented process with unequivocal allocation of responsibilities in the procurement process for assessing financial and commercial status of international companies.**”⁶³ (OCG Emphasis)

6. Given the absence of clear guidelines detailing the responsibilities of the units and/or individuals which were involved in the procurement of ammunition, at the time of the award of a contract to Taylor & Associates, the OCG has concluded that the award of a contract to Taylor & Associates occurred in a highly irregular administrative environment.

Further, it is hereby concluded that, given the administrative irregularities, the absence of strict procurement guidelines and the **customary** absence of any due diligence checks by the JCF, that the circumstances surrounding the award of a contract to Taylor & Associates was, in fact, irregular.

7. Mr. Lance Brooks, the operator of Taylor & Associates, as at 2009 May 22, was sentenced to three (3) years imprisonment and three (3) years supervised sentence.
8. Based upon the OCG's review of the United States regulations and laws, with respect of the export or arms, it appears that the MNS and/or the JCF were not fully cognisant of the regulatory framework within which arms exporters are required to operate.

However, if it was that the MNS and the JCF were aware of the US Code, Title 22, this knowledge of the regulatory framework was not fully incorporated into the procurement procedures which were used to award the contract to Taylor & Associates.

9. Based upon (a) the failure to conduct due diligence checks with respect of the suitability of the arms suppliers and (b) the US Code Title 22, Sections 2778 and 2785, the OCG has concluded that pursuant to Section 4 of the Contractor-General Act, the process which led to the award of the contract to Taylor & Associates was not devoid of irregularity.

Notwithstanding the assertion of the 'Anonymous Citizen', with respect to an alleged relationship between DCP Jevene Bent and the contractor, Taylor & Associates and/or Mr. Lance Brooks, the OCG has seen no documentary evidence to indicate that such a relationship does in fact exist.

In point of fact, DCP Jevene Bent, in her **sworn statement** to the OCG, denied having a personal, business or other relationship with any of the principals, shareholders, directors, partners, officers and/or employees of Taylor & Associates.

10. 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 contract to Taylor & Associates.
11. The MNS remitted a total of US\$81,100.00 to Taylor & Associates on 2008 February 28. However, by way of a letter, which was dated 2009 September 4, the U.S. State Department of Justice wrote to the MNS and informed them that “*Pursuant to Title 28, Code of Federal Regulations (C.F.R.), Section 9.8, the Government of Jamaica will be reimbursed in the amount of \$20,122.00, and will receive a check in this amount by separate correspondence.*”⁶⁴

⁶³ ACP Paul Robinson. Letter to Mr. Gilbert Scott. 2008 November 26

⁶⁴ U.S. Department of Justice. Letter to the MNS. 2009 September 4

Having regard to the foregoing, a total of US\$60,978.00 is still outstanding to the GOJ. In this regard, it is instructive to note that by way of a letter, which was dated 2009 June 23, the Consulate General of Jamaica advised the MNS that *“The FBI Agent has recommended that the GOJ should file a suit for the remaining amount due.”*⁶⁵

12. The OCG has concluded that the MNS, in making the full payment of US\$81, 100.00 of the contract sum, to Taylor & Associates, on 2008 February 28, made an advance payment without requesting and securing an advance payment surety from Taylor & Associates. Had an advance payment security been received by the MNS, the US\$60,978.00, of the tax-payers money, which is currently outstanding, may have been secured.

Further, while the OCG recognises that the referenced procurement is outside of the scope of the then GPPH and the current RHPP, the OCG had deemed it prudent to record the provisions of Section S-2070 of the RHPP, which 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.”*⁶⁶

13. The OCG commends the actions of the MNS in recognising the weaknesses of its procurement procedures for items of a ‘sensitive nature’ and, as such, its efforts in drafting the proposed *“Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods”*.

However, based upon the OCG’s review of the referenced document, the OCG has concluded that the document has certain weaknesses which must be addressed in keeping with the OCG’s comments, as were contained in its letter, which was dated 2009 December 11.

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. The OCG recommends that MNS and the respective Public Bodies, which report to the MNS and which are involved with the procurement of arms and ammunition, become familiar with the respective laws and/or guidelines of the countries from which it/they import(s) arms.
2. With respect of the proposed *“Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods”*, the OCG reiterates the following considered recommendations, which were detailed in its letter, that was dated 2009 December 11:
 - i. *“The OCG recommends that the document clearly identifies the person or persons who are authorized to approve the procurement at varying monetary levels.*
 - ii. *Please clearly indicate, in the document, the role of the Evaluation Committee, and adjust the section for the Procurement Committee, to include making its determination following the recommendation of the Evaluation Committee.*
 - iv. **Database of suitable Suppliers**
It is recommended that a database is created for “vetted suppliers”, and the said database is continuously maintained for currency, i.e. regular vetting and additions.

⁶⁵ Consulate General of Jamaica. Letter to the MNS. 2009 June 23

⁶⁶ RHPP. Section S2070. 2008 November

v. Procurement Records

*Please include a section to address the proposed management and storage of records on information regarding each procurement, so as to facilitate the effective review of Oversight Bodies, such as the OCG.*⁶⁷

The OCG recommends that the MNS review the “*Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*” and incorporate the listed OCG Recommendations before submitting the said document to the Cabinet for its approval.

3. The OCG recommends that the MNS also review the *Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*”, and if not already done, the MNS should ensure that the roles and responsibilities of each unit and/or individual which are involved in the procurement process is clearly defined. This will ensure greater accountability and transparency in the procurement process.
4. The OCG respectfully recommends that the Cabinet consider and approve the “*Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*” upon a redraft of the said document by the MNS.
5. The OCG recommends that the redrafted “*Government of Jamaica Procurement Guidelines for Firearms, Ammunition and Dangerous Goods*” should only be utilised for procurement of items of a ‘sensitive nature for national defence and/or security purposes’. All other procurements should be subjected to the RHPP.
6. The OCG recommends that the MNS examine the recommendation of the FBI with regard to filing a law suit to recover the outstanding amount of US\$60,978.00 from Taylor & Associates. In this regard, the OCG recommends that advice be sought, from the Attorney General, as to the most efficient and cost effective way to proceed in any attempt to recoup the outstanding amount.
7. The OCG recommends that with respect to advance payments, the MNS should apply the provisions of Section S-2070 of the RHPP to all types of procurements, even those of a ‘sensitive nature for national defence and/or security purposes’.
8. Lastly, the OCG also recommends that the MNS develop a policy for the procurement of items of a ‘sensitive nature for national defence and/or security purposes’, which would essentially bar individuals with criminal records from receiving contracts of that nature from the GOJ.

⁶⁷ OCG. Letter to the MNS. 2009 December 11

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA**Executive Summary of Report of Investigation**

Conducted into the Air-lift Guarantee Agreements which were entered into between American Airlines (AA) and Jamaica Vacations Limited (JAMVAC) and Supplemental Report of Investigation into the Retention of the Legal Services of the Law Firm DunnCox, by JAMVAC

Ministry of Tourism

Initiated: 2008 September

Concluded: 2010 February

On 2008 September 5, 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 the Air-lift Guarantee Agreements which were reportedly entered into between American Airlines (AA) and Jamaica Vacations Limited (JAMVAC).

The OCG's decision to commence the formal Investigation followed upon two specified events.

First, on 2008 August 12, the OCG received a letter from a concerned citizen. The referenced letter alleged, *inter alia*, that the Minister of Tourism, the Hon. Edmund Bartlett, insisted on entering into the Airlift Agreements, despite the fact that several persons rejected the proposal and refused to provide financial support, as they did not see it sufficiently worthy.

The second event, which influenced the OCG's decision to commence its Investigation, was as a result of certain allegations and comments that were published in a media article in the Daily Gleaner of 2008 September 4, which was entitled "*American Airlines paid to stay*" and a subsequent media article in the Daily Gleaner of 2008 September 5, which was entitled "*Air Jamaica livid - Pennicook criticises Government - Tourism minister defends American Airlines deal*".

The concerns and allegations which were contained in the letter of complaint alluded to, *inter alia*, (a) a lack of transparency; (b) the inappropriate use of state resources; and (c) a breach of applicable Government Procurement 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.

The OCG's Investigation primarily sought to determine, *inter alia*, (a) the procurement process which was employed by the JAMVAC in regard to the 'Air Service Agreements' with AA, (b) whether there were breaches of the Government's procurement procedures, and (c) whether the process which led to the award of the contracts that were entered into with AA were fair, impartial, transparent and whether the contracts were awarded on merit.

At the commencement of its Investigation on 2008 September 5, the OCG undertook a preliminary review of the allegations 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 Air-lift Guarantee Agreements, which were reportedly entered into between AA and JAMVAC, 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 Government Procurement Procedures Handbook (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.

A preliminary Requisition/Questionnaire, which was dated 2008 September 5, was sent by the Contractor General to Mrs. Jennifer Griffith, Permanent Secretary, Ministry of Tourism (MOT).

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 Air-lift Guarantee Agreements, which were reportedly entered into between AA and JAMVAC, 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 addition to the core components of its Investigation into the Air-lift Guarantee Agreements, the OCG, as at 2009 November 3, took a decision to incorporate the contract for the retention of legal services by certain senior public officials of JAMVAC as a component of its Investigation.

It must be noted that the legal services of the law firm DunnCox were retained by JAMVAC to provide the OCG with written responses to its Requisitions which had been directed to Mr. John Lynch, the Chairman of the JAMVAC Board of Directors and Mr. Lionel Reid, JAMVAC's Executive Director.

In this regard, the OCG, upon being advised, by way of letter which was dated 2009 June 9, by the law firm DunnCox, that it now acts *for and on behalf of Jamaica Vacations Limited (JAMVAC) and the Tourist Enhancement Fund (TEF)* and that its services were *"retained to assist JAMVAC and TEF with its compliance to the said requests."* began monitoring the retention of the referenced legal services, pursuant to Section 4 (1) of the Contractor General Act.

Consequently, by way of letter, which was dated 2009 June 10, the OCG wrote to the Permanent Secretary in the MOT, Mrs. Jennifer Griffith raising certain critical governance issues, *inter alia*, and advised her of its decision *"... inter alia, to monitor the procurement of the legal services which are being provided by DunnCox, to the named representatives of JAMVAC and TEF."*

Subsequently, it must be noted, the referenced legal services, which were provided by DunnCox, were retained solely by JAMVAC, on behalf of Mr. John Lynch, Chairman of the Board, JAMVAC and Mr. Lionel Reid, Executive Director, JAMVAC.

The OCG's Findings and considered Recommendations regarding the DunnCox retention are included herein as a "Supplemental Report" to the OCG's Report of Investigation into the Air-lift Guarantee Agreements.

The Findings of the OCG's Investigation have revealed that three (3) Air Service Agreements were consummated between JAMVAC and AA in regard to the provision of passenger air services between Montego Bay, Jamaica and three (3) international Airports in the United States of America, namely:

1. Chicago O'Hare International Airport ("ORD");
2. Dallas/Fort Worth International Airport ("DFW");

3. Miami International Airport ("MIA")

According to Mr. John Lynch, Chairman of the Board, JAMVAC, "*all three agreements were signed contemporaneously prior to August 11, 2008.*"⁶⁸

The Air Service Agreements subsequently came into effect on 2008 November 2 for the Miami and Dallas routes and on 2009 January 31 for the Chicago route.

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 JAMVAC, TEF, the MOT and the JTB, the OCG has arrived at the following considered Findings and Conclusions:

1. The evidence which has been presented to the OCG has indicated that **JAMVAC initiated the deal with AA** and not the other way around as was falsely asserted by the Hon. Edmund Bartlett in his Cabinet Submission of 2008 September 9. The justification which has been given to the OCG, *inter alia*, includes:
 - a. Representations that AA was making preparations to reduce the number of flights to Jamaica and other destinations in the world;
 - b. AA is one of the largest carriers in the Caribbean and has connecting flights from several other regions in the world;
 - c. Other countries were also forming similar agreements with AA to secure flights to their territories. Therefore, it was deemed to be imperative that JAMVAC got on board in order to save the tourism industry from the possible effects of flight reductions.
2. The evidence which has been adduced by representatives of JAMVAC, the MOT and TEF, in regard to the other airlines which were allegedly approached regarding securing airline seats to Jamaica is, at best, sparse.

The only written indication which was provided that other airlines were approached was correspondence between Air Jamaica and JAMVAC which revealed that Air Jamaica was requesting that an agreement to secure airline seats for the six (6) worst months of the year be signed. This was the only communication submitted to the OCG by Mr. Lionel Reid and Mr. John Lynch as evidence that there was dialogue with Air Jamaica regarding a similar agreement. Both Mr. Lynch and Mr. Reid indicated that they were unable to locate any other communication between JAMVAC and Air Jamaica.
3. Additionally, although it was stated by Mr. Reid and Mr. Lynch that there was dialogue between JAMVAC and US Airways and Delta, neither Mr. Lynch nor Mr. Reid was able to provide the OCG with any evidence to indicate that any formal dialogue took place with US Airways and Delta. In essence, the OCG has not been provided with physical evidence to indicate that other alternatives were weighed by JAMVAC before it was decided that JAMVAC would enter the Air Service Agreements with AA.
4. The OCG has found and concluded that the Air Service Agreements were submitted to the Attorney General's Department for comments prior to their being signed. The submission, which solicited the AG's comments and responses, was made by JAMVAC in 2008 July.
5. Based upon the sworn statements which have been provided to the OCG, the OCG has concluded that the Air Service Agreements between JAMVAC and AA were signed by Mr. John Lynch prior to 2008 August 11.
6. With regard to the Cabinet Submission and Decision regarding the Airlift Guarantee Deal, the OCG found and has concluded that the Cabinet did not come to a decision regarding these Agreements.

⁶⁸ Letter which was dated 2009 December 2 in response to the OCG's Requisition.

In its Requisition to the Cabinet Office, the OCG requested all Cabinet Decisions and Submissions regarding these Agreements. As at 2009 November 3, the only Cabinet Decision regarding these Agreements was a provisional Cabinet Decision. **The referenced Cabinet Decision indicated that this “matter should be withdrawn from the Agenda until further consultation on the recommendations and alternative proposals, including consultations with the Attorney General’s Department.”** (OCG’s Emphasis).

It should also be noted that up to the date of the response from the Cabinet Office, i.e. 2009 November 3, and the date of the writing of this Report, the OCG has not been provided with any other Cabinet Decision which states that these Agreements were approved by the Cabinet.

7. Based upon the compendium of facts, including the date on which the Air Service Agreements were signed, the date on which the Cabinet Submission was made and the fact that the Cabinet made no conclusive decision regarding the Air Service Agreements, the OCG has been led to conclude the following:
 - a. The Air Service Agreements were improperly and irregularly awarded as the approval requirements which were held out by JAMVAC as being a necessary requirement for the consummation of the contract were never received;
 - b. The fact that the Air Service Agreements were signed prior to 2008 August 11, and, consequently, before the submission for approval was made to the Cabinet, meant that the approval process would have been retroactive and would amount to a “*rubber stamping*” of what was already a done deal;
 - c. The Cabinet of Jamaica was misled as the information which was contained in the Cabinet Submission of 2009 September 9 indicated that JAMVAC accepted an unsolicited proposal from AA. However, the sworn documentary evidence which has been provided to the OCG has contradicted this statement.
8. The OCG has concluded that there was to have been marketing strategies within the three gateways. However, the Findings have indicated that there were marketing strategies in place for New York and Miami but not specifically for Chicago or Dallas. Of note, Chicago and Dallas are two of the gateways mentioned in the Air Service Agreements.
9. The OCG has concluded that JAMVAC took steps to ensure that the flights were being monitored and that AA was meeting its minimum seat requirements. In regard to the monitoring of flights, the evidence which has been provided to the OCG has revealed that there were monitoring strategies which were put in place to monitor the flights.

The information which has been provided to the OCG has revealed that Mr. Anthony King, Regional Director, Airline & Tour Operator (JTB), was assigned the task of monitoring these flights.

10. With regard to the adherence to the procurement guidelines, the documentary evidence which has been provided has led the OCG to conclude that JAMVAC sought and received advice and approval at varying levels for the Air Service Agreement.

As such, the OCG has concluded that JAMVAC relied upon the advice of both the Attorney General’s Department and the Ministry of Finance and the Public Service which proffered that the Air Service Agreements did not fit within the parameters of the GOJ Procurement Procedures.

11. The OCG has found and concluded that TEF approved the funds for financing the US\$4.5 Million Guarantee Deal in its Board meeting of 2008 July 23.
12. The Findings of the Investigation have revealed and have subsequently led the OCG to conclude, based upon the sworn and written testimony of Mr. John Lynch and Mr. Lionel Reid, that, up to 2009 November 2, no money had been paid to AA by JAMVAC, TEF and/or by the Government of Jamaica in regard to the US\$4.5 Million Airlift Guarantee Deal.

13. The OCG has concluded that the contract for the retention of the legal services of DunnCox was both improperly and irregularly awarded when measured against the requirements of Section 4 (1) of the Contractor General Act. This conclusion is premised upon the fact that neither the Permanent Secretary in the MOT nor the Board of JAMVAC had granted permission for the execution of the contract as at 2009 June 9. Further, a signed contract was not executed between DunnCox and JAMVAC until 2009 June 26.

Despite this fact, DunnCox had began rendering services to JAMVAC from as early as 2009 June 9 and had billed the Public Body for same. The Board of JAMVAC eventually granted its approval for the contract with DunnCox and regularised same at its Board Meeting of 2009 June 25 – but only after the OCG had formally written, on 2009 June 10, to the Permanent Secretary in the MOT, to enquire into and to raise its strong concerns regarding the matter.

14. As at 2009 November 6, JAMVAC had incurred legal fees amounting to some \$441,924.20 for legal services which were rendered by DunnCox to assist Mr. John Lynch and Mr. Lionel Reid to provide responses to the OCG's enquiries.

It is the OCG's considered opinion and conclusion that these fees cannot be justified by JAMVAC nor should they have ever been permitted to be incurred at the expense of the Jamaican Taxpayers.

Consequently, the OCG has concluded and is indeed fortified in its views that the retention of the legal services of DunnCox by JAMVAC amounts to an abuse of positions, privilege and the Taxpayers' money by both Mr. John Lynch and Mr. Lionel Reid.

15. Based upon the representations which have been made to the OCG and the observations which were made during the course of its monitoring of the services which were provided by DunnCox, the OCG has concluded that there needs to be a clear and unambiguous policy which governs instances in which public officials/officers can engage the private bar, for what purposes and if so, whether same can be properly done at the expense of the Jamaican Taxpayers.
16. The OCG has also been led to conclude that the exemption of non-routine legal services from the standard procurement guidelines has opened the doors for an abuse of the process, challenges to the lawful authority of the OCG to enquire into such matters and an overall lack of appreciation for the distinct requirements of the law versus that of a policy. In essence, the OCG's experience in the instant case would, *prima facie*, suggest that both Public Bodies and contractors who are applying the exemption believe that they are a law unto themselves for which there can be no call to be held accountable, even by an Independent Commission of Parliament which is en clothed with the powers of a Judge of the Supreme Court and which is lawfully mandated to make such enquiries.
17. In light of the challenges which have been faced by the OCG during the conduct of its Investigation, it must be concluded that both Public Officials and private individuals, and contractors, as was evidenced by the conduct of the Office of the Cabinet and the law firm, DunnCox, in the instant matter, are not fully apprised and or appreciative of the Contractor-General Act and, in particular, the reach and implications of Section 18 (4) of the Contractor-General Act.

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 Referrals and Recommendations.

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.”⁶⁹ (OCG 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 Attorney General for her to determine and to advise what steps may be taken to censure and/or to hold to account the Hon. Edmund Bartlett, Mr. John Lynch and Mr. Lionel Reid with regard to the role which was played by each of them in the irregularities which have been unearthed by the OCG in this matter.

The referral is being made on the basis that there is ***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, which would suggest that:

- a) The Hon. Edmund Bartlett misled the Cabinet of the Government of Jamaica in his 2008 September 9 Cabinet Submission by falsely representing, in writing, that “JAMVAC has favourably considered **a verbal, unsolicited proposal from American Airlines**” when, in point of fact, the entire matter was one which was initiated with AA by none other than the Minister himself and Mr. John Lynch at a meeting which was convened in Miami “on or about 2008 March 22”. (OCG’s emphasis).
- b) Mr. John Lynch signed contracts with American Airlines prior to same being submitted to and/or approved by the Cabinet of the Government of Jamaica, despite the fact that Cabinet Approval was held out by him as a condition precedent for the award of the referenced contracts. To date, no proof of any Cabinet Approval, regarding the deal, has been shown to the OCG; and
- c) Mr. John Lynch and Mr. Lionel Reid engaged the services of the law firm of DunnCox prior to and without obtaining the requisite approvals of the Board of Directors of JAMVAC and/or the Permanent Secretary of the MOT.

The OCG is of the considered opinion that it is within the purview of the Attorney General to determine and to advise what appropriate and/or applicable actions may be taken or initiated against the Hon. Edmund Bartlett, Mr. John Lynch and Mr. Lionel Reid, having regard to all of the circumstances of the case.

In addition, the Hon. Prime Minister may choose to exercise his prerogative powers to discipline the Hon. Minister and the two other Public Officers. All three gentlemen have exhibited conduct of varying degrees which would suggest that they do not fully appreciate that they are Public Officers and that they must be held fully accountable to the Taxpayers of the country for their actions.

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).

⁶⁹ Contractor-General Act. 1983

1. The OCG recommends that the JAMVAC, and all other Public Bodies and Public Officials, must, as a matter of good business procedure and practice, be compelled to reduce into writing any discussions which are undertaken regarding national commercial transactions which are being negotiated on behalf of the People, Taxpayers and Government of Jamaica. In the case of JAMVAC, and as it relates to the Guarantee Deal, this is of particular importance since in their response to the OCG's Requisition, Mr. John Lynch and Mr. Lionel Reid indicated that there were discussions with US Airways and Delta regarding similar Airlift Agreements but there was no documentary evidence to indicate what those discussions were or if, indeed, there were any discussions in the first place as is being alleged.
2. The OCG recommends that in agreements of this magnitude, JAMVAC and/or any other Public Body should ensure that all possible options are explored before entering in these deals. There was no indication that there were serious discussions with other airlines regarding similar Airlift Agreements.
3. It is recommended that an immediate review of the evaluation and approval processes for commercial agreements, by the Ministry of Finance and the Public Service, be undertaken by the Public Administration and Appropriations Committee of the House of Representatives and by the Auditor General.

This review should be conducted to ensure that adequate procedures, systems, checks and balances are not only implemented by these Public Bodies, but are aggressively enforced to secure a radically improved level of compliance with the relevant Government approved procedures, regulations and laws. Particular attention must also be paid to the requirements of the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act, the Contractor-General Act and the Government's Procurement Procedures.

4. The OCG respectfully recommends that the Cabinet Office and the Cabinet of Jamaica take the necessary steps to ensure that any submissions that are made to it by Public Bodies or Public Officers are factually correct and do not lend themselves to ambiguities, misrepresentations and/or the appearance of '*rubber stamping*' requests.
5. The OCG recommends that the Ministry of Finance and the Public Service establish policies and guidelines relating to Government of Jamaica contracts of this nature. The issue with the Airlift Guarantee Deal was that there was a seeming uncertainty as to whether the Air Service Agreements could be classified as a regular procurement and whether or not they were required to go through the requisite procurement approvals process.

According to the advice which was secured from the Attorney General's Department and the Ministry of Finance and the Public Service, it is apparent that the Air Service Agreements would not have been subject to the strictures of the standard procurement guidelines.

However, there was apparently no other guideline to follow regarding the entering into and consummation of such Agreements. Therefore, there is a clear need to implement guidelines for public contracts and commercial agreements which are not deemed to be regular procurement contracts.

In light of the above, and until such anomalies are rectified by the Ministry of Finance and the Public Service and the Cabinet of Jamaica, the OCG hereby recommends and reminds Public Bodies that, irrespective of the exclusions and exemptions which are granted in the procurement guidelines, all Public Body commercial transactions, with the exception of land acquisition contracts, remain within the scrutiny and jurisdiction of the Contractor General.

As such, it is further recommended that due care be exercised to ensure that there is merit, transparency and impartiality in the consummation of any and all Government contracts.

Special Recommendations

1. In light of the challenges which have been identified by the OCG during the course of this Investigation, it has been both prudent and necessary to make a recommendation regarding the current procurement guidelines and the exemptions which the present Administration has granted in respect of the retention of legal services.

Public Bodies and Attorneys-at-Law are aware that certain non-routine legal services have been exempt from the ambit of the standard Government of Jamaica procurement procedures. However, what remains a seeming anomaly which requires fulsome attention, are the instances and circumstances under which a Public Official/Officer can rightly and justifiably resort to legal representation at the expense of the Jamaica Taxpayers.

As such, the OCG is respectfully bringing the matter to the attention of the Houses of Parliament and the Cabinet of Jamaica with a recommendation that such necessary rules and/or procedures be drafted to prevent a recurrence of what has transpired in the OCG's Investigation.

The matter at hand is one which, if left unaddressed, has the potential to erode the foundations of accountability and transparency within the Jamaican Public Sector and, to do so at the expense of the Jamaican Taxpayers.

2. In light of the gravity of the challenges which have been mounted against the OCG by DunnCox, as well as the nature of the false, injurious and damaging allegations which were made by DunnCox against the OCG regarding the OCG's motives for investigating the contract between DunnCox and JAMVAC, the OCG hereby posits what it considers to be a fundamental and necessary recommendation to insulate and protect the OCG against unfounded and factually incorrect assertions.

The OCG respectfully recommends that the Parliament and Government of Jamaica take the necessary and reasonable steps to ensure that Government contractors and Public Bodies are unambiguously and forthrightly advised that exemptions from the procurement guidelines do not equate to an exemption or exclusion from the jurisdiction of the scrutiny of the OCG.

Further, the OCG respectfully recommends that the Parliament of Jamaica should, in the public interest, review the Contractor General Act and, in particular, Section 18 thereof, to ensure that Section 18 (5) of the Act cannot be utilised to restrict the provision, to a Contractor General, of any information regarding Government of Jamaica contract awards, on the basis that to do so would violate the Attorney/Client privilege, or any other secrecy or confidentiality prohibition which is otherwise recognized by law.

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA**Executive Summary of Report of Investigation**

Conducted into the Procurement Practices of the Ministry of Health and Environment and/or its Regional Health Authorities.

Ministry of Health and Environment

Initiated: 2008 March

Concluded: 2010 March

On 2008 March 11, 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 procurement practices of the Ministry of Health and Environment (MOHE) and/or its Regional Health Authorities.

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 Investigation was prompted after the conduct of an OCG preliminary enquiry which was initiated pursuant to 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*”.

It is instructive to note that the OCG's decision to commence the preliminary enquiry followed upon two (2) specified events.

First, on 2007 August 16, the OCG received a copy of a letter, which was addressed to the Honourable Bruce Golding, in his capacity as the then Leader of the Opposition, from a ‘Concerned Nurse’, that was dated 2007 August 4.

The referenced letter inferred, *inter alia*, that the Ministry's (the then Ministry of Health - MOH) procurement process was plagued with corruption, particularly in regard to the award of service-oriented contracts such as those for janitorial and portering services.

The letter further implied that for several years, two companies, LAMASA Ltd. and Manpower & Maintenance Services Ltd., have “...dominated the provision of janitorial/ portering services...”

Below is a synopsis of the concerns which were raised by the 'Concerned Nurse' in the referenced letter, which was dated 2007 August 4:

1. *"...there are two main PNP activists, namely: a) Lascelle Roach, head of LAMASA Ltd.; and b) Audrey Hinchcliffe, head of Manpower and Maintenance Services Ltd., both of whom have dominated the provision of janitorial / portering services for many, many years.*
2. *Their political (PNP) connection is well known throughout the ministry and beyond.*
3. *Minister Dalley has approved certain unprofessional, politically-inclined, unethical and dishonest decisions pertaining to janitorial / portering service cost that we the nurses have discussed in camera..."⁷⁰*

The allegations which were contained in the foregoing letter alluded, *inter alia*, to (a) impropriety; (b) lack of transparency; and (c) cronyism, in the award of service oriented contracts, in particular those for janitorial and portering services, by the MOHE and/or its Regional Authorities.

Secondly, on 2007 September 21, the OCG received a letter, which was addressed to the then Financial Secretary, Mr. Collin Bullock, from the then Permanent Secretary in the MOHE, Mrs. Grace Allen Young, with regard to the letter from the 'Concerned Nurse'.

In the referenced letter, which was dated 2007 September 19, Mrs. Allen Young stated that:

"As Accounting Officer, my interest is to ensure that the procurement procedures were followed. The Principal Finance Officer was, therefore, asked to investigate the matter. The details are attached, which indicate that the contracts awarded to the named companies between March 2002 and March 2005 received the approval of the NCC and the Cabinet of Jamaica."⁷¹

Consequently, the OCG, by way of a letter, which was dated 2007 November 19, sought to verify the information which was provided by the MOHE in its 2007 September 19 letter to the then Financial Secretary.

The OCG, in its letter of enquiry, which was dated 2007 November 19, stated that *"Having carefully reviewed the letter as well as the attachments, we now write asking that some additional information be provided to the Office of the Contractor General (OCG) to enable the office to conduct verification checks in relation to the award of contracts to the companies referenced. Could you please advise the following and provide details in a spreadsheet where applicable:*

1. *whether there was/were any contract(s) awarded to any of these companies between January 2, 2000 and March 1, 2002;*
2. *whether there was/were any contract(s) awarded to any of these companies since March 1, 2005 up to October 31, 2007;*
3. *whether there was/were any contract(s) issued by either the Ministry of Health & Environment and/or any of its regional authorities, between March 2002 and March 2005, but which were not included on the list which accompanied your letter of September 19, 2007;*
4. *whether there was/were any payment(s) made to any of these companies since January 1, 2000 up to October 31, 2007, but which was/were not supported by the issuance of a Contract or Purchase Order."⁷²*

The referenced OCG letter further stated that; *"Where contracts have been issued based on the responses to the items listed 1-3 above, please provide the following details:*

- *date of contract award*

⁷⁰ Concerned Nurse. Letter to the Prime Minister. 2007 August 4

⁷¹ MOHE. PS Letter to the Financial Secretary. 2007 September 19

⁷² OCG. Letter to the MOHE. 2007 November 19

- *description of contract*
- *name of contractor*
- *contract value*
- *procurement methodology (e.g. Sole Source, Limited tender)*
- *number of tenders/quotes invited*
- *number of tenders/quotes received*
- *whether Procurement Committee approval was received prior to award of contract*
- *whether approval by the National Contracts Commission and/or Cabinet was received (where required)*⁷³

In its letter of response to the OCG, which was dated 2007 December 7, the MOHE provided the OCG with a spreadsheet of information relating to the contracts which were awarded to LAMASA Ltd. and Manpower & Maintenance Services Ltd. for the period 2000 up to 2007.

The MOHE also advised the OCG that several of the contracts, which were awarded to LAMASA Ltd. and Manpower & Maintenance Services Ltd., which were detailed in the spreadsheet, had expired and were “...extended on various occasions...”⁷⁴

Having regard to (a) the foregoing assertions by the MOHE and (b) the allegations which were contained in the 2007 August 4 letter from the ‘Concerned Nurse’, several concerns were raised for the OCG, especially in light of the perceived absence of adherence to the Government Procurement Procedures Handbook (GPPH- 2001 May) and the Government contract award principles which are enshrined in Section 4 (1) of the Contractor General Act.

Some of the referenced allegations and assertions alluded, *inter alia*, to (a) impropriety, (b) a lack of fairness, transparency and cronyism in the award of Government contracts, (c) a breach of the Government Procurement Guidelines and mismanagement, and (d) a breach of applicable Government administrative and accounting procedures.

At the commencement of the Investigation on 2008 March 11, the OCG undertook a review of the allegations which were contained in the letter from the ‘Concerned Nurse’ and the responses which were given to the OCG, by the MOHE in its letter, which was dated 2007 December 7. This was done in an effort to determine the direction of the Investigation, as well as the most efficacious method by which to proceed.

The OCG, during the course of its Investigation, decided to expand the ambit of its Investigation to embrace the procurement practices of the MOHE and/or its Regional Health Authorities. In this regard, the OCG undertook a review and analysis of (a) the institutions’ Quarterly Contracts Award (QCA) Reports for the period 2006 April to 2009 December; and (b) selected contract award recommendations, which were submitted to the National Contracts Commission (NCC) by the said institutions.

The Terms of Reference of the OCG’s Investigation into the procurement practices of the MOHE and/or its Regional Health Authorities 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, 1983.

Additionally, the OCG was guided by the important responsibilities which are imposed upon Public Officials by the GPPH (2001), the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act and the Corruption Prevention Act.

⁷³ OCG. Letter to the MOHE. 2007 November 19

⁷⁴ MOHE. Letter to the OCG. 2007 December 7

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 OCG's Investigation sought to determine, *inter alia*, the following:

1. Whether there was compliance with the provisions of the GPPH (2001), the Contractor General Act (1983), the Public Bodies Management and Accountability Act, the Financial Administration and Audit Act, and the Corruption Prevention Act, by the MOHE and/or its Regional Health Authorities in the award of contracts for the provision of janitorial and portering services.
2. The procurement processes which were employed by the MOHE and/or its Regional Health Authorities, in the award, implementation, execution and/or variation of the contracts which were awarded to LAMASA Ltd. and Manpower & Maintenance Services Ltd.;
3. Whether there were any breaches of the Government's Procurement Procedures or applicable laws on the part of the MOHE and/or its Regional Health Authorities, in the facilitation, procurement, award, implementation, execution and/or variation of the referenced contracts;
4. Whether the processes which led to the award of the contracts to LAMASA Ltd. and Manpower & Maintenance Services Ltd. were fair, impartial, transparent and devoid of irregularity or impropriety.
5. Whether there was any *prima facie* evidence that would suggest impropriety on the part of any individual or entity which contributed to the award of the contracts to LAMASA Ltd. and Manpower & Maintenance Services Ltd. for the provision of janitorial and portering services;

It is instructive to note that Section 18 (3) of the Contractor-General Act stipulates that "For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents". (OCG Emphasis)

Further, Section 17 (1) of the Contractor-General Act empowers a Contractor General "to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit". (OCG Emphasis)

The following methodologies were used to inform the Findings and Conclusions of the OCG's Investigation:

1. A detailed review and analysis of the procurement records and supporting documents, inclusive of a review of the Minutes of the Meetings of the Procurement Committee for the MOHE and selected Regional Health Authorities.
2. A Letter of Requisition, which was dated 2007 November 19, directed by the OCG to the then Permanent Secretary, Dr. Grace Allen Young, requesting clarification on certain issues.
3. A detailed review and analysis of the Quarterly Contracts Award (QCA) Reports for the MOHE and its Regional Health Authorities for the period of 2006 (April to December) to 2009 was undertaken.
4. A detailed review and analysis of the submissions which were made by the MOHE and its Regional Health Authorities to the National Contracts Commission (NCC), for the period of 2007 to 2009 was undertaken.

The Findings of the OCG's Investigation into the procurement practices of the MOHE and/or its Regional Health Authorities are premised primarily upon an analysis of the information and the documents which were provided by the MOHE.

It is also instructive to note that letters were directed on 2008 March 11, by the Contractor General, to the Minister of Health and Environment, the Honourable Rudyard Spencer, the then Permanent Secretary, in the MOHE, Mrs. E. Grace Allen Young, and the then Principal Financial Officer, MOHE, Mr. Nigel Logan, to formally advise them of the commencement of the OCG's Investigation into the procurement practices of the Ministry of Health and Environment and/or its Regional Health Authorities.

Findings

Janitorial & Portering Services Contracts

The OCG, by way of a letter to the MOHE, which was dated 2007 November 19, asked the following questions with regard to the award of the contracts to LAMASA Ltd. and/or Manpower & Maintenance Services Ltd:

1. *"whether there was/were any contract(s) awarded to any of these companies between January 2, 2000 and March 1, 2002;*
2. *whether there was/were any contract(s) awarded to any of these companies since March 1, 2005 up to October 31, 2007;*
3. *whether there was/were any contract(s) issued by either the Ministry of Health & Environment and/or any of its regional authorities, between March 2002 and March 2005, but which were not included on the list which accompanied your letter of September 19, 2007."*⁷⁵

By way of a letter, which was dated 2007 December 7, the MOHE provided the following responses to the foregoing questions which were posed by the OCG:⁷⁶

Cleaning & Portering Contracts- 2001-2007

Company awarded contract	Institution where service delivered	Approximate Date of award	Approval Level
LAMASA	Kingston Public Hospital/Victoria Jubilee Hospital (KPH/VJH)	04-Mar-02	Cabinet
LAMASA	Bustamante Hospital	04-Mar-02	Cabinet
Manpower & Maintenance Services Ltd.	Spanish Town Hospital	04-Mar-02	Cabinet
Manpower & Maintenance Services Ltd.	MOH- 2-4 King Street	04-Feb-01	Cabinet
LAMASA	Mandeville Hospital	21-Mar-05	Cabinet

The OCG, in its letter to the MOHE, which was dated 2007 November 19, also asked the following question:

*"whether there was/were any payment(s) made to any of these companies since January 1, 2000 up to October 31, 2007, but which was/were not supported by the issuance of a Contract or Purchase Order"*⁷⁷

In its response to the aforementioned question, the MOHE, in its letter which was dated 2007 December 7, provided the following information:⁷⁸

⁷⁵ OCG. Letter to the MOHE. 2007 November 19

⁷⁶ MOHE. Response to the OCG. 2007 December 7

⁷⁷ OCG. Letter to the MOHE. 2007 November 19

⁷⁸ MOHE. Response to the OCG. 2007 December 7

Payments made to LAMASA Ltd. & Manpower & Maintenance Services Ltd., which are not supported by a contract and/or purchase order- January 1, 2000 to October 31, 2007

Company awarded contract	Institution where service delivered	Approximate Date of award	Expiration Date	Comments
LAMASA	KPH/VJH	04-Mar-02	Jun-05	Contract has been extended on various occasions up to March 2008
LAMASA	Bustamante Hospital	04-Mar-02	Jun-05	Contract has been extended on various occasions up to March 2008
Manpower & Maintenance Services Ltd.	Spanish Town Hospital	04-Mar-02	Jun-05	Contract has been extended on various occasions up to March 2008
Manpower & Maintenance Services Ltd.	MOH- 2-4 King Street	04-Feb-01	Apr-04	Contract has been extended on various occasions up to March 2008

Contracts Awarded to LAMASA Ltd.

1. **KPH/VJH-** the referenced contract was awarded on 2002 March 4, in the amount of \$182,877,768.00. The procurement methodology which was utilised was that of Selective Tendering and the then MOH evaluated the tenders based upon quality/cost criteria.

Based upon the information, which was provided by the MOHE, the listed competing bidder for the referenced contract was D&MCS Ltd., which submitted a bid in the amount of \$148,908,474.00.

Further, this contract was endorsed accordingly:

- i. MOH Sector Committee on 2001 November 30;
 - ii. The NCC on 2001 December 5;
 - iii. Cabinet on 2002 March 4.
2. **Bustamante Hospital-** the referenced contract was awarded on 2002 March 4, in the amount of \$60,916,824.00. The procurement methodology which was utilised was that of Selective Tendering and the MOH evaluated the tenders based upon quality/cost criteria.

The listed competing bidders for the referenced contract were D&MCS Ltd. and Milestone Environmental Ltd., which submitted bids in the amounts of \$41,793,265.80 and \$60,916,824.00, respectively.

In addition, this contract was endorsed accordingly:

- i. MOH Sector Committee on 2001 November 30;
 - ii. The NCC on 2001 December 5;
 - iii. Cabinet on 2002 March 4.
3. **Mandeville Regional Hospital-** the referenced contract was awarded on 2005 March 21, in the amount of \$74,069,244.00. The procurement methodology which was utilised was that of Selective Tendering and the MOH evaluated the tenders based upon quality/cost criteria.

The listed competing bidders for the referenced contract were Milestone Environmental Ltd. and Minott Janitorial Services Ltd., which submitted bids in the amounts of \$52, 614,180.00 and \$74,851,524.00, respectively.

This contract was endorsed accordingly:

- i. MOH Sector Committee on 2005 January 23;
- ii. The NCC on 2005 February 3;
- iii. Cabinet on 2005 March 21.

Contracts Awarded to Manpower & Maintenance Services Ltd.

1. **Spanish Town Hospital-** the referenced contract was awarded on 2002 March 4, in the amount of \$83,633,568.48. The procurement methodology which was utilised was that of Selective Tendering and the MOH evaluated the tenders based upon quality/cost criteria.

The listed competing bidders for the referenced contract were D&MCS Ltd. and Milestone Environmental Ltd., which submitted bids in the amount of \$58,154,382.00 and \$68,088,882.24 [sic], respectively.

This contract was endorsed accordingly:

- i. MOH Sector Committee on 2001 November 30;
- ii. The NCC on 2001 December 5;
- iii. Cabinet on 2002 March 4.

2. **MOH-** the referenced contract was awarded on 2001 February 4, in the amount of \$5,174,016.12. The procurement methodology which was utilised was that of Selective Tendering.

The listed competing bidders were Milestone Environmental Ltd. and LAMASA Ltd. which submitted bids in the amounts of \$7,159,841.00 and \$7,731,448.00, respectively.

This contract was endorsed accordingly:

- i. MOH Sector Committee on 2001 February 2;
- ii. The NCC on 2001 February 9.

3. **University Hospital of the West Indies (UHWI)-** By way of letter, which was dated 2008 January 15, the MOHE informed the OCG that in 1996 December, the UHWI awarded a contract to Manpower & Maintenance Services Ltd. to perform the following services:

- Cleaning services;
- Portering services;
- Landscaping services.

The MOHE further advised that; *"This contract would not have been approved by the NCC and Cabinet as the NCC had not yet been established and the new Procurement Guidelines would not yet have been in force. Due to the time which has elapsed since this contract was granted, the procurement records are no longer available to determine procurement methodology and the number of tenders among other things. In addition, all the relevant personnel are no longer employed to the hospital."*⁷⁹

⁷⁹ MOHE. Letter to the OCG. 2008 January 15

The referenced contract was terminated in 2005 October, after the UHWI conducted a tender process which resulted in the contract being awarded to Milestone Environmental Ltd.

The MOHE also advised that *“At the time of the termination of the contract the annual payment made under the contract for the previous three years were as follows:*

Year	Amount \$
▪ 2004/2005	45,820,450.00
▪ 2003/2004	62,832,862.00
▪ 2002/2003	47,114,137.00 ⁸⁰

In relation to contracts which were awarded by the MOHE and/or its Regional Health Authorities, to Manpower & Maintenance Services Ltd. and LAMASA Ltd., for janitorial and portering services, the MOHE, by way of a letter, which was dated 2008 March 10, acknowledged that it had not sought the approval of the NCC for the formal extension of the referenced contracts.

In its 2008 March 10 letter to the OCG, the MOHE stated as follows, *“Please be advised that the previous extensions were not approved by the NCC as required by the Procurement Regulations. This was an oversight on the part of the agencies and the Ministry and is being addressed by assigning the monitoring of such contracts to the Ministry’s Procurement Committee and the Sector Contracts Committee.”*⁸¹

The MOHE further provided a copy of two letters that were addressed to the NCC, which were dated 2007 March 10 (There appears to be a typographical error and 2007 should actually be 2008), in which the MOHE sought formal approval from the NCC for the extension of the contracts which have been award by the MOHE and/or its Regional Health Authorities for cleaning and portering services.

The referenced contracts are detailed in the following table:

NCC approval sought for the extension of the following contracts

Procuring Body	Company Awarded	Service Delivery Institution	Expiration Date	Proposed Monthly value of Contracts	Proposed value for six (6) months	Extension Commencement Date
UHWI	Milestone Environmental Ltd.	UHWI	Jun-07	\$9,625,491.12	\$57,752,946.72	01-Mar-08
South East Regional Health Authority	LAMASA Ltd.	KPH/VJH	Jun-05	\$7,602,860.00	\$45,617,160	01-Mar-08
South East Regional Health Authority	Manpower & Maintenance Services Ltd.	Spanish Town Hospital	Jun-05	\$4,555,226.52	\$27,331,359.12	01-Mar-08
South East Regional Health Authority	LAMASA Ltd.	Bustamante Hospital	Jun-05	\$2,609,660.37	\$15,657,962.22	01-Mar-08

⁸⁰ MOHE. Letter to the OCG. 2008 March 10

⁸¹ MOHE. Letter to the OCG. 2008 March 10

Current Status of the Janitorial & Portering Contracts

1. On 2009 April 30, the NCC approved the following contracts for the South East Regional Health Authority (SERHA):

Procuring Body	Company Awarded	Service Delivery Institution	Date Endorsed by NCC	Value of Contracts
SERHA	LAMASA Ltd.	Bustamante Hospital	2009 April 30	124,512,919.00
SERHA	Manpower & Maintenance Services Ltd.	Spanish Town Hospital	2009 April 30	231,870,878.00
SERHA	LAMASA Ltd.	KPH/VJH	2009 April 30	361,656,240.00

The reference contracts were awarded via the selective tender procurement methodology.

However, it is instructive to note that by way of a letter, which was dated 2009 October 21, the MOHE wrote to the NCC, and requested that the tender process for the above referenced contracts be aborted.

The MOHE in its letter, which was dated 2009 October 21, stated that; *“...it was felt that the criteria for award militate against new entrants to the market and as such the Ministry thought it prudent to abort the tender process, review and revise the evaluation criteria, and to retender. The National Contracts Commission’s approval to abort the tender process and to retender is being sought.”*⁸²

In response to the request from the MOHE, the NCC, by way of a letter, which was dated 2009 October 30, approved the request.

In the referenced letter from the NCC, it was stated that; *“The National Contracts Commission considered the matter at its meeting held on **October 28, 2009** and offered no objection to the Ministry’s proposal to abort the tender process used to recommend Lamasa Limited and Manpower and Maintenance Services Limited for the provision of cleaning and catering [sic] services at the Kingston Public Hospital, Victoria Jubilee Hospital, the Bustamante Hospital for Children and the Spanish Town Hospital respectively and to re-tender the contract.”*⁸³

By way of a letter, which was dated 2009 March 17, the MOHE wrote to the NCC, seeking permission to extend the contracts, which were entered into by the Southern Regional Health Authority (SRHA), for cleaning and portering services.

The referenced contracts were being performed by LAMASA Ltd. and Milestone Environmental Ltd. at the Mandeville Regional Hospital and May Pen Hospital, respectively.

In its referenced letter, the MOHE stated that; *“The Southern Regional Health Authority has been extending the current contract for the provision of Cleaning and Portering Services at captioned hospitals which expired July 31, 2008. Since then the Region was granted an extension, the last of which expires on March 31, 2009.”*⁸⁴

⁸² MOHE. Letter to the NCC. 2009 October 21

⁸³ NCC. Letter to the MOHE. 2009 October 30

⁸⁴ MOHE. Letter to the NCC. 2009 March 17

The MOHE further stated that; *“The Ministry intends to conduct a public tender for Cleaning and Portering Services for the Southern Regional Health Authority. **The services were tendered in late September 2008, however when the bids were to be evaluated the Region realized that they had provided the incorrect set of specifications and therefore had to redo the specifications.** New tendering process is now being carried out and the advertisement will go out by the end of March 2009. However, until this process is finalized the contractors namely Lamasa Limited and Milestone Environmental Ltd are finding it difficult to provide continuity in service unless an increase in rates is granted. The amounts being requested are as follows: (OCG Emphasis)*

Lamasa Limited (Mandeville Regional Hospital) – 11% increase

Milestone Environmental Ltd (May Pen Hospital) – 9% increase

I have approved the latter request for Milestone Environmental Limited in accordance with the Procurement Guidelines. I hereby request your approval to increase the rates of contract for Lamasa Limited and for the contracts to be extended for another six months to November 30, 2009 to enable us to undertake the tendering process.”⁸⁵

In response to the MOHE’s aforementioned request, the NCC, by way of a letter, which was dated 2009 March 26, approved the variation of 11% and the 9% increase in contract prices for the LAMASA Ltd. and Milestone Environmental Ltd. contracts, respectively.

The NCC also granted a six (6) month extension for the referenced contracts. However, the NCC stipulated that the six (6) month extension was for the period 2009 April 1 to 2009 September 30.

In its letter to the MOHE, the NCC stated that *“Within this six months period the Ministry is required to complete the contractual process as, given the previous extensions, the NCC is not in favour of granting an extension beyond September 2009.”⁸⁶*

Notwithstanding the NCC’s directives, which were contained in its letter that was dated 2009 March 26, the MOHE sought approval on 2009 September 21, for a further extension of the contracts which were awarded to LAMASA Ltd. and Milestone Environmental Ltd. by the SRHA.

In this regard, the MOHE, by way of a letter, which was dated 2009 September 21, wrote to the NCC and stated that *“The Ministry of Health supports the Region’s request to further extend the existing contracts with Lamasa Limited and Milestone Environmental Limited, providers of cleaning and portering services at the Mandeville Regional Hospital and May Pen Hospital respectively for an additional six (6) months ending March 21, 2010. The awarding of new contracts should be in place by the expiry date.”⁸⁷*

In response to the MOHE’s request, the NCC, by way of a letter, which was dated 2009 September 29 granted its approval for a further extension of the referenced contracts for a period of six (6) months, ending on 2010 March 21.

It is instructive to note that on 2009 September 23, an advertisement appeared in the *Daily Observer*, on behalf of the MOHE, which invited bidders to tender for the provision of cleaning and portering services at the Mandeville Regional Hospital and May Pen Hospital respectively.

⁸⁵ MOHE. Letter to the NCC. 2009 March 17

⁸⁶ NCC. Letter to the MOHE. 2009 March 26

⁸⁷ MOHE. Letter to the NCC. 2009 September 21

Other Procurement Findings

University Hospital of the West Indies (UHWI)- Services Contracts

It is instructive to note that the OCG, in 2007 December, concluded an Investigation into the procurement and contract award practices at the UHWI. One notable Finding from the referenced Investigation was the fact that there were several contracts which the UHWI had operated for several years, which were never put to competitive tender. These included, *inter alia*, the following:

1. The steam contract which involves maintenance for the broilers with EI-Mech;
2. The contract for general carpentry with Perry's Construction and Drafting;
3. The contract for electrical maintenance with Highlight Electrical Sales & Service Ltd.;
4. The contract for the maintenance of the hospital's air condition units with Ronham & Associates Limited.

Further, the OCG's Investigation also revealed that there were a number of contracts, both written and verbal, which had expired, or were operating on an extension basis, without the approval of the NCC and/or the Cabinet. These included, *inter alia*, the following:

1. The contract for security services with Marksman Ltd.;
2. The contract for janitorial and protering services with Milestone Environmental Ltd.;
3. The contract for laundry services with Supreme Laundry Services.

Of note is that at a meeting of the NCC, which was held on 2008 April 23, the UHWI, by way of a letter, which was dated 2008 March 28, sought a one (1) year extension for the foregoing contracts.

The Minutes of the Meeting of the NCC, which was dated 2008 April 23, stated that "*The Commission considered the letter dated 2008 March 28 from the CEO of the UHWI advising of a review of the services provided to hospitals, to determine what was to be outsourced as against those services that should be provided internally by staff. As a result, all contracts for the provision of services at the UHWI, excluding the laundry services, were to be extended for one-year while the available options were considered. It was noted that the contract for laundry services was to be tendered immediately but the current arrangement required an extension for the duration of the tender process.*"⁸⁸

The NCC supported the request of UHWI, and on 2008 April 23, granted a one (1) year extension of several services contracts for the UHWI. However, by way of a letter, which was dated 2009 March 23, the UHWI requested approval for a further extension of the said services contracts.

⁸⁸ NCC. Minutes of the Meeting. 2008 April 23

On 2009 April 2, the NCC approved the extension of the following contracts for the period 2009 March 1 to 2009 September 30:

Company	Services Offered	Approved Annual Contract Sum (J\$)	Endorsed Sum March 1, 2009 to September 30, 2009 (7 months)\$
Milestone Environmental Services Ltd.	Janitorial & portering	115,505,893.44	67,378,437.84
Marksman Ltd.	Security	76,591,872.00	44,678,592.00
Ronham & Associates Ltd.	AC & Refrigeration	8,450,390.86	4,929,394.67
Supreme Laundry Services	Laundry Services	40,320,000.00	23,520,000.00
Highlight Electrical Sales	Electrical Maintenance Services	4,255,999.91	2,482,666.61
Perry's Construction & Draughting	General Maintenance Services	8,027,040.00	4,682,440.00
El-Mech Engineers Ltd.	Steam Maintenance Services	1,975,680.00	1,152,480.00

Further, by way of a letter, which was dated 2009 September 11, the UHWI again wrote to the NCC requesting its approval for the extension of several contracts for services. In its referenced letter, the UHWI identified the said contracts and detailed the status of the procurement process for each of the listed contracts.

Below is an extract from the referenced UHWI letter, which was dated 2009 September 11:

Service	Date Advertised	Result/Current Status
<i>Security</i>	<i>January 25 & 28, 2009</i>	<i>4 bids received, proposal for award of contract endorsed by MoH Sector Committee June 12, 2009. Considered by NCC at meetings of July 1 and 8, 2009. NCC recommendations (letter to PS, MoH dated July 9, 2009) include UHWI seeking guidance of MoF regarding evaluation criteria and selection procedure. UHWI met with MoF August 5, 2009, submitted relevant documentation and now awaiting feedback.</i>
<i>Janitorial & Portering</i>	<i>March 20 & 22, 2009</i>	<i>4 bids received, none met minimum required technical score.</i>
	<i>June 3 & 5, 2009</i>	<i>Tender meeting held with potential bidders June 10. 4 bids received, only 1 met minimum required technical score. Evaluation team to conclude review of financial proposal and make recommendation. To be re-tendered pending feedback from MoF.</i>
<i>Catering</i>	<i>January 18 & 21, 2009</i>	<i>1 bid received which failed to achieve minimum technical score. To be re-tendered pending feedback from MoF.</i>
	<i>May 6 & 13, 2009</i>	<i>2 bids received. One bid ineligible due to lack of NCC registration and tender bond. Other bid failed to achieve minimum technical score. To be re-tendered pending feedback from MoF.</i>

Service	Date Advertised	Result/Current Status
Laundry Services	July 3 & 8, 2009	Submission deadline of July 28 extended to August 4, 2009 based on request from one of three potential bidders after provision of detailed clarifications by the UHWI. Tender cancelled August 3.
Medical Gases	May 22 & 27, 2009	2 bids received. One did not state bid price on Tender Form, the other stated price for first year only of two-year contract. Both rejected.
Transportation	Not yet advertised	Routes being studied with a view to possibly reducing scope of service due to cost.
AC & Refrigeration Maintenance		Detailed inventories of plant and equipment being prepared to inform technical scopes of work and contract terms to facilitate proper monitoring of services provided and associated costs to the hospital.
Electrical Maintenance		
General Maintenance		
Steam Maintenance		

The UHWI, in its letter, which was dated 2009 September 11, further stated that "As evidenced above, our efforts to complete the respective tenders have been unsuccessful to date. Accordingly, we request the endorsement of the National Contracts Commission to the extension of the service contracts at current rates, as outlined below, to March 31, 2010 to facilitate the completion of tender procedures leading to the award of new contracts."⁸⁹

Company	Service Offered	Annual Contract Sum
Milestone Environmental Services Ltd.	Janitorial & Portering	115, 505, 893.44
Marksman Limited	Security	76, 591, 872.00
Ronham & Associates Ltd.	AC & Refrigeration Maintenance	8, 450, 390.86
Supreme Laundry Services	Laundry Services	40, 320, 000.00
Highlight Electrical Sales	Electrical Maintenance	4, 255, 999.91
Perry 's Construction & Draughting	General Maintenance Service	8, 027, 040.00
El-Meth Engineers Ltd.	Steam Maintenance	1,975, 680.00
Cuisine Management Services Ltd.	Catering	110, 000, 000.00
JESSA Tours	Transportation	36, 000, 000.00
Industrial Gases Ltd.	Medical Gases	52, 000, 000.00

⁸⁹ UHWI. Letter to the NCC. 2009 September 11

In response to the foregoing request from the UHWI, the NCC, by way of a letter, which was dated 2009 September 17, stated that *“The National Contracts Commission considered the matter at its meeting held on **September 16, 2009** and approved the request from the University Hospital of the West Indies to extend the following service contracts until March 31, 2010, to facilitate the tender process..”*⁹⁰

Of note is that by way of a letter, which was dated 2009 October 1, the MOHE submitted to the Sector Committee a recommendation for the award of a janitorial and portering services contract to Milestone Environmental Services Ltd. at the UHWI.

In its letter, the MOHE stated that *“Please see Tender Evaluation Report from the University Hospital of the West Indies...The Ministry endorses the recommendation of the Evaluation Committee to award the contract for the provision of Janitorial and Portering Services to Milestone Environmental Limited for a period of three (3) years at an estimated cost of **Three Hundred and Thirty-seven Million, Nine Hundred and Thirty-five Thousand, one hundred and Fifty-eight Dollars and Sixty-two Cents (J\$337,935,158.62)**. The proposal is now being forwarded to the Health Sector Committee for consideration.”*⁹¹

The Tender Evaluation Report, for the foregoing contract award recommendation, was later submitted to the NCC for its consideration and, at a meeting of the NCC, which was held on 2009 October 28, it was stated that:

“In meeting No. 468 held 2009, October 21 the Commission had deferred the submission and directed the Secretariat to invite representatives from the Ministry of Health to attend the next meeting of the NCC to provide clarification regarding the following:

- 1. The scores contained in the evaluation report;*
- 2. The method used to advise tenderers of the revised tender documents; and*
- 3. The reason for charging a fee for the revised document.*

Accordingly, Mr. Ricardo Corrie, Procurement Specialist of the University Hospital of the West Indies (UHWI) attended. Mr. Corrie indicated that there had been in fact two tenders. In the first tender, none of the tenderers had been responsive as they had not met the minimum technical score. The scope had subsequently been revised and a new tender document issued at a reduced cost.

The Commission enquired about the difference in scores as although Manpower Maintenance had obtained full marks for the criterion “Experience and track record of the company in the provision of janitorial and portering services” the company scored zero for all the sub-criteria for “Quality of key personnel supervisor and on-site managers”. In response, Mr. Corrie indicated that based on the documentation received, Manpower Maintenance had not demonstrated in their proposal that they had the requisite experience, as they had not submitted the details of the key persons who would be assigned to the contract. The Commission therefore advised Mr. Corrie that clarification should have been sought.

Mr. Corrie further referred to an error in the Evaluation Report as by his record, the Minutes of the Evaluation Meeting had indicated a score of two (2) instead of five (5) for the Liquidity Ratio of Manpower and Maintenance. The Commission advised him that the NCC could not accept, at that stage, that there had been an error in the documents submitted to the Sector Committee and the NCC.

On examination of the documentation, the Commission concluded that nothing in the documents substantiated the claims of Mr. Corrie. The Commission also considered the fact that the score indicated in the evaluation report summed to 62 rather than 59 as reported, and consequently advised Mr. Corrie to evaluate the financial proposal of Manpower Maintenance Limited as the company had in fact exceeded the minimum technical score.

⁹⁰ NCC. Letter to the UHWI. 2009 September 17

⁹¹ MOHE. Letter to Sector Committee. 2009 October 1

The Commission noted that some Agencies had unnecessarily complicated the evaluation methodology and that over complication of an evaluation exercise could be a means to manipulate the outcome of a tender. The Commission therefore agreed that the Ministry of Finance and the Public Service should provide guidance.”⁹²(OCG EMPHASIS)

Consequently, the NCC, by way of a letter, which was dated 2009 October 29, informed the MOHE as follows:

“Having reviewed the matter, the Commission wishes to advise the Ministry as follows:

- a) The Commission observed inconsistencies in the evaluation, particularly with the points scores awarded to the tenderers.*
- b) The Ministry must go back and evaluate the financial proposal of Manpower & Maintenance Services Ltd.*
- c) Re-submit the Proposal [sic] the National Contracts Commission.”⁹³*

However, by way of a letter, which was dated 2009 November 16, the UHWI wrote to the NCC and requested that the NCC “...re-considers our proposals...”⁹⁴

In its referenced letter, the UHWI stated as follows:

“We note from the letter that the Commission has observed inconsistencies in the points awarded to the bidders but these inconsistencies have not been identified. We are advised by Mr. Ricardo Corrie, Procurement Specialist at the UHWI who attended your meeting of October 28, 2009, that members of the Commission identified a discrepancy between the minutes of the evaluation meeting and the evaluation report signed by members of the hospital’s evaluation committee. That discrepancy is the result of a typographical error in the minutes and the substantive document which informed the decision of the evaluation committee, the evaluation report, is correct. Accordingly, whereas the minutes with the typographical error (prepared weeks after the actual meeting) may suggest that the financial proposal submitted by Manpower and Maintenance Services Ltd should have been evaluated, the signed evaluation report reflects the correct scores which formed the basis of the selection.

Furthermore, having not achieved the minimum required technical score, the financial proposal submitted by Manpower and Maintenance Services Ltd was returned unopened and cannot be evaluated as per your directive.

We therefore request that the Commission re-considers our proposal in the [sic] light of the above clarification.”⁹⁵

In response to the request from the UHWI, the NCC, by way of a letter, which was dated 2009 November 25, stated that ***“The National Contracts Commission (NCC) re-considered the matter at its meeting held on November 11, 2009 and wishes to advise the University Hospital of the West Indies as follows:***

- a. The NCC did not accept the reason given by the UHWI in respect of the discrepancy between the Minutes of the Evaluation Meeting and the Evaluation Report.*
- b. The type of tender being carried out by the UHWI does not require the two (2) envelop system.*
- c. Given the circumstances that obtains [sic] in the present procurement being done by the UHWI, the proposed contract must be re-tendered.*
- d. The UHWI should extend the existing contract for a period of six (6) months.”⁹⁶*

⁹² NCC. Minutes of the Meeting. 2009 October 28

⁹³ NCC. Letter to MOHE. 2009 October 29

⁹⁴ UHWI. Letter to NCC. 2009 November 16

⁹⁵ UHWI. Letter to NCC. 2009 November 16

Quarterly Contracts Award (QCA) Report

The OCG undertook an assessment of the QCA Reports which have been submitted by the MOHE and/or its Regional Health Authorities, to the OCG, for the period 2006 (April to December) to 2009 (January to December).

The following information is an assessment of the QCA Reports which have been submitted by the MOHE and its Regional Health Authorities, and reflects contracts which have reportedly been awarded by the respective entities.

It is instructive to note that while QCA Reports may have been submitted by an entity, the information will not be included in the assessment unless the Report has been verified 'O.K.' by an OCG Inspector. Where there are errors, omissions, etc., on a Report, that Report would not have been verified by an OCG Inspector.

Further, contracts are considered **not** to have obtained Procurement Committee approval, if the information entered in the related column eleven (11) of the Q.C.A. report is not 'Y'

In addition, it is instructive to note that the applicable value range for the contracts which were awarded between 2006 and the third (3rd) quarter of 2008 was J\$250,000.00 to J\$3,999,999.99, whereas, commencing with the fourth (4th) quarter of 2008, the applicable value range is J\$275,001.00 to J\$10,000,000.00.

MOHE

The table below highlights the total value of the contracts which were reportedly awarded by the MOHE (formerly the MOH) for the following years:

1. 2006 (April to December, i.e. the 2nd to 4th Quarter);
2. 2007 (January to September, i.e. the 1st to 3rd Quarter);
3. 2008 (April to December, i.e. the 2nd to 4th Quarter);
4. 2009 (January to June, i.e. the 1st to 2nd Quarter).

Total Value of Contracts

2006 (\$M)	2007 (\$M)	2008 (\$M)	2009 (\$M)
24.76	43.66	85.31	84.53

In 2006, the MOH awarded a total of sixteen (16) contracts. However, one (1) of the sixteen (16) contracts which were reported did not have the approval of the Procurement Committee. This represents a total of six percent (6%) of total number of contracts which were reportedly awarded in 2006.

In 2007, the MOH awarded a total of thirty nine (39) contracts. However, two (2) of the thirty nine (39) contracts which were reported did not have the approval of the Procurement Committee. This represents a total of five percent (5%) of the total number of contracts which were reportedly awarded in 2007.

For 2008 and 2009, all contracts were reported as being approved by the Procurement Committee.

The contracts which were not approved by the Procurement Committee, between 2006 and 2007, are detailed in the following table:

Contract Award Date	Name of Contractor	Contract Description	Contract Value
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⁹⁶ NCC. Letter to the MOHE. 2009 November 25

			(J\$)
2006 August 24	Guardian Fence Systems Limited	To supply and erect Security Fence and Razor wire	596,200.00
2007 May 7	Motor Sales & Company Ltd.	Provision of Motor Vehicle	1,247,168.00
2007 May 7	Toyota Jamaica Ltd.	Provision of Motor Vehicle	3,467,423.00

Western Regional Health Authority (WRHA)

The table below highlights the total value of the contracts which were reportedly awarded by the WRHA for the following years:

1. 2006 (April to December, i.e. the 2nd to 4th Quarter);
2. 2007 (January to September, i.e. the 1st to 3rd Quarter);
3. 2008 (January to December, i.e. the 1st to 4th Quarter);
4. 2009 (January to March, i.e. the 1st Quarter).

Total Value of Contracts

2006 (\$M)	2007 (\$M)	2008 (\$M)	2009 (\$M)
31.72	79.09	139.75	252.06

Of import is the fact that for the period 2006 through to 2008 all contracts were reported as having been approved by the Procurement Committee.

However, in 2009, the WRHA reported that one (1) of the one hundred and ninety eight (198) contracts which were awarded did not have the approval of the Procurement Committee. This represents a total of one percent (5%) of the total number of contracts which were reportedly awarded in 2009.

The referenced contract was awarded on 2009 February 23 to L.P. Azar Ltd. in the sum of \$380,916.00.

North East Regional Health Authority (NERHA)

The table below highlights the total value of the contracts which were reportedly awarded by the NERHA for the following years:

1. 2006 (April to December, i.e. the 2nd to 4th Quarter);
2. 2007 (January to December, i.e. the 1st to 4th Quarter);
3. 2008 (January to December, i.e. the 1st to 4th Quarter);
4. 2009 (January to June, i.e. 1st to 2nd Quarter).

Total Value of Contracts

2006 (\$M)	2007 (\$M)	2008 (\$M)	2009 (\$M)
20.77	23.84	49.08	62.06

In 2006, the NERHA awarded a total of nineteen (19) contracts. However, one (1) of the nineteen (19) contracts which were reportedly awarded by the MOH did not have the approval of the Procurement Committee. This represents a total of five percent (5%) of the total number of contracts which were reportedly awarded in 2006.

In 2007 all contracts were reported as having been approved by the Procurement Committee.

In 2008, the NERHA awarded a total of fifty (50) contracts and two (2) of the said contracts which were reported did not have the approval of the Procurement Committee. This represents a total of four percent (4%) of the total number of contracts which were reportedly awarded in 2008.

In 2009 all contracts were reported as having been approved by the Procurement Committee.

The three (3) contracts which were not approved by the Procurement Committee, between 2006 and 2008, are detailed in the following table:

Contract Award Date	Name of Contractor	Contract Description	Contract Value (J\$)
2006 August 24	Shaw Park Hotel	Logistics for Training Session	286,000.00
2008 January 30	Hillcrist Entertainment	Ball Room: Staff Awards	395,000.00
2008 December 12	Foreman Chung & Skyes.	Structural Engineer	300,000.00

South East Regional Health Authority (SERHA)

The table below highlights the total value of the contracts which were reportedly awarded by the SERHA for the following years:

1. 2006 (April to December, i.e. the 2nd to 4th Quarter);
2. 2007 (January to December, i.e. the 1st to 4th Quarter);
3. 2008 (January to December, i.e. the 1st to 4th Quarter);
4. 2009 (January to September, i.e. the 1st to 3rd Quarter).

Total Value of Contracts

2006 (\$M)	2007 (\$M)	2008 (\$M)	2009 (\$M)
218.89	364.89	343.88	659.67

In 2006, SERHA awarded a total of two hundred and sixty one (261) contracts. However, two hundred and thirty one (231) of the two hundred and sixty one (261) contracts which were reportedly awarded by the SERHA did not have the approval of the Procurement Committee. This represents a total of eighty nine percent (89%) of the total number of contracts which were reportedly awarded in 2006.

In 2007, SERHA awarded a total of four hundred and ninety nine (499) contracts. However, two hundred and twenty nine (229) of the four hundred and ninety nine (499) contracts which were reportedly awarded by the SERHA did not have the approval of the Procurement Committee. This represents a total of forty six percent (46%) of the total number of contracts which were reportedly awarded in 2007.

In 2008, SERHA awarded a total of five hundred and ten (510) contracts. However, one hundred and seventy five (175) of the five hundred and ten (510) contracts which were reportedly awarded by the SERHA did not have the approval of the Procurement Committee. This represents a total of thirty four percent (34%) of the total number of contracts which were reportedly awarded in 2008.

In 2009, SERHA awarded a total of six hundred and forty seven (647) contracts. However, one hundred and fifty (150) of the six hundred and forty seven (647) contracts which were reportedly awarded by SERHA did not have the approval of the Procurement Committee. This represents a total of twenty three percent (23%) of the total number of contracts which were reportedly awarded in 2009.

Southern Regional Health Authority (SRHA)

The table below highlights the total value of the contracts which were reportedly awarded by the SRHA for the following years:

1. 2006 (April to December, i.e. the 2nd to 4th Quarter);
2. 2007 (January to December, i.e. the 1st to 4th Quarter);
3. 2009 (January to September, i.e. the 1st to 3rd Quarter).

Total Value of Contracts

2006 (\$M)	2007 (\$M)	2008 (\$M)	2009 (\$M)
40.61	61.99	-	28.42

In 2006, SRHA awarded a total of twenty eight (28) contracts. However, two (2) of the twenty eight (28) contracts which were reportedly awarded by the SRHA did not have the approval of the Procurement Committee. This represents a total of seven percent (7%) of the total number of contracts which were reportedly awarded in 2006.

In 2007, SRHA awarded a total of forty three (43) contracts. However, three (3) of the forty three (43) contracts which were reportedly awarded by the SRHA did not have the approval of the Procurement Committee. This represents a total of seven percent (7%) of the total number of contracts which were reportedly awarded in 2007.

In 2009, SRHA awarded a total of fourteen (14) contracts. However, one (1) of the fourteen (14) contracts which were reportedly awarded by the SRHA did not have the approval of the Procurement Committee. This represents a total of seven percent (7%) of the total number of contracts which were reportedly awarded in 2009.

The contracts which were reportedly not approved by the Procurement Committee, during the period 2006 and 2009, are detailed in the following table:

Contract Award Date	Name of Contractor	Contract Description	Contract Value (J\$)

2006 August 10	Sun Medico Ltd.	Provision of instruments, supplies and Medical Equipment for the Obstetric Theatre - Mandeville Regional Hospital	2,213,412.00
2006 August 17	SSP APTEC	HSF96 - Procuring Equipment - PHI /SRHA (Laptop Computers)	2,436,494.00
2007 November 26	Platinum Estate Builders Limited	Lionel Town Hospital Dietary Department and Medical Ward Upgrading Works	3,976,883.00
2007 November 26	Lascar Fencing & Construction	Royal Flat Health Centre Renovation and Alteration Hurricane Repairs	1,797,709.00
2007 December 3	Copia Wireless Comm. Ltd.	Mandeville Regional Hospital Admin Block Network	1,224,561.00
2009 August 31	Geddes Refrigeration Ltd.	Procurement of 15 Ton Compressor for Air Conditioning Unit at A&E - MRH	313,751.00

University Hospital of the West Indies (UHWI)

The table below highlights the total value of the contracts which were reportedly awarded by the UHWI for the following years:

1. 2007 (January to June, i.e. the 1st to 2nd Quarter);
2. 2008 (April to December, i.e. 2nd to 4th Quarter);
3. 2009 (January to June, i.e. the 1st to 2nd Quarter).

Total Value of Contracts

2006 (\$M)	2007 (\$M)	2008 (\$M)	2009 (\$M)
–	441.80	797.42	484.98

In 2007, UHWI awarded a total of three hundred and ninety five (395) contracts. However, four (4) of the three hundred and ninety five (395) contracts which were reportedly awarded by the UHWI did not have the approval of the Procurement Committee. This represents a total of one percent (1%) of the total number of contracts which were reportedly awarded in 2007.

In 2008, UHWI awarded a total of six hundred and thirty (630) contracts. However, one (1) of the six hundred and thirty (630) contracts which was reportedly awarded by the UHWI did not have the approval of the Procurement Committee. This represents a total of one percent (0.16%) of the total number of contracts which were reportedly awarded in 2008.

In 2009, all contracts were reported as having been approved by the Procurement Committee.

The five (5) contracts which were reportedly not approved by the Procurement Committee are detailed in the following table:

Contract Award Date	Name of Contractor	Contract Description	Contract Value (J\$)
2007 July 24	Arel Ltd.	Radiology Repairs	595,856.00
2007 September 27	Garbage Disposals Ltd.	Garbage Disposals	Not stated
2007 September 7	Scientific & Medical Supplies Ltd.	Medical Sundry	1,711,830.00
2007 November 28	Jamaica Electrical Med.	Medical Sundry	991,705.00
2008 April 22	Alcon	Ophthalmology	1,698,840.00

Summary of Key Findings

1. During the period 2002 to 2007, the MOHE and/or its Regional Health Authorities awarded three (3) contracts to LAMASA Ltd. – two (2) on 2002 March 4 and one (1) on 2005 March 21.
2. During the period 2001 to 2007, the MOHE and/or its Regional Health Authorities awarded two (2) contracts to Manpower & Maintenance Services Ltd., on 2001 February 4 and 2002 March 4, respectively.
3. The contracts which were awarded to LAMASA Ltd. and Manpower & Maintenance Services Ltd. in 2001, 2002 and 2005, were awarded via the Selective Tendering process, and were endorsed by the relevant Sector Committee, the NCC and Cabinet.
4. The contracts for the provision of janitorial and portering services, which were awarded in 2001 and 2002, to LAMASA Ltd. and Manpower & Maintenance Services Ltd., expired in 2004 and 2005 and were extended on several occasions by the MOHE.
5. During the period of 2000 January 1 to 2007 October 31, the MOHE and/or its Regional Health Authorities, made payments to LAMASA Ltd. and Manpower & Maintenance Services Ltd., in respect of services which were provided. However, these payments were not supported by a contract and/or purchase order.
6. By way of a letter, which was dated 2008 March 10, the MOHE acknowledged that it did not seek the approval of the NCC for the formal extension of the contracts which were awarded to LAMASA Ltd. and Manpower & Maintenance Services Ltd.

In this regard, the MOHE, in its letter, which was dated 2008 March 10 stated that *“Please be advised that the previous extensions were not approved by the NCC as required by the Procurement Regulations. This was an oversight on the part of the agencies and the Ministry and is being addressed by assigning the monitoring of such contracts to the Ministry’s Procurement Committee and the Sector Contracts Committee.”*⁹⁷

7. By way of a letter, which was dated 2007 March 10 (NB.- There appears to be a typographical error and 2007 should actually be 2008), the MOHE sought the formal approval from the NCC for the extension of the contracts which had been awarded by the MOHE and/or its Regional Health Authorities to LAMASA Ltd. and Manpower & Maintenance Services Ltd.

⁹⁷ MOHE. Letter to the OCG. 2008 March 10

8. On 2009 April 30, the NCC approved the extension of two (2) contracts which were awarded to LAMASA Ltd. and one (1) contract which was awarded to Manpower & Maintenance Services Ltd., by SEHRA.
9. By way of a letter, which was dated 2009 March 17, the MOHE wrote to the NCC seeking permission to extend the contracts which were entered into by SRHA, for cleaning and portering services, with LAMASA Ltd. and Milestone Environmental Ltd. at the Mandeville Regional Hospital and May Pen Hospital, respectively.

The NCC, by way of a letter, which was dated 2009 March 26, granted a six (6) month extension for the referenced contracts. However, the NCC stipulated that the six (6) month extension was for the period of 2009 April 1 to 2009 September 30.

Notwithstanding the NCC's directives, the MOHE, by way of a letter, which was dated 2009 September 21, requested a further extension of the said contracts. The NCC, by way of a letter, which was dated 2009 September 29, approved the MOHE's request and granted an extension to the contracts for a further six (6) months, ending on 2010 March 21.

10. A review of the QCA reports, which have been submitted by the MOHE and/or its Regional Health Authorities, revealed that several contracts were awarded without the approval of the relevant Procurement Committees.
11. The OCG, in its 2007 December Report of Investigation into the procurement practices at the UHWI, found that several contracts which the UHWI had operated for several years were (a) never put to competitive tender and (b) had expired, or were operating on an extension basis, without the approval of the NCC and/or the Cabinet. These contracts included, *inter alia*, the following:
 - i. The steam contract which involves maintenance for the broilers with El-Mech;
 - ii. The contract for general carpentry with Perry's Construction and Drafting;
 - iii. The contract for electrical maintenance with Highlight Electrical Sales & Service Ltd.;
 - iv. The contract for the maintenance of the hospital's air condition units with Ronham & Associates Ltd.;
 - v. The contract for security services with Marksman Ltd.;
 - vi. The contract for janitorial and portering services with Milestone Environmental Ltd.;
 - vii. The contract for laundry services with Supreme Laundry Services.

Of import is the fact that at a meeting of the NCC, which was held on 2008 April 23, the UHWI, by way of a letter, which was dated 2008 March 28, sought a one (1) year extension for the foregoing contracts. The NCC supported the request of the UHWI and, on 2008 April 23, extended the referenced contracts.

However, by way of a letter, which was dated 2009 March 23, the UHWI requested approval for a further extension of the referenced contracts. The NCC, on 2009 April 2, approved the UHWI's request and extended the contracts for the period of 2009 March 1 to 2009 September 30.

12. Despite the timeline which was set by the NCC, the UHWI, by way of a letter, which was dated 2009 September 11, sought a further extension for the said services contracts. The NCC, by way of a letter, which was dated 2009 September 17, approved the extension of the services contracts at the UHWI until 2010 March 31.
13. It is instructive to note that by way of a letter, which was dated 2009 October 1, the MOHE submitted to the Sector Committee a recommendation for the award of a janitorial and portering services contract to Milestone Environmental Services Ltd., at the UHWI, in the amount of Three Hundred and Thirty-seven Million, Nine Hundred and Thirty-five Thousand, One Hundred and Fifty-eight Dollars and Sixty-two Cents (J\$337,935,158.62).

14. The Tender Evaluation Report, for the recommendation of the award of the contract to Milestone Environmental Services Ltd., at the UHWI, was later submitted to the NCC for its endorsement. However, at a meeting of the NCC, which was held on 2009 October 21, the NCC "...directed the Secretariat to invite representatives from the Ministry of Health to attend the next meeting of the NCC to provide clarification regarding the following:

The scores contained in the evaluation report;

The method used to advise tenderers of the revised tender documents; and

The reason for charging a fee for the revised document....⁹⁸

At a Meeting of the NCC, which was held on 2009 October 28, a Mr. Corrie, Procurement Specialist, UHWI, sought to explain to the NCC the information which was submitted in its Evaluation Report.

However, the NCC noted, *inter alia*, that "... **some Agencies had unnecessarily complicated the evaluation methodology and that over complication of an evaluation exercise could be a means to manipulate the outcome of a tender.** The Commission therefore agreed that the Ministry of Finance and the Public Service should provide guidance."⁹⁹(OCG EMPHASIS)

Consequently, by way of a letter, which was dated 2009 October 29, the NCC informed the MOHE that "Having reviewed the matter, the Commission wishes to advise the Ministry as follows:

(a) *The Commission observed inconsistencies in the evaluation, particularly with the points scores awarded to the tenderers.*

(b) *The Ministry must go back and evaluate the financial proposal of Manpower & Maintenance Services Ltd.*

(c) *Re-submit the Proposal [sic] the National Contracts Commission."¹⁰⁰*

15. On 2009 November 16, the UHWI wrote to the NCC and requested that the NCC "...re-considers our proposals..." for the award of the contract to Milestone Environmental Services Ltd. for the provision of janitorial and portering services.

However, the NCC, by way of a letter, which was dated 2009 November 25, instructed the UHWI to (a) re-tender the referenced contract and (b) extend the existing contract for a period of six (6) months.

Conclusions

Based upon all of the documents which the OCG has reviewed, and the assertions of the representatives of the MOHE, the OCG has arrived at the following considered Conclusions:

1. LAMASA Ltd. and Manpower & Maintenance Services Ltd. have, as alleged by the 'Concerned Nurse', dominated the provision of portering and janitorial services within the MOHE and/or its Regional Health Authorities. However, there is evidence that several of the contracts which were awarded to the companies were initially done on merit, via a competitive tendering process.
2. There is evidence that there have been breaches of the GPPH (2001) and the Government contract award principles which are enshrined in Section 4(1) of the Contractor General Act. This is as a result of the extension of several of the contracts for the provision of janitorial and portering services without the necessary approvals being sought and/or obtained from the NCC.

In this regard, the OCG has concluded that pursuant to Section 4(1) of the Contractor General Act, the said contracts were awarded in an irregular manner and, consequently, in an unlawful manner.

⁹⁸ NCC. Minutes of the Meeting. 2009 October 28

⁹⁹ NCC. Minutes of the Meeting. 2009 October 28

¹⁰⁰ NCC. Letter to MOHE. 2009 October 29

3. The OCG has concluded that the MOHE and/or its Regional Health Authorities, by virtue of its procurement practices with respect of the janitorial and portering contracts, have not sought in all instances to ensure that in spending the Taxpayers of Jamaica's money for services, the best value is attained. This Conclusion is premised upon the lack of competitive tendering and/or the excessive delays in executing the bidding process.
4. The OCG has not seen any documentary evidence to suggest that the award and subsequent extensions of the contracts to LAMASA Ltd. and Manpower & Maintenance Services Ltd. involved any impropriety.

In point of fact, the MOHE acknowledged its failure to seek the NCC's approval for the extension of the contracts for the provision of janitorial and portering services as being "...an oversight on the part of the agencies and the Ministry..." and, in an effort to rectify this procurement breach, the MOHE subsequently sought the approval of the NCC to extend the contracts pending the completion of the competitive bidding process.

5. Notwithstanding the MOHE's attempts to rectify the procurement breach, by seeking the approval of the NCC for the formal extension of the subject contracts, the OCG has concluded that the MOHE has been negligent in respect of (a) completing the competitive bidding process and (b) ensuring that proper procurement planning is undertaken. This is evidenced by the numerous extensions, which range from six (6) months to a year, which have been requested by the MOHE and granted by the NCC on several occasions.
6. In the case of the UHWI, after receiving a one (1) year extension for several of its service contracts from the NCC on 2008 April 23, the entity failed to complete competitive bidding processes for the said contracts.

Of import is the fact that the OCG, in its UHWI Investigation Report, which was dated 2007 December, had identified the said service contracts as being in breach of the GPPH (2001).

In point of fact, the following conclusions were reached, in the OCG's Report of Investigation, with respect to the UHWI's procurement practices:

- i. *"From files reviewed, and other investigative techniques employed, it is our view that the UHWI's management of procurement procedures, and documentation of same, is inconsistent. It is evident that the procurement approach employed by the UHWI staff did not allow for a thorough utilization of the GPPH. This is made clear by their delay in putting to competitive tender, several contracts for services, and the numerous advance payments made to contractors. This has led the OCG to believe that the procurement committee either lacked the requisite knowledge, or acted in such a manner as to give the impression that they did not have the requisite knowledge, to apply the guidelines of the GPPH."*
- ii. *In a number of cases, there were clear violations of the GPPH, as contractors' services were engaged without a written contract. The UHWI has continued to maintain several contracts which have been operational for a number of years without being put to tender. There is also no evidence to support that these contracts were issued in an impartial and transparent manner. Furthermore, one could conclude that UHWI, in their procurement practices, has not sought to ensure that the spending of the Government of Jamaica's money for goods, works and services was done to obtain best value, given the lack of competitive tendering."¹⁰¹*

The OCG is of the considered opinion that the foregoing conclusions, which were made over two (2) years ago, are still relevant to the procurement practices of the UHWI, especially in light of the subsequent request for another one (1) year extension on 2009 September 11.

7. The NCC, in the exercise of its Statutory Regulatory functions, has granted to the MOHE, in particular the UHWI, numerous extensions of contracts, within specified timelines, to facilitate the execution of the competitive bidding processes.

¹⁰¹ OCG. Report of Investigation. UHWI. 2007 December

However, based upon the documentary evidence which has been presented to the OCG, it would infer that the MOHE, and in particular, the UHWI, did not exercise due care and diligence to undertake and conclude the referenced procurements.

Notwithstanding the failure of the MOHE to execute the procurement processes and ensure proper procurement planning to meet the NCC's timelines, it has been noted that the NCC still granted further extensions without any apparent consideration of its previous directives.

In this regard, the OCG hereby concludes that the NCC has facilitated and, consequently, allowed the perpetuation of negligence on the part of the MOHE by not acting firmly and decisively upon its prior directives.

8. The OCG has concluded that the MOHE and/or its Regional Health Authorities has/have displayed varying levels of non-compliance with respect to obtaining the approval of the Procurement Committee for contracts which were awarded.

Of import, is the high level of non-compliance which the SERHA had in 2006, where eighty nine percent (89%) of the contracts which were reportedly awarded was not approved by the Procurement Committee. However, the OCG notes the compliance percentage for the SERHA has consistently decreased since 2006, as in 2009 only twenty three (23) percent of the contracts which were reportedly awarded by SERHA were not approved by the Procurement Committee.

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).

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. 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 extend contracts without competitive tender.
2. The OCG recommends that the MOHE and/or its Regional Health Authorities should ensure scrupulous compliance with the Revised Handbook of Public Sector Procurement Procedures, particularly with respect to securing the requisite approvals from the Procurement Committee, the Accounting Officer/Head of entity, the NCC, and the Cabinet as applicable, in conformance with the requirements of Section S 1020 (b)- 1, 3 and 5 of the Revised Handbook of Public Sector Procurement Procedures.
3. In keeping with the assertions of the NCC, the OCG also recommends that procuring entities, apply the requisite procurement procedures as are detailed in the Revised Handbook of Public Sector Procurement Procedures. In this regard, Public Bodies should not seek to complicate the evaluation methodology and submission requirements when conducting tenders.
4. It is recommended that Procurement Committee approval should be sought for all procurement activities regardless of the procurement methodology which is being utilised.
5. 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.

6. The OCG recommends that procurement workshops, for which the Procurement Policy Implementation Unit (PPIU) of the Ministry of Finance and the Public Service is formally responsible, be conducted, without delay, for all staff who are involved in the procurement process in the MOHE and/or its Regional Health Authorities, if not already done.
7. The OCG also recommends that the Permanent Secretary take a more proactive and aggressive role in developing, implementing and enforcing effective risk management systems, checks and balances and other appropriate management systems within the MOHE and/or its Regional Health Authorities, in particular the UHWI, in an effort to mitigate against any possibility of deviations from the applicable GOJ Procurement Rules.
8. Lastly, the OCG's Recommendations, as are detailed in its 2007 December Report of Investigation, into the procurement practices of the UHWI, are still wholly valid and applicable and, as such, the OCG recommends that these be reviewed by the Permanent Secretary and the Board of Directors of the UHWI, to ensure that proper procurement procedures are not only followed but adhered to.
9. Having regard to the Findings of the OCG's Report of Investigation, the OCG deems it critical to bring the NCC's formal and rapt attention to Section 23C of the Contractor-General Act, which provides as follows:

"The principal objects of the Commission are the promotion of efficiency in the process of award and implementation of government contracts and ensuring transparency and equity in the awarding of such contracts."

The OCG recommends that the NCC should be more forceful in executing its mandate by upholding and enforcing those of its directives which it issues to Public Bodies with regard to their procurement practices. It is the considered opinion of the OCG that the NCC, in the execution of its mandate, cannot be seen to waiver and/or to be frivolous in the discharge of those of its responsibilities as are stipulated by Section 23C of the Contactor-General Act.

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA**Executive Summary of Report of Investigation**

Conducted into the Auction Process for Abandoned Motor Vehicles by the Jamaica Customs Department (JCD)
on 2009 June 30 and 2009 July 1

Ministry of Finance and the Public Service

Initiated: 2009 July

Concluded: 2010 March

On 2009 July 2, 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 (1983), initiated an Investigation into the Auction Process for Abandoned Motor Vehicles, which was conducted by the Jamaica Customs Department (JCD), at the Queen's Warehouse, in Kingston on 2009 June 30 and 2009 July 1, respectively.

The Investigation was initiated following, *inter alia*, the publication of several electronic media reports, newspaper articles and complaints which were made to the OCG by concerned citizens, regarding the conduct of the Public Auction for Abandoned Vehicles, which was conducted by the JCD, on 2009 June 30 and 2009 July 1, respectively.

The concerns and allegations which were contained in the media reports/articles and complaints from the concerned citizens alluded to, *inter alia*, (a) impropriety, (b) irregularity and (c) non-adherence to the procedures that govern the process for Public Auctions, particularly as it regards the alleged award of motor vehicles to alleged representatives of the Jamaica Constabulary Force (JCF), without the payment of the mandatory deposit which is payable by all successful bidders.

It is instructive to note that at the outset of the OCG's Investigation, the Commissioner of Customs, Mr. Danville Walker, challenged the allegations that the referenced **Auction of abandoned motor vehicles, by the JCD, was tainted by irregularities and impropriety. In a *Gleaner* article, which was dated 2009 July 3, and which was entitled "We were right" - Walker defends Customs against allegations of corruption**, it was reported that:

"Commissioner of Customs Danville Walker has rebutted claims that an auction of abandoned vehicles by his department at the Queen's Warehouse was tainted by irregularities and partiality.

Walker was responding to the news that the Office of the Contractor General (OCG) will be launching an enquiry into the matter.

In a release to the media yesterday, the OCG stated that it saw the need to launch the investigation "amid allegations of irregular, improper and question-able procedures in the conduct of the auctions" which have been "reported both in the media and directly to the OCG".

Above reproach

*Walker told **The Gleaner** that his arms are outstretched to welcome his fellow public servant as he was sure the Customs Department had been above reproach in its dealings.*

"We have no doubt that everything has been done in accordance with the rules and regulations and done properly - we will cooperate fully with them," said Walker.

The Customs head said his only hope was that the suggestions of the contractor general at the end of his enquiry will lead to more efficiency and transparency instead of bureaucracy. (OCG Emphasis).

The cause of the controversy seemed to have come from the involvement of the police in the auction. The police were purchasing a number of vehicles and driving their prices beyond market value.

Upset [sic]

"Some people were upset that they weren't getting the vehicles that they came to get, some were upset that they were not getting the vehicles for the prices that they were hoping to get them for," Walker explained.

Peter Brooks, who had visited the auction on Monday with the intent of purchasing a vehicle, is one of those who was outraged by the presence of police personnel.

"... The auction process continued with one person winning the first five of six bids. It became apparent to the public that no one could outbid this person even if you carried the bids over double the market value - as some of us were wont to do to test our theories," Brooks wrote in a letter expressing his concerns to **The Gleaner**.

"In any Sunday classifieds, one can see a 2005 Honda Fit going from a low \$795,000 to a high of about \$1.2 million. Why then were these agents of the state willing to pay between \$1.5-\$1.6 million? Who will pay for these excesses?"

Walker, however, argued that the involvement of the police in the auction was not an irregularity of the auction but, in fact, a normal feature.

"The police coming to the auction is a normal course of an auction and we even have an opinion from the Attorney General's office that that is the way they should proceed," Walker explained.

The Customs boss further stated that he did not support the position of some that the involvement of the police was unfair.

On the contrary, Walker said the police should be allowed to purchase vehicles for which they have justifiable need. They will have to justify spending excessively, he argued.

"Some people are suggesting that we take out some cars for the police to get and auction the other ones and tell the police they can't bid on those. I disagree with that approach because I think that is somewhat manipulative," he said.¹⁰² (OCG Emphasis)

These allegations and inferences, *inter alia*, raised several concerns for the OCG, especially in light of the fact that the auction of the abandoned motor vehicles constitutes, in essence, the divestment of State-owned or State-liened assets, a matter over which the OCG has lawful jurisdiction.

The auction of the abandoned motor vehicles, which arises due to the statutory lien which the State possesses over such goods, pursuant to the provisions of the Customs Act, will, upon the acceptance of a successful bid, mark the consummation of a formal contract between the JCD (a Public Body) and the successful bidder.

It is, therefore, important to note that Section 4 (1) of the Contractor-General Act requires, *inter alia*, that Government of Jamaica contracts must be awarded "*impartially and on merit*" and that the circumstances of award must "*not involve impropriety or irregularity*".

It must be noted that, at the outset of the Investigation, Mr. Danville Walker, Commissioner of Customs, questioned the OCG's authority to investigate the alleged irregularities at the JCD's Public Auction which was held on 2009 June 30 and July 1. According to a newspaper article which was published in the Jamaica Gleaner, on Wednesday, 2009 July 15, it was reported, *inter alia*, that:

"Commissioner of Customs Danville Walker says he will be launching his own investigation into whether the Contractor General Act indeed grants the Office of the Contractor General (OCG) the right to investigate auctions run by the Department of Customs..." (OCG Emphasis)

...Walker, however, though careful not to say directly that the OCG was wrong, has made it clear that he and his office doubt the OCG's reasoning and will be having the matter investigated.

¹⁰² Gleaner article which was dated 2009 July 3 and which was entitled "We were right" - Walker defends Customs against allegations of corruption'

"My staff is of the view that the sections he quotes do not apply to auctions. We will have that checked.

"I am no lawyer, but the legislation that sets out his jurisdiction is fairly clear as to where his jurisdiction covers ... His legislation defines what it means as government contracts," Walker said.

He then stated his grouse very plainly: "I don't see his locus standi in the matter." (OCG Emphasis).

Walker stated that though he had his concerns, he would be complying with the contractor general in his inquiry."

Despite the foregoing, to date, the OCG has not been formally advised by Mr. Walker of any of the positions which were publicly raised by him. It is also instructive to note that Mr. Walker has complied with those of the OCG's Requisitions, into the matter, which were directed to him.

At the commencement of the Investigation, the OCG undertook a review of the allegations which were contained in the complaints from the concerned citizens as well as those allegations which were reported in several media articles. 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 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 and the provisions of the Customs 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 Public Bodies Management and Accountability Act, as well as the Corruption Prevention Act.

The OCG's Investigation sought to determine, *inter alia*, the following:

1. Whether there was compliance with the provisions of the Contractor-General Act (1983), the Guidelines which govern Public Auctions that are conducted by the JCD and the requisite provisions of the Customs Act. The following specific objectives were targeted:
2. Whether there were breaches of the JCD's auction guidelines/procedures at the JCD's Public Auction for Abandoned Motor Vehicles which was held on 2009 June 30 and July 1;
3. Whether the process which led to the award of several motor vehicles to bidders, by the JCD, on 2009 June 30 and July 1, was fair, impartial and transparent;
4. Whether there was any impropriety and/or irregularity at the JCD's Public Auction for Abandoned Motor Vehicles which was held on 2009 June 30 and July 1.

It is instructive to note that Section 18 (3) of the Contractor-General Act stipulates that "For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents". (OCG Emphasis)

Further, Section 17 (1) of the Contractor-General Act empowers a Contractor General "to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit". (OCG Emphasis)

The primary method of data collection and evidence gathering which was utilised throughout the Investigation was the issue, by the OCG, of written Requisitions/Questionnaires pursuant to the provisions of the Contractor-General Act, the Voluntary Declarations Act and the Perjury Act.

Very importantly, the form of written Requisition, which was utilised by the OCG, also required each Respondent to provide, under the pain of criminal prosecution, complete, accurate and truthful written answers to a specified list of written questions and to make a formal declaration attesting to the veracity of same before a Justice of the Peace.

The Requisitions were issued pursuant to the powers that are reserved to the Contractor General under the Contractor-General Act and, in particular, under Sections 4, 15, 17, 18 and 29 thereof. The Requisitions were also issued pursuant to Sections 2 and 7 of the Voluntary Declarations Act and Section 8 of the Perjury Act.

A preliminary Requisition/Questionnaire, which was dated 2009 July 2, was sent by the OCG to Mr. Danville Walker, Commissioner of Customs.

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 sworn written statements and declarations. These 'Follow-up' Requisitions were also designed, *inter alia*, to clarify any discrepancies in the information which was provided by the Respondents.

The Requisitions/Questions which were utilised by the OCG included specific questions that were designed to elucidate critical information from Respondents on the matters which were being investigated.

However, in an effort to not limit and/or exclude the disclosure of information which was germane to the Investigation, but which might not have been specifically requisitioned by the OCG, the OCG asked all Respondents the following question:

"Are you aware of any additional information which you believe could prove useful to this Investigation or is there any further statement in regard to the Investigation which you are desirous of placing on record? If yes, please provide full particulars of same."

The Findings of the OCG's Investigation into the Auction Process for Abandoned Motor Vehicles, which was conducted by the JCD, at the Queen's Warehouse in Kingston, on 2009 June 30 and 2009 July 1, 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

Based upon the documents which have been reviewed, as well as the sworn testimonies which were received from a Concerned Citizen, representatives of the JCF, the JCD, the Ministry of National Security and Minister Daryl Vaz, the OCG has arrived at the following considered Findings and Conclusions:

1. The 2009 June 30 and 2009 July 1 Auction for Abandoned Motor Vehicles, which was conducted by the JCD, at the Queen's Warehouse in Kingston, ended abruptly after several bidders became restive.

The OCG has found and concluded that the abrupt end to the Auction occurred after vehicles which were originally won by representatives of the JCF and which were relisted by JCD Representatives, because of non-payment of the mandatory 10% deposit, were taken off the Auction list and were awarded to the original winners (the JCF representatives) despite the fact that they did not pay the mandatory deposits within the stipulated time.

2. The OCG also found that the JCD rules, which govern the auctioning of motor vehicles, stipulate that a minimum deposit of 10% should be paid by all successful bidders. Based upon the JCD's rules if a bidder fails to pay the required deposit, the vehicle(s) should be relisted and the bidders should be banned from subsequent auctions.

3. **The OCG has also found that the bidders who were representing the JCF were registered to participate in the Auction in their capacity as private bidders/citizens.** Further, some of the JCD Officials who were present at the Auction were not aware that the JCF representatives would have been participating in the Auction, nor were they informed that a guarantee was in place for them. (OCG Emphasis)

Therefore, upon failing to pay the mandatory 10% deposit, the vehicles which were won by the JCF representatives were relisted in accordance with the JCD's guidelines.

Some of the relisted vehicles were later won by other bidders. However, these very relisted vehicles were later taken off the list during the afternoon session of the 2009 June 30 Auction.

4. The OCG has also found that the instructions to remove the relisted vehicles from the list was given by Ms. Cordelia Brown, Deputy Commissioner, Operations, on behalf of Mr. Danville Walker, Commissioner of Customs. Such instructions were reduced to writing in the form of a Memorandum.
5. The OCG also found that Minister Daryl Vaz was involved in the Auction process and that he had requested information from JCD representatives regarding the Auction. It is also the case that Minister Daryl Vaz requested information as to whether or not representatives of the JCF could participate in the Auction. Minister Daryl Vaz also requested the Auction list.

Further, it was also revealed that Minister Vaz also sought and received advice from the Attorney General's Department regarding the ability and appropriate means by which representatives of the JCF could participate in the Auction.

6. The OCG has found and concluded that the then Permanent Secretary in the Ministry of National Security, Major Richard Reese, indicated that he did not know about the JCF's involvement in the Auction prior to the days of the Auction on 2009 June 30 and July 1. Indeed, Major Reese declared, in his sworn statement to the OCG, that *"the matter came to my attention when I became aware of reports in the electronic and print media that the referenced auctions were to be the subject of an investigation by the Office of the Contractor General"*. Despite this, however, the OCG has seen evidence that an email from Minister Vaz, which was dated 2009 June 29, and which was under the subject *"Motor Vehicle Auction list"*, was also copied to Major Richard Reese.

In Major Reese's response to the OCG's Requisition, which was dated 2009 October 13, he indicated that all of the twenty five (25) vehicles which were won by the representatives of the JCF were in the possession of the JCF.

In a letter from Major Richard Reese, to Mr. Danville Walker, which was dated 2009 November 11, it was indicated that:

"...the the Ministry of National Security will seek the necessary authorization and approval from the Ministry of Finance to purchase these second hand vehicles and disbursement of funds to effect payment."

7. The OCG also found that the former Deputy Commissioner of Police, Mr. Owen Ellington, was involved during the auction process at the pre-auction stage. Mr. Paul McLaren indicated in his sworn response to the OCG that *"I was instructed on Friday June 26, 2009 by my Manager Mrs. Myrna Thompson, to call and make arrangements with DCP Ellington of the Jamaica Constabulary Force to take him and a team to view the motor vehicles (for auction) on Saturday June 27, 2009"*

When I went to meet DCP Ellington, two (2) of the men that I saw on Saturday June 27, 2009, were present at auction on June 30, 2009. (DCP Ellington was not at the auction)."

It was also indicated by Minister Vaz that he interacted with Mr. Owen Ellington regarding the Auction. Mr. Walker also indicated that Mr. Ellington interacted with him regarding the Auction, as he requested information regarding the process by which the JCF could participate in the Auction.

Therefore, the OCG has concluded that Mr. Ellington had interactions with Mr. Vaz, Mr. McLaren and Mr. Walker regarding the JCD's Auction.

However, in his sworn response to the OCG, Mr. Ellington indicated that:

1. *"I was not in any way involved in any aspect of the Jamaica Customs Department's (JCD) Public Auctions of abandoned vehicles, which were held at the Queens warehouse, on June 30, 2009 and July 1, 2009."*
2. He became aware of the JCF's involvement in the Auction on the days of the Auction.
3. He advised Mr. Errol Reid, Transport Manager, JCF, that the Police could **properly** participate in the Auction.
4. He also indicated that he was advised by Minister Daryl Vaz that he had an opinion from the Attorney General which cleared the way for the police to **properly** participate in the Auction.

The compendium of facts, as listed above, indicates that Mr. Owen Ellington was in fact involved in aspects of the Auction despite his assertion that *"I was not in any way involved in any aspect of the Jamaica Customs Department's (JCD) Public Auctions of abandoned vehicles, which were held at the Queens warehouse, on June 30, 2009 and July 1, 2009."*

It must be noted that the OCG's Requisition to Mr. Owen Ellington specifically asked:

"Were you, in any way, involved in any aspect of the Jamaica Customs Department's (JCD) Public Auctions of abandoned motor vehicles, which were held at the Queens Warehouse, on June 30, 2009 and July 1, 2009, respectively? If yes please provide answers to the following questions:

i. Please provide an Executive Summary detailing:

- a. The stage at which you became involved in the Auction Process; (for example, at the pre-auction stage, the post-auction stage or during the auctions)"**

The OCG has, therefore, concluded that although Mr. Owen Ellington was not present on the actual days of the Auction, he was nevertheless involved in the JCF representatives' participation in the Auction and, further, he was aware of the fact that representatives of the JCF were going to participate in the Auction.

In point of fact, and based upon Mr. Owen Ellington's own sworn statement to the OCG, he was the person who advised the Transport Manager of the JCF that representatives of the JCF could **properly** participate in the Auction.

8. The OCG also found that, based upon the information which was received from the Inland Revenue Department, up until 2009 October 23, the twenty five (25) vehicles which were won by the representatives of the JCF were not yet registered in Jamaica nor were they registered with the JCF or the Ministry of National Security.

However, Mr. Walker, in his sworn response to the OCG's Requisition, which was dated 2009 November 13, indicated that the vehicles were in the possession of the JCF, but had not yet been paid for in full.

Further, Mr. Walker indicated that the duties and administrative cost for the referenced vehicles were waived by the Ministry of Finance and the Public Service and that Certificates were issued for transfer of owner ship to the Ministry of National Security.

Major Reese, in his sworn response to the OCG, which was dated 2009 November 16, also indicated that the vehicles were in the possession of the JCF.

9. In the final analysis, and contrary to Mr. Danville Walker's own public assertions that "... *everything has been done in accordance with the rules and regulations, and done properly*", the OCG has concluded that there was improper conduct, irregularity and non-adherence to the rules which govern the JCD's Public Auctions of Motor Vehicles. This conclusion is premised, *inter alia*, upon the following reasons:
- a. The JCD rules which govern the auctioning of motor vehicles specifically states that all successful bidders must make a minimum ten percent (10%) deposit. The required deposit was not paid by the representatives of the JCF; however, several vehicles were awarded to them by the JCD.
 - b. The OCG has seen no clause in the JCD guidelines which stipulates that a guarantee can be accepted *in lieu* of the mandatory deposit. Although the internal guidelines indicated that the JCD reserves the right to reject any bid, this was not included on the Bidder Registration Form nor on the additional guidelines and rules which are associated with the conduct of the auctions.
 - c. The JCF representatives were allowed to revisit the Auction on the following day (2009 July 1) and were allowed to bid on other vehicles, although they did not make deposits for the vehicles which were won by them the day before. This is despite that fact that the JCD's rules indicate that "*Payments should be made within the specified period to avoid being banned.*"
 - d. As at 2009 November 13, Mr. Walker indicated that the vehicles which were won by the JCF representatives were not paid for in full and that the duties and administrative cost for the vehicles were waived by the Ministry of Finance and the Public Service. The JCD rules of the Auction indicate that "*Final payments should be made with seven (7) days.* Therefore payment for the referenced vehicles, in keeping with the rules of the Auction, was long overdue.
 - e. The OCG has seen no clause in the Customs Act or the 'Guidelines in the Regulation of Public Auction Sales' which stipulates that public entities or their representatives can participate in auctions without making the requisite deposit and/or payments.
 - f. The Auction process was unfair, irregular and improper as midstream the referenced Auction, the rules of the auctions were changed in favour of the representatives of the JCF and, as such, other bidders would have been placed at a disadvantage.
 - g. Having regard to the opinion from the Attorney General's Chambers, the JCF, having elected to participate in the referenced Auction should have been required to participate in the Auction under the same rules, strictures and penalties as any of the other bidders, in an effort to ensure transparency, fairness and integrity in the auction process.
 - h. Further, it is important to recall that Mr. Walker, in his statement to the OCG indicated that he was aware that representatives of the JCF would have been participating in the Auction. However, according to Mr. Walker, the JCD representatives who were in charge of the Auction were not informed "**So as not to interfere with the market process.**" Based upon this statement from Mr. Walker, the OCG has concluded that the same rules which applied to the other bidders should have also been applied to the representatives of the JCF "**so as not to interfere with the market process**".

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."¹⁴⁶ (OCG 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 Attorney General for her to determine and to advise what steps may be taken to hold to account the Commissioner of Customs, Mr. Danville Walker, with regard to the instructions which were given by him and the role which was played by him which resulted in the irregularities which have been unearthed by the OCG in this matter.

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 that:

- a. That Ms. Cordelia Brown interjected in the Auction process of 2009 June 30 and July 1 under the instructions of Mr. Walker. This was done to in favour of, and to facilitate the JCF representatives who, based upon the prevailing rules of the Auction, did not satisfy at least one of the explicit and stated rules of the Auction.
- b. There was improper conduct, irregularity and non-adherence to the documented and publicized procedures which govern the JCD's Auction of Motor Vehicles.

The OCG is of the considered opinion that it is within the purview of the Attorney General to advise what appropriate and/or applicable actions may be taken or initiated against Mr. Danville Walker, 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 Public Defender for him to determine what actions or legal recourse, if any, can be had against the JCD or the Government of Jamaica, by the aggrieved bidders who had **properly** won bids at the JCD's 2009 June 30 and July 1 Auction, but who were deprived of their right to consummate the purchases of the said vehicles because of the irregular and improper action of the JCD and the Commissioner of Customs which violated, *inter alia*, the JCD's own published rules for the conduct of the said Auction.
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 also hereby formally referring a copy of this Report to the Auditor General for her to conduct a comprehensive audit to ensure regularity and propriety in the registration, disposition and use of the referenced twenty-five (25) vehicles. As at 2009 October 23, the vehicles, which had been irregularly secured by representatives of the JCF, at the JCD's 2009 June 30 and July 1 Auction, had not yet been paid for by the JCF, nor had they yet been registered by the JCF, or by the Ministry of National Security, despite, *inter alia*, the sworn assertions of Minister Daryl Vaz that there was an "*urgent request for the police to get additional vehicles in their fleet*".

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).

1. In light of (a) the furore which was created by the irregularities which occurred at the referenced JCD Auction, (b) the disrepute which was brought to bear upon the process surrounding the conduct of the Auction, and (c) the lack of fairness and transparency which arose due to the variation, by the JCD, of the JCD's auction rules in favour of representatives of the JCF, the OCG must recommend that, in the future, the JCD should ensure that the rules which govern the conduct of its auctions, and which are conveyed to all prospective bidders, should be strictly adhered to by all parties who are involved.

The observance and strict adherence to the rules should be undertaken with a view of ensuring probity, transparency, fairness, regularity and integrity in the public auction process.

2. The OCG recommends that Public Bodies, inclusive of the JCD, should ensure that any rules that are documented and ostensibly held out as the operating procedures/strictures which govern a competitive Government contracting or procurement process, are not arbitrarily changed whilst the process which it governs has been commenced and, particularly, where the rules have been conveyed to all prospective parties.
3. Having regard to the fact that the JCD's rules, which govern its auctions, indicated that a mandatory ten percent (10%) deposit should be paid by all bidders, and the fact that the JCF offered a guarantee in lieu of same, the OCG recommends that the JCD, in consultation with the Attorney General's Chambers, consider the feasibility of other payment options to effect the mandatory deposit.

The foregoing recommendation is made with due consideration being given to the constraints which a Public Body might face in providing the deposit and would, instead, opt to provide a guarantee to the JCD that the goods will be paid for. Such a provision should be considered as a formal component of the auction process, through the issuance of a bank guarantee, and with the intent of preventing the Public Body from having an unfair advantage over other bidders.

4. The OCG strongly recommends that in instances where a representative of a Public Body, is authorized and actually participates in a JCD auction, such a Public Body representative should be required to register, not in his personal capacity as a member of the public or as a private citizen, but in the name of the entity which is being represented, and the JCD representatives should be made aware of the participation of all such persons in the auctions.
5. Although the OCG's Investigation did not focus upon the JCF, the OCG has found and concluded that the reporting and administrative processes and relationship between the Ministry of National Security and JCF is seemingly not cohesive, particularly in light of the fact that the then Permanent Secretary in the Ministry of National Security, Major Richard Reese, was not aware of the JCF's participation in the Auction.

Further, and based upon the sworn statements that were adduced in response to the OCG's several Requisitions, Minister Daryl Vaz, the Minister without Portfolio in the Office of the Prime Minister, was more involved and significantly more knowledgeable about the JCD's Auction and the need for the JCF to "*get additional vehicles in their fleet*", than was the then Commissioner of Police and the then Permanent Secretary in the Ministry of National Security. At the least, this points to maladministration on the part of the referenced State authorities since the Commissioner of Police is an Accountable Officer for the JCF and the Permanent Secretary in the Ministry of National Security is the Accounting Officer for the Ministry and the JCF. It is, therefore, recommended that the necessary approval and communications' channels be maintained between the Ministry of National Security and the JCF, and other relevant State authorities, in the interest, *inter alia*, of transparency and the adherence to good governance, reporting and accountability practices.

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Conducted into the Complaint by Vehicles and Supplies (Industrial Division) Ltd. regarding the Procurement of Motor Vehicles by the Ministry of Agriculture (MoA) and the National Works Agency (NWA)

Ministry of Agriculture (MoA) and the National Works Agency (NWA)

Initiated: 2008 April

Concluded: 2010 March

The Enquiry which was conducted into the complaint by Vehicles & Supplies (Industrial Division) Ltd. regarding the procurement of motor vehicles, by the Ministry of Agriculture (MoA) and the National Works Agency (NWA) was initiated by the Office of the Contractor General (OCG) on 2008 April 8, pursuant to Sections 15 (1) and 16 of the Contractor General Act (1983).

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 maybe 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”.

On 2008 March 27, the OCG received a letter, which was dated 2008 March 26, from Mr. Donald Panton, the Managing Director of Vehicles and Supplies (Industrial Division) Ltd.

The referenced letter requested that the OCG review the tender process for the supply of three (3) Pick-up (4 x 4) Motor Vehicles, one (1) Four Wheel Drive (4WD) Motor Truck for the MoA and One (1) Double Cab Pick-up for the NWA.

Below is a synopsis of the complaint as was outlined in Mr. Panton’s letter which was dated 2008 March 26:

- “Our complain[sic] with National Works Agency and the Ministry of Agriculture for the Pick-ups is that they require a 3000 cc engine, although the Tender Document for National Works Agency stated “3000 cc (maximum)”. The companies that participated in this Tender were Kingston Industrial Garage, representing Ford, who offered a 2.5L Diesel Engine, Motors Sales representing Mitsubishi who also offered a 2.5L Diesel Engine. Vehicles & Supplies Limited was the only company that offered a 3000 cc Diesel Engine because were [sic] requested to do so.

- *I personally telephoned Mr. Samuel Wilson of Ministry of Agriculture informing him that under no condition could they consider Mitsubishi or Ford vehicles due to the fact that they had quoted for a 2.5L Diesel Engine and it is our opinion that they should be disqualified from this Tender as they did not comply with the specification requested. I also informed Mr. Wilson at the same time that Jamaica Industrial Equipment who bided[sic] for the Mitsubishi 4WD Truck should also be disqualified because the Mitsubishi 4WD Truck could not meet the requirement of a 3.5- Ton Payload (which is 3,500 kg).*
- *To my greatest surprise and astonishment, the Tender for the Pick-ups was awarded to Mitsubishi who bided [sic] for a 2.5L Diesel Engine and the Tender for the 4WD Truck was also awarded to Mitsubishi although they could not meet the requirement of a 3.5-Ton Payload. The Tender for National Works Agency was awarded to Ford who bided [sic] for a 2.5L Diesel Engine Pick-up.*
- *On the last two occasions that we participated in a Tender for vehicles for the National Works Agency, it was noted with interest that only two suppliers bided[sic], namely Vehicles & Supplies Industrial Division Limited and Kingston Industrial Garage and both Tenders were awarded to Kingston Industrial Garage.*
- *We feel our firm is only included so that they can justify their actions due to the price difference in purchasing Ford, which is obviously their choice of vehicle.*
- *We are asking you to look into this matter for us as there could be absolutely no transparency and none of the guidelines for procurement of vehicles could have been followed by these two government entities.”*

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The referenced complaint raised several concerns for the OCG regarding impartiality, merit and the propriety of the procurement process in light of the contract award principles which are enshrined in Section 4 (1) of the Contractor-General Act.

Section 4 (1) of the Contractor-General Act provides that:

“Subject to the provisions of this Act, it shall be the function of a Contractor General, on behalf of Parliament -

-

a. to monitor the award and the implementation of government contracts with a view to ensuring that --

- i. such contracts are awarded impartially and on merit;*
- ii. the circumstances in which each contract is awarded or, as the case may be, terminated, do not involve impropriety or irregularity;*
- iii. without prejudice to the functions of any public body in relation to any contract, the implementation of each such contract conforms to the terms thereof;...”*

Consequently, the OCG, by way of letters which were dated 2008 April 8, requested a copy of the Tender Documents and the Tender Evaluation Reports, inclusive of the Form of Tender and Tender Receival Form, from both the Permanent Secretary in the MoA and the then Chief Executive Officer of the NWA.¹⁰⁴

The Permanent Secretary in the MoA, Mr. Donovan Stanberry, and the then Chief Executive Officer of the NWA, Mr. Milton Hodelin, submitted the respective Tender Documents and the Tender Evaluation Reports to the OCG, under cover of letters which were dated 2008 April 9.

Consequently, a review of the documentation was undertaken, from which the Findings, Conclusions and Recommendations, which are contained herein, have been deduced.

The OCG’s Investigation sought to determine, *inter alia*, the following:

1. Whether there was compliance with the requirements of the Tender Document, the Government Procurement Procedures Handbook (GPPH - 2001 May) and the Contractor General Act (1983), in the Tender and contract award processes.

¹⁰³ Correspondence from Mr. Donald Panton, Managing Director – Vehicle & Supplies (Industrial Division) Limited, dated 2008 March 26

¹⁰⁴ Letters from the OCG to the NWA and the MoA, dated 2008 April 8, requesting particulars of the Tender Process

2. The veracity of the allegations which were made by the complainant, Vehicles & Supplies (Industrial Division) Ltd;
3. Whether the procurement processes which were employed by the MoA and the NWA adhered to the requirements of the 2001 GPPH;
4. Whether the procurement processes which were employed by the MoA and the NWA adhered to the provisions of Section 4 (1) of the Contractor General Act.

It is instructive to note that Section 18 (3) of the Contractor-General Act stipulates that *“For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents”*. (OCG Emphasis)

Further, Section 17 (1) of the Contractor-General Act empowers a Contractor-General *“to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit”*. (OCG Emphasis)

The following methodology was used to derive the Findings and Conclusions of this Investigation:

- a. A review of the Tender Documents which were submitted to the OCG by the MoA and the NWA;
- b. A review of the Tender Evaluation Reports which were submitted to the OCG by the MoA and the NWA;
- c. A review of correspondence from the complainant, Vehicles & Supplies (Industrial Division) Ltd;
- d. A review of the relevant guidelines of the 2001 GPPH;
- e. A review of the relevant provisions of the Contractor General Act.

Findings

Review of the Tender Exercise - Ministry of Agriculture – Supply of Four Wheel Drive (4WD) Motor Truck

The Invitation to Tender for the supply of one (1) Four Wheel Drive (4WD) Motor Truck, for the Forestry Department of the MoA, was advertised locally at the following locations:

1. Kingston & St. Andrew Corporation – Church Street;
2. Kingston & St. Andrew Parish Library – Tom Redcam Drive;
3. National Works Agency – Maxfield Avenue; and
4. Main Notice Board at the Ministry of Agriculture and Lands – Head Office.

The Invitation to Tender requested that local companies, which were registered with the National Contracts Commission (NCC), in the category of Motor Vehicles and Spares, complete and return the bid documents no later than 10:00 am. on Friday, 2008 February 8, to the Facilities & Property Management Unit, Conference Room, Ministry of Agriculture, Hope Gardens, Kingston 6.

On 2008 February 8, at a meeting of the Contracts Committee of the MoA, which was convened at approximately 10:15 a.m., the bid documents were opened publicly in the presence of the following persons:

- | | | |
|-----------------------|---|--|
| 1. Mrs. P. Lyons-Dodd | - | Chairperson, Contracts Committee |
| 2. Mrs. D. Hansel | - | Forestry Department |
| 3. Mr. D. Ricketts | - | Ministry of Agriculture & Lands |
| 4. Mr. S. Wilson | - | Ministry of Agriculture & Lands |
| 5. Ms. Sandy Cameron | - | Vehicles & Supplies (Industrial Division) Ltd. |

6. Mr. Desmond Brown - Vehicles & Supplies (Industrial Division) Ltd.
7. Ms. S. Gordon-Kinnane - Jamaica Industrial Equipment Company Ltd.

The Tender Evaluation Report revealed that two (2) companies submitted the requisite documents by the stipulated deadline. These companies were as follows:

1. Jamaica Industrial Equipment Company Limited - \$2,728,600.00
2. Vehicles & Supplies (Industrial Division) Limited – US\$42,004.00 – Jamaican Dollar equivalent - “\$3,016,109.82 (*Jamaica equivalent on the date of tender opening (US\$1.00 to JA\$71.8053)*)¹⁰⁵

According to the Tender Evaluation Report “*The criteria for evaluation of the bids were inadvertently omitted from the invitation to tender however the following criteria will be used.*”¹⁰⁶

The Tender Evaluation Report further indicated that “*The criteria and points used for evaluating are as follows:*”

Evaluation Criteria	Maximum Points
<i>Price</i>	60
<i>Compliance with specifications</i>	25
<i>After sale service</i>	5
<i>Warranty</i>	5
<i>Delivery time</i>	5
TOTAL POINTS	100

The Tender Evaluation Report, which indicated the Tender Evaluation criteria and methodology to be applied, also indicated, *inter alia*, the following breakdown of points allocation:

“Price:

The following points will be allotted to each criterion.

The total cost price is assigned the full 60 points.

The number of points to tender under consideration is calculated as under:

$$P = TCL/TCC \times 60$$

$$P = \text{Number of points for tender under consideration}$$

$$TCL = \text{Total cost of lowest tender}$$

$$TCC = \text{Total cost for tender under consideration}$$

Compliance with specifications

A total of twenty (20) specification items were included in the instructions to tenders. The number of points allotted to each tender is calculated using the following formula:

$$P = BC/TC \times 25$$

$$P = \text{Points allotted to tender under consideration}$$

¹⁰⁵ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

¹⁰⁶ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

BC = Number of compliant specs achieved by tender under consideration

TC = Total number of item of specification included in tender document

Servicing cost

An estimate of servicing and running costs over the warranty period will be calculated... The total servicing and running cost is assigned points as follows:

The unit with the lowest cost is assigned the full five (5) points. The number of points for the tender under consideration is derived as under:

P = SRCL/SRCC x 5

P = Number of points for tender under consideration

SRCL = Servicing and running cost lowest

SRCC = Servicing and running cost for tender under construction

Warranty Period

2 ½ points will be deducted from the maximum for each year less than the warranty period stated in the specifications.

Delivery Time – 5 points maximum

Maximum points will be allotted for the earliest delivery time. One point will be deducted for each month thereafter.¹⁰⁷

A review of the Evaluation score sheets revealed the following average scores for each of the bidders, as detailed overleaf:

<i>Evaluation Criteria</i>	<i>Jamaica Industrial Equipment Co. Ltd.</i>	<i>Vehicles & Supplies (Industrial Division) Ltd.</i>
Purchase Price	60	51.14
Compliance with specification	22.50	23.75
Servicing Cost	5	2.47
Delivery time	5	2
Warranty	2.5	5
Total Score	95	84.36

It is instructive to note that the OCG's analysis of the calculations for the purchase price, as applied by the MoA's Evaluation Committee, in its Tender Evaluation Report, revealed mathematical errors. The price which was used in the calculation by the MoA's Evaluation Committee was not the same as that which was agreed to by Vehicles & Supplies (Industrial Division) Ltd. in its duly signed and submitted Form of Tender.

Vehicles & Supplies (Industrial Division) Ltd. had indicated a tender sum of US\$42,004.00 on its Form of Tender. However, the Tender Evaluation Report, used a figure of US\$38,319.00

¹⁰⁷ Tender Evaluation Report: Page 3

According to the Tender Evaluation Report *“Vehicles & Supplies quoted US\$38,319.00 for the cab and chassis only calculated @ the weighted average rate of \$71.8053 to US\$ 1 = \$2,751,507.29 plus an additional cost JA\$450,000.00 to build the specified body (see appendix 4).”*

The aforementioned figure of US\$38,319.00 plus J\$450,000.00 was presented as an option to the MoA in a letter, which was dated 2008 February 7, from Vehicles & Supplies (Industrial Division) Ltd., under the signature of Mr. Donald Panton.

The use of this figure in the evaluation process was an error on the part of the Evaluation Committee; as such information and pricing conflicted with the unequivocal tender price represented on the Form of Tender, which was submitted by Vehicles & Supplies (Industrial Division) Ltd., in the sum of US\$42,004.00

It is important to note that Clause F of the Form of Tender, which was signed by the respective bidders, indicates that *“Until a formal contract is prepared and executed, this tender, together with your written acceptance thereof included in your notification of award, shall constitute a binding contract between us.”*¹⁰⁸

The referenced Form of Tender, which was dated 2008 February 7, was duly signed by Mr. Donald Panton, representing Vehicles & Supplies (Industrial Division) Ltd.

Based upon a recalculation of the Tender Price by the OCG, the final bid price for Vehicles & Supplies (Industrial Division) Ltd. should have been J\$3,016,109.82 (using the same exact weighted average exchange rate of US1 = \$71.8053). This revised bid price would have resulted in a final point allotment of 54.28 as it regards Tender Price and not 51.14 as is stated in the Tender Evaluation Report.

This error was apparently not realised by the Evaluation Committee. However, it would not have affected the overall standing of Vehicles & Supplies (Industrial Division) Ltd. whose points would still be lower than that of Jamaica Industrial Equipment Co. Ltd.

In the final analysis, Jamaica Industrial Equipment Co. Ltd. was recommended for the award of the contract which was approved by both the Procurement Committee and the Contracts Committee.

Review of the Tender Exercise - Rural Physical Planning Division & Ministry of Agriculture

Invitation and Opening of Documents - Two (2) 4 x 4 Pick-ups and One (1) Motor Car

The Invitations to Tender for the supply of one (1) Pick-up (4 x 4) Motor Vehicle for the Rural Physical Planning Division and one (1) Pick-up (4 x 4) Motor Vehicle and one (1) Motor Car for the MoA, respectively, were advertised locally at the following locations:

1. Kingston & St. Andrew Corporation – Church Street;
2. Kingston & St. Andrew Parish Library – Tom Redcam Drive;
3. National Works Agency – Maxfield Avenue; and
4. Main Notice Board - Ministry of Agriculture – Head Office.

The Invitations to Tender requested that local companies complete and return bid documents no later than 10:00 am. on Friday, 2008 February 8, to the Facilities & Property Management Unit, Conference Room, MoA, Hope Gardens, Kingston 6.

Bid documents were opened publicly on 2008 February 8 at 10:15 am at a meeting of the Contracts Committee of the MoA in the presence of the following persons:

- | | | |
|-----------------------|---|----------------------------------|
| 1. Mrs. P. Lyons-Dodd | - | Chairperson, Contracts Committee |
| 2. Mrs. D. Hansel | - | Forestry Department |
| 3. Mr. D. Ricketts | - | MoA |

¹⁰⁸ Clause F- Form of Tender duly signed by Mr. Donald Panton.

- | | | |
|----------------------|---|--|
| 4. Mrs. C. Martin | - | MoA |
| 5. Mr. S. Wilson | - | Procurement Unit |
| 6. Ms. Sandy Cameron | - | Vehicles & Supplies (Industrial Division) Ltd. |
| 7. Mr. Desmond Brown | - | Vehicles & Supplies (Industrial Division) Ltd. |

In regard to the Tender for the supply of one (1) Pick-up (4 x 4) Motor Vehicle for the Rural Physical Planning Division, three (3) companies submitted documents by the stipulated deadline and were read out as follows:

1. *"Motor Sales and Services Company Limited - \$1,613,000.00*
2. *Kingston Industrial Garage Limited - \$1,675,000.00*
3. *Vehicles & Supplies Ltd – US\$24, 843.00*¹⁰⁹

It was noted in the Tender Evaluation Report that *"Vehicles & Supplies quoted in US\$24,843.00 calculated @ \$71.54 – 1US\$ = \$1,777,268.22"*¹¹⁰

Rural Physical Planning Division: Evaluation of Documents - One (1) Pick-up (4 x 4) Motor Vehicle

According to the Tender Evaluation Report *"The criteria for evaluation of the bids was inadvertently left off the tender document and this was sent to all the tenderers...The Bids were evaluated against the following criteria: bid price, delivery time, warranty period, after sales service and compliance to specifications."*¹¹¹

The Tender Evaluation Report, which indicated the Tender Evaluation criteria and methodology to be applied, also indicated, *inter alia*, the following breakdown of points allocation:

"4.1.5 Points Evaluation

The following points were allocated to each criterion:

1. *Bid Price – 60 points maximum*

The total cost price is assigned the full 60 points.

The number of points to tender under consideration is calculated as under:

$$P = TCL/TCC \times 60$$

$$P = \text{Number of points for tender under consideration}$$

$$TCL = \text{TC cost for lowest tender}$$

$$TCC = \text{TCC cost for tender under consideration}$$

- 2 **Compliance with Specifications – 25 points maximum**

A total of 22 specification items were included in the instructions for tender. The number of points allocated to each bidder is calculated using the formula below.

$$P = BC/TC(25)$$

$$P = \text{Points allocated to tender under consideration}$$

$$BC = \text{Number of compliant specs achieved by tender under consideration.}$$

¹⁰⁹ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

¹¹⁰ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

¹¹¹ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

TC = Total number of item of specification included in bid document.

3 Servicing costs – 5 points maximum

An estimate of servicing and running costs over the warranty period will be calculated... The total servicing and running cost is assigned points as follows:-

The unit with the lowest cost is assigned the full 5 points. The number of points for the tender under consideration is derived as under:

P = SRCL/SRCC 5

P = Number of points for Tender under consideration

SRCL = Servicing and Running Cost Lowest

SRCC = Servicing and Running cost for Tender under consideration

4 Delivery Time – 5 points maximum

1 point per month will be deducted from the maximum for delivery beyond the period specified in the Schedule of Supply.

5 Warranty Period

2 ½ points will be deducted from the maximum for each year less than the warranty period stated on the specifications.¹¹²

The bids were evaluated against the following criteria which had the following associated point allocation:

<i>Evaluation Criteria</i>	<i>Maximum Points</i>
<i>Price</i>	<i>60</i>
<i>Compliance with specs</i>	<i>25</i>
<i>After sale service</i>	<i>5</i>
<i>Warranty</i>	<i>5</i>
<i>Delivery time</i>	<i>5</i>
<i>TOTAL POINTS</i>	<i>100</i>

¹¹² Tender Evaluation Report: Page 3

A review of the Evaluation score sheets revealed the following average scores for each bidder:

Evaluation Criteria	Motor Sales & Services Co. Ltd.	Vehicles & Supplies (Industrial Division) Ltd.	Kingston Industrial Garage Ltd.
Purchase Price	60	54.45	57.78
Compliance specifications	22.73	23.86	22.73
After sales service	3.57	1.69	5
Warranty	5	5	5
Delivery time	5	5	5
Total Score	96.3	90.00	95.51

An analysis of the Tender Document revealed that three (3) of the items which were included in the list of specifications were items that should have been independently evaluated as they were listed and weighted elsewhere as items in the evaluation criteria. The three (3) items were:

1. Warranty;
2. After Sales Service; and
3. Delivery Time

The Tender Evaluation Report had a Recommendation that *“Based on the points received it is recommended that Motor Sales and Service Company Ltd. be awarded the contract to supply one Pick-Up 4x4 motor vehicle in the amount of One Million Six Hundred and Thirteen Thousand Dollars (\$1,613,000.00).”*

According to the Tender Evaluation Report, Vehicles & Supplies (Industrial Division) Ltd. scored the highest points in regard to Compliance with Specifications and was the only bidder that met the 3000 cc requirement. It must be noted that the Tender Document for the MoA did not indicate a maximum or minimum ‘cc rating’ and only stated “3000 cc rating”.

The failure on the part of the other bidders to meet this criterion was not a sufficient basis for a disqualification of their respective bids because the evaluation took into consideration the allocation of points based upon compliance with the total number of listed specifications.

Ministry of Agriculture: Evaluation of Documents Supply of One (1) Pick-up (4x4) Motor Vehicle and the Supply of one (1) Motor Car

In regard to the Tender for the supply of One (1) Pick-up (4 x 4) Motor Vehicle and one (1) Motor Car for the MoA, three (3) companies submitted documents by the stipulated deadline and were read out as follows:

Supply of One (1) Pick-up (4x4) Motor Vehicle

1. *“Motor Sales and Services Company Limited - \$1,613,000.00*
2. *Fidelity Motors Limited - \$2,120,000.00*
3. *Vehicles & Supplies Ltd – US\$24,843.00¹¹³*

¹¹³ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

A review of the Evaluation score sheets revealed the following average scores for each bidder:

Evaluation Criteria	Motor Sales & Services Co. Ltd.	Vehicles & Supplies (Industrial Division) Ltd.	Fidelity Motors Ltd.
Purchase price	55.19	44.83	60
Compliance with specifications	22.62	25	20.24
After sales service	5	5	0
Delivery time	5	5	0
Warranty	5	5	0
Total Score	92.81	84.83	80.24

However, a review of the scores which were obtained for each of the listed criterion revealed that the summary scores were not representative of the itemized scores which were detailed in the Tender Evaluation Report.

As such, detailed below are the corrected scores:

Evaluation Criteria	Motor Sales & Services Co. Ltd.	Vehicle & Supplies Limited	Fidelity Motors Ltd.
Purchase price	60	54.45	45.65
Compliance with specifications	21.59	23.86	18.18
After sales service	5	2.37	0
Delivery time	5	5	0
Warranty	5	5	0
Total Score	96.59	90.68	63.83

It is important to note that despite the errors, the ranking of the respective bidders did not change as Motor Sales & Services Co. Ltd. remained as the highest scoring bidder.

Based upon the scores which were attained after final compilation of all the scores for each of the criterion, the Tender Evaluation Committee recommended that "...*Motor Sales & Service Company Ltd. be awarded the contract to supply one Pick-Up 4x4 motor vehicle in the amount of One Million Six Hundred and Thirteen Thousand Dollars (\$1,613,000.00).*"¹¹⁴

Supply of one (1) Motor Car- MoA

In regard to the Tender for the supply of one (1) Motor Car for the MoA, three (3) companies submitted documents by the stipulated deadline and were read out as follows:

1. *"Motor Sales and Services Company Limited - \$1,185,000.00*
2. *Fidelity Motors Limited - \$1,090,152.00*

¹¹⁴ Bid Evaluation Report – Ministry of Agriculture

3. Vehicles & Supplies Ltd –\$1,459,008.00¹¹⁵

According to the Tender Evaluation Report “*The criteria for evaluation of the bids was inadvertently left off the tender document and this was sent to all the tenderers.*”¹¹⁶ The Tender Evaluation Report also indicated that “*The bid from Fidelity Motors Ltd. was in an unmarked envelope which was opened at the end of the bid Opening Exercise.*”¹¹⁷

The OCG’s review of the Tender Document and Tender Evaluation Report revealed the presence of similar computational errors as was identified in the evaluation of the Tender for the ‘Supply of one (1) Pick-up (4x4) Motor Vehicle’.

The Summary Table, as contained in the Tender Evaluation Report, which was prepared by the MoA is as set out overleaf:

Evaluation Criteria	Motor Sales & Services Co. Ltd.	Vehicles & Supplies (Industrial Division) Ltd.	Fidelity Motors Ltd.
Purchase Price	55.19	44.83	60
Compliance with specifications	22.62	25	20.24
After sales service	5	5	0
Delivery time	5	5	0
Warranty	5	5	0
Total Score	92.81	84.83	80.24

The OCG’s recalculation of the scores for the referenced tender revealed several calculation errors. The corrected figures, as recalculated by the OCG, are represented in the table below:

Evaluation Criteria	Motor Sales & Services Co. Ltd.	Vehicles & Supplies (Industrial Division) Ltd.	Fidelity Motors Ltd.
Purchase price	55.19	44.83	60
Compliance with specifications	16.67	25	17.85
After sales service	5	4.21	0
Warranty	5	5	0
Delivery time	5	5	0
Total Score	86.86	84.04	77.85

¹¹⁵ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

¹¹⁶ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

¹¹⁷ Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

The recalculated scores did not affect the ranking of the respective bidders. In the final analysis, the Tender Evaluation Committee posited that “...*Motor Sales & Service Company Ltd. be awarded the contract to supply one motor car in the amount of One Million One Hundred and Eighty- Five Dollars (\$1,185,000.00)*”¹¹⁸

Review of Tender Exercise for the Supply of One (1) Double Cab Pick-up to the NWA

The Invitation to Tender for the supply of one (1) Double Cab Pick-up for the NWA was advertised locally at the following locations:

1. Kingston & St. Andrew Corporation;
2. National Works Agency; and
3. The Half Way Tree Post Office.

The Invitation to Tender requested that local companies complete and return bid documents no later than 11:00 am on Thursday, 2008 February 14, to the NWA Office located at 15 Hagley Park Road, Kingston 10.

The three (3) companies which submitted tenders are as follows:

1. Kingston Industrial Garage Ltd;
2. Vehicles & Supplies (Industrial Division) Ltd; and
3. Motor Sales & Services Co. Ltd.

The bid documents were publicly opened on 2008 February 14, at 11:05 am in the presence of the following persons:

- | | | |
|-------------------|---|--|
| 1. Carlton Green | - | NWA |
| 2. Owen Wissart | - | NWA |
| 3. Frank Williams | - | NWA |
| 4. Sandy Cameron | - | Vehicles & Supplies (Industrial Division) Ltd. |
| 5. Clarence Jones | - | Vehicles & Supplies (Industrial Division) Ltd. |
| 6. David Hastings | - | Kingston Industrial Garage Ltd. |

According to the Instructions to Bidders, the following documents were required from each company in order to be considered responsive:

1. Completed Form of Tender;
2. Completed Technical Specifications;
3. Tender Security;
4. Acknowledgement of Addenda (where applicable);
5. Copy of a valid (NCC) Registration Certificate;
6. Copy of a valid Tax Compliance Certificate (TCC).

Evaluation of Documents – NWA- Supply of one (1) Double Cab Pick-up

Section 15 – ‘Evaluation Criteria’ of the Instructions to Bidders indicated that:

^{118 118} Refer to File No. 16-36-6350 Contract Monitoring - Bid Evaluation Report from Ministry of Agriculture

"The five factors which are considered by the National Works Agency when purchasing equipment and vehicles are:-

1. *Purchase Price*
2. *Compliance with the Specification*
3. *Dealership Support*
4. *Servicing and Running Cost*
5. *Delivery Period*

*For this tender non-compliance with minimum specifications and delivery period will result in automatic rejection. Purchase Price will thus be the major consideration."*¹¹⁹

According to the Tender Evaluation Report *"The tenders from Kingston Industrial Garage and Motor Sales and Service complied with all aspects of the technical requirements and complied with the required delivery schedule. The tender from Vehicles and Supplies has one (1) major deviation from the technical specifications (section 2.0 – the dimensions of the bed) and did not comply with the required delivery schedule. The major deviation and the non-compliance with the delivery schedule have resulted in this tender been [sic] rejected as stated in section 15 of the Instructions to Bidders."*¹²⁰

It is instructive to note that Mr. Panton, in his letter of complaint indicated that *"Our complain[sic] with National Works Agency and the Ministry of Agriculture for the Pick-ups is that they require a 3000 cc engine, although the Tender Document for National Works Agency stated "3000 cc (maximum)". The companies that participated in this Tender were Kingston Industrial Garage, representing Ford, who offered a 2.5L Diesel Engine, Motors Sales representing Mitsubishi who also offered a 2.5L Diesel Engine. Vehicles & Supplies Limited was the only company that offered a 3000 cc Diesel Engine because were [sic] requested to do so."*

The OCG's review of the Tender documents and Evaluation Report has revealed that the specification for engine displacement required a *"3000 cc maximum"*. The Tender document did not indicate a minimum requirement for this specification. Therefore, the NWA could exercise its discretion based upon the requirements of the Tender document.

In regard to the dimension of the bed of the Pick-up, it must be noted that the minimum dimension were stated in the Technical Specifications. Vehicles & Supplies (Industrial Division) Ltd. did not meet the minimum specifications for the dimensions of the bed and Motor Sales & Services Ltd. did not provide the relevant information on the respective form.

Further, Vehicles & Supplies (Industrial Division) Ltd. did not meet the delivery time requirements as stipulated by the NWA.

It must be noted that following evaluation of the bids, it was recommended that the contract be awarded to Kingston Industrial Garage Ltd in the sum of \$1,490,000.00.

Conclusions

Based upon the evidentiary documents which have been reviewed, the OCG has arrived at the following considered Conclusions:

1. The procurement methodology which was utilised by both the MoA and the NWA was that of Selective Tendering.
2. In the instance of the MoA, the Instructions to Tenderers was flawed as a result of the Evaluation and the Award Criteria being omitted from the Tender document.

¹¹⁹ Refer to File No. 16-36-6350 Contract Monitoring File – Invitation for Tender from National Works Agency

¹²⁰ Refer to File No. 16-36-6350 Contract Monitoring File – Tender Report from National Works Agency

However, based upon the criteria which were stated in the Evaluation of the bids, the recommendations which were made in 2008 March was done fairly as the award was not solely based upon the given specifications, as had been suggested by Mr. Panton in his letter which was dated 2008 March 26.

3. The OCG has concluded that in more than one instance, the tender processes of the MoA were not transparent as the tender evaluation and award criteria were omitted from the tender documents. Consequently, this permitted Mr. Panton to raise questions regarding the propriety and fairness of the tender processes of the MOA, in particular.
4. The OCG concludes that the NWA, by excluding a points/weight criteria from the evaluation criteria and choosing to base the award of the contract primarily upon price, has restricted itself in undertaking an objective and more detailed selection and award methodology.
5. In regard to the Tender for the NWA, Vehicles & Supplies (Industrial Division) Ltd. did not meet the minimum specifications for the dimensions of the Pick-Up bed and delivery period.

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:

In reference to the procurement which was undertaken by the MoA and the NWA, the OCG is recommending that:

1. A Points/weight system should be utilised with the Evaluation Criteria and same should be included in the bid document which is made available to all bidders;
2. Procuring entities should ensure that Evaluation and Award criteria are clearly and unambiguously stated in the tender documents.

The OCG is further recommending that:

3. The Tender Evaluation Report should be more detailed and should include, *inter alia*, the date on which the tenders were posted and the number of tender documents which were sold.
4. In regard to the Specification criteria, procuring public bodies should exercise all reasonable care in ensuring that the Tender Documents stipulate the minimum and/or maximum specifications which are to be met. Specifications should not be left ‘*open-ended*’. This should be done with the view of mitigating the circumstances under which the integrity of the procurement process can be brought into question.
5. In the future, and in an effort to ensure cost effectiveness, the Public Bodies should, where practical, group the like vehicles together.
6. Copies of all corrections/addenda which are issued during the tender period should be attached to the Tender Evaluation report for the purpose of good record keeping.

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Into the Alleged Conflict of Interest on the Part of Dr. Henry Lowe, Former Chairman of the Bureau of Standards Jamaica (BSJ), in the Procurement of Health Insurance Services for BSJ, whilst he was the Chairman of Blue Cross of Jamaica Ltd.

Former Ministry of Industry, Technology, Energy and Commerce

Ministry of Industry, Investment and Commerce

Initiated: 2006 October

Concluded: 2010 May

The Investigation into the Bureau of Standards Jamaica (BSJ) was launched following upon; *inter alia*, allegations of a conflict of interest in the procurement of Health Insurance Services by the BSJ. In the first instance, an anonymous email was received via the Office of the Contractor General (OCG) website alleging procurement breaches and irregularities at the BSJ¹²¹.

As such, on 2006 October 23, the OCG, following upon the receipt of the email which alleged certain irregularities at the BSJ, wrote to Dr. Jean Dixon, the former Permanent Secretary in the then Ministry of Industry, Technology, Energy and Commerce (MITEC), informing her of the OCG's intention to investigate certain of the allegations which were contained in the referenced email.

It must also be noted that Dr. Jean Dixon, via a telephone conversation with a senior representative of the OCG, on 2006 December 22, lodged a complaint with the OCG, in regard to an apparent conflict of interest involving Dr. Henry Lowe, the then Chairman of the BSJ and also the then Chairman of Blue Cross of Jamaica (now Sagicor Life Jamaica Ltd.).

Subsequently, by way of a letter, which was dated 2006 December 22, Dr. Jean Dixon wrote to the Contractor General regarding certain issues at the BSJ. In her letter to the Contractor General, Dr. Jean Dixon indicated as follows:

*"Please find attached correspondence submitted by the Procurement Committee of the Bureau of Standards (BSJ) which is self explanatory. I am requesting a review of the procedures that the Committee is following to ensure adherence to Government's procurement guidelines."*¹²²

The letter of 2006 December 22 enclosed several attachments, inclusive of a letter from the BSJ's Procurement Committee, and several memoranda which had been sent to the referenced Procurement Committee, regarding the procurement of a Group Health Insurance Provider at the BSJ.

The referenced correspondence indicated, *inter alia*, that:

1. In 2006, the Procurement Committee of the BSJ recommended the award of the Health Insurance Services contract;
2. The recommendation of the Procurement Committee was challenged by the Board of Directors (Standards Council) and instructions were subsequently given to the Procurement Committee to conduct interviews with the respective bidders; and

¹²¹ Attachment No. 67 available on File No. 16-4-5. Anonymous email was appended to letter sent by the OCG to Dr. Jean Dixon dated 2006 October 23.

¹²² Letter from Dr. Jean Dixon to the Contractor General dated 2006 December 22

3. The Procurement Committee refused to carry out the instructions of the Board of Directors (Standards Council) given the fact that the introduction of an interview session would have amounted to the introduction of a new evaluation criterion, which would have been a violation of the rules which were contained in the 2001 Government Procurement Procedures Handbook (GPPH).

The series of events, as outlined above, amongst other things, was enough to cause great concern for the OCG as it relates to the BSJ's adherence to the requirements of the 2001 GPPH.

Subsequently, on 2007 January 2, senior representatives of the OCG met with senior representatives of the BSJ, inclusive of the then Executive Director, Dr. Camella Rhone and the Legal Officer/then Chair of the Procurement Committee, Ms. Annette Henry.

The representations which were made in the meeting that was held on 2007 January 2, regarding the BSJ's tender for Health Insurance Services, revealed, *inter alia*, that:

1. The BSJ was seeking to retender its Health Insurance Services to facilitate staff involvement and the introduction of new evaluation criteria into the tender process; and
2. The BSJ had extended the contract with the existing service provider (Blue Cross of Jamaica) but it was not certain if the requisite approvals had been obtained in order to do so.

Subsequent to the meeting which was held on 2007 January 2, the OCG, by way of letter which was dated 2007 January 3, advised the BSJ that; "... it has initiated an investigation into the tender process for the Bureau's Health Scheme which was reportedly tendered and evaluated over the period 2006 August to October."¹²³

The OCG's Investigation into the referenced matter was undertaken pursuant to Sections 15(1) and 16 of the Contractor-General Act (1983) and was focused primarily upon the determination of whether or not the BSJ had complied with the requirements of the GPPH (2001) and the Contractor General Act (1983).

Section 15 (1) of the Contractor-General 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-

- (g) the registration of contractors;
- (h) tender procedures relating to contracts awarded by public bodies;
- (i) the award of any government contract;
- (j) the implementation of the terms of any government contract;
- (k) the circumstances of the grant, issue, use, suspension or revocation of any prescribed licence;
- (l) 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 maybe 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 Investigation sought to determine, *inter alia*, the following:

1. Whether there was compliance with the provisions of the GPPH (2001), the Contractor General Act (1983) and the Public Bodies Management and Accountability Act, by the BSJ, in the tender processes for the award of a contract for the provision of Health Insurance Services.
2. Whether the procurement of, and the award a contract for Health Insurance Services, by the BSJ, was in accordance with the guidelines of the GPPH (2001).

¹²³ Letter from the OCG, dated 2007 January 3 to Dr. Camella Rhone, former Executive Director of the BSJ

3. Whether a conflict of interest existed as it pertained to Dr. Henry Lowe, in his capacity as the then Chairman of the Board of Directors (Standards Council) of the BSJ and as the then Chairman of the then Blue Cross of Jamaica.

It is instructive to note that Section 18 (3) of the Contractor-General Act stipulates that *“For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents”*. (OCG Emphasis)

Further, Section 17 (1) of the Contractor-General Act empowers a Contractor-General *“to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit”*. (OCG Emphasis)

The Terms of Reference of the OCG's Investigation into the procurement practices of the BSJ were primarily developed in accordance with 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 (1983).

The Terms of Reference 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 the GPPH (2001), the Contractor-General 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 following methodology was used to inform the Findings and Conclusions of the Investigation:

1. The requisition and examination of documents relating to the BSJ's Tender for Health Insurance Services which was initiated in 2006 August.

Conduct of interviews with officials and officers of the BSJ who were considered material to the award of the Health Insurance Services contract. Interviewees included:

- a. Dr. Omer Thomas- former Executive Director, BSJ;
 - b. Dr. Jean Dixon- former Permanent Secretary, the former MITEC;
 - c. Dr. Henry Lowe- former Chairman of the Board, BSJ;
 - d. Ms. Annette Henry- Legal Officer/Corporate Secretary and the then Chairman of the Procurement Committee, BSJ;
 - e. Ms. Yanike Harrison- former Manager, Human Resource Development, BSJ;
 - f. Mr. Gladstone Rose- former Acting Executive Director, BSJ; and
 - g. Mr. Rohan Anderson, Chief Accountant and then Procurement Committee Member, BSJ.
2. A review of the Minutes of the Meetings of the Board of Directors (Standards Council) of the BSJ for the period of 2006 May to 2007 January.
 3. A review of the Minutes of the Meetings of the BSJ's Procurement Committee for the period of 2006 June to 2007 January.
 4. A review of the audio recording of the Meeting of the Executive Committee of the Board of Directors (Standards Council) of the BSJ which was convened on 2006 December 11.

5. A review of the audio recording of the Meeting of the Board of Directors of the BSJ which was convened on 2006 December 20.

The evidence that was gleaned by the OCG from the foregoing documentation and, in particular, the written and incontrovertible evidence that was documented, *inter alia*, in the official Minutes of the Meetings of the Standards Council and the Minutes of the Meetings of the Executive of the Standards Council of the BSJ, was deemed sufficient and adequate to enable the OCG to arrive at those of its Findings and Conclusions that have been documented herein.

Findings

The tender for Health Insurance Services at the BSJ was advertised in *The Daily Gleaner* on Friday, 2006 August 18. According to the tender advertisement, tender documents became available to the public from 2006 August 16 with a scheduled return date of 2006 August 30 by 2:00 pm.

According to the tender document, the Health Insurance Service Provider was required to provide health insurance coverage for the period of 2006 October 30 through to 2008 October 29.

The Tender Receival Form indicated that three (3) companies had responded to the bid at the following costs, namely:

- | | |
|-------------------------------|------------------|
| 1. Guardian Life Ltd. | J\$ 6,959,232.00 |
| 2. Life of Jamaica Ltd. | J\$ 6,514,080.00 |
| 3. Blue Cross of Jamaica Ltd. | J\$ 7,324,800.00 |

The instructions to bidders, as contained in the tender document, indicated that the “***...recommendation for AWARD will not necessarily be made to the lowest Tenderer but to the best overall proposal.***”

It must be noted that prior to the tender process, which was undertaken in 2006 August, Blue Cross of Jamaica was the then incumbent Health Insurance Service Provider at the BSJ. It is also instructive to note that Dr. Henry Lowe was the then Chairman of the Board of Directors (Standards Council) at the BSJ and also the then Chairman of Blue Cross of Jamaica.

Meetings of the Standards Council and Executive Committee of the Standards Council

The Minutes of the Meeting of the Executive of the Standards Council, which was held on 2006 May 4, revealed that the tender for Health Insurance Services was scheduled for discussion on the meeting agenda. The referenced Minutes indicated, *inter alia*, that:

“A copy of the Instructions to tender relating to the renewal of Health Insurance for the Bureau’s staff was tabled...After much discussion, it was agreed that the proposal would be accepted subject to the adjustments which have been recommended.”¹²⁴

According to the signed Minutes of the Meeting of the Executive of the Standards Council, which was held on Tuesday, 2006 June 13, the meeting was advised that “*...BSJ has asked the current provider (Blue Cross of Jamaica) to extend the interim insurance arrangement for an additional four months... the extension was to accommodate the tendering process.*”¹²⁵

The request for a four (4) month extension would have allowed Blue Cross of Jamaica to retain the service contract until 2006 October. Thereafter, the recommended provider, as per the 2006 August tender, would be responsible for the provision of health insurance services to the BSJ.

¹²⁴ Minutes of the Meeting of the Standards Council which was held on 2006 May 4; Page 7-8

¹²⁵ Signed Minutes of Meeting of the Executive of the Standards Council held on Tuesday 13 June 2006, in the Boardroom of the BSJ. Page 8 Enclosure # 79

Further, the Minutes of the Meeting of the Executive of the Standards Council, which was held on Tuesday, 2006 June 13, also advised, in regard to the Tender for Health Insurance Services, that *“An advertisement would now be placed inviting bids.”*¹²⁶

In addition, the signed Minutes of the Meeting of the Standards Council, which was held on 2006 June 20, indicated thatp; *“...an advertisement should now be placed in the national newspaper inviting tenders to submit proposals to provide Health Insurance coverage.”*¹²⁷

The Minutes of the Meeting of the Standards Council, which was held on 2006 June 20, also indicated that *“... the Management team examined the proposed specifications/request for proposal on Monday, 19 June and the Human Resources Department had assured the meeting that the base document came from the entire staff.”*¹²⁸

In a meeting of the Executive of the Standards Council , which was held on 2006 July 12, and which was chaired by Dr. Henry Lowe, it was revealed that *“... a Terms of Reference, along with an advertisement inviting tenders for health insurance, had been finalized. Copies of the document would be sent to members of the Executive prior to being published. Upon receipt, all Executive members were asked to provide timely feedback ... in order that the matter could be finalized.”*¹²⁹

The referenced Minutes of the 2006 July 12 meeting further indicated that *“Based on his knowledge of the industry, the Chairman advised against an upward adjustment of fees for doctor’s visit as this usually prompts doctors to increase their fees. He further stated that an increase in hospitalization was preferable. The following recommendations were accepted:*

Doctor’s visit: From \$1,000 to \$1,100

Caesarean Section From \$45,000 to \$50,000

*Miscarriage From \$20,000 to \$25,000”*¹³⁰

It is, therefore, apparent that Dr. Henry Lowe, via his involvement in the Board Meeting of 2006 July 12, was in fact involved in the procurement process for Health Insurance Services at the BSJ insofar as his giving input regarding the scope of the Tender specifications is concerned.

It is instructive to note that the Minutes of the 345th Meeting of the Standards Council, which was held on 2006 July 25, revealed that *“A copy of the updated base document which would be used for the tender process (Request for Proposal) was tabled... The document was approved by Council.”*¹³¹

It is instructive to note that in a meeting of the Executive of the Standards Council, which was held on 2006 August 11, the Minutes reflect, *inter alia*, that *“...all comments from the Council Members had been incorporated into the document and should be ready for advertisement in the Daily Gleaner on the 16 August 2006 and the Sunday Gleaner of 20 August 2006.”*¹³²

The OCG has found that the BSJ, did in fact, as at 2006 August 18, publish in the *Daily Gleaner* a tender advertisement for the Group Health Insurance services. Subsequently, the tender for Group Health Insurance was publicly opened on 2006 August 30 in the presence of representatives of the BSJ, the then Life of Jamaica Ltd. and Guardian Life Ltd.

¹²⁶ Signed Minutes of Meeting of the Executive of the Standards Council held on Tuesday 13 June 2006, in the Boardroom of the BSJ. Page 8 Enclosure # 79

¹²⁷ Minutes of the Meeting of the Standards Council, which was held on 2006 June 20: page 8

¹²⁸ Minutes of the Meeting of the Standards Council, which was held on 2006 June 20 Page 8

¹²⁹ Minutes of the Meeting of the Executive of the Standards Council held on Wednesday 12 July 2006 in the Boardroom of the BSJ. Page # 6. Enclosure # 78

¹³⁰ Minutes of the Meeting of the Executive of the Standards Council held on Wednesday 12 July 2006 in the Boardroom of the BSJ. Page # 6. Enclosure # 78

¹³¹ Minutes of the 345th Meeting of the Standard Council which was held on 2006 July 25. Page # 8. Enclosure # 72

¹³² Minutes of the Meeting of the Executive of the Standards Council held on 2006 August 11.

The Minutes of the Meeting of the Executive of the Standards Council, which was held on Tuesday, 2006 September 8, revealed that the meeting was informed that the “...*Human Resource Manager had sought and selected the services of an actuary who had already examined the proposals prior to advising the Procurement Committee*”.¹³³

The OCG has also found that instructions were also given at the referenced Meeting of the Executive of the Standards Council. In this regard, it was stated that a determination was to be made as to “...*what process had been observed regarding the selection and procurement of the actuary and whether this conformed with procurement requirements*”.¹³⁴

The Minutes of the Meeting of the Executive of the Standards Council, which was held on 2006 September 8, further revealed that Ms. Henry, Legal Officer and the then Chairman of the Procurement Committee of the BSJ was of the opinion that “...*due to this proactivity on the part of the Human Resource Manager, the procurement of the Health Insurance Provider was now delayed*”.¹³⁵

As at 2006 September 19, the Standards Council of the BSJ was advised that the tender documents had been received by the Procurement Committee and that the evaluation would have been conducted shortly.

Despite the apparent concerns about a delay, as was captured in the Minutes of the Meeting of the Executive of the Standards Council, which was held on 2006 September 8, the Minutes of the Meeting of the Executive of the Standards Council, which was held on Thursday, 2006 October 12, indicated that “*The Procurement Committee had evaluated the proposal received and now had a recommendation that should be examined by the Executive Committee and the Standards Council*”.¹³⁶

It is instructive to note that at the Meeting of the Executive of the Standards Council, which was held on 2006 October 12, the Council was reminded that the recommendation of the BSJ's Procurement Committee was still awaiting examination and a decision was taken that “... *the examination of the Procurement Committee's recommendation should be first reviewed by a special meeting of the Human Resource Committee before being taken to the Council for approval*”.¹³⁷

In a Report that was entitled, “*Report and Recommendation of the Procurement Committee*”, which was dated 2006 October 10, the BSJ's Procurement Committee posited the following recommendation:

“The Procurement Committee concluded that the overall package being offered by Life of Jamaica Limited “Schedule of Benefits” is the best of the proposals received, that is, the benefits being offered meet our requirements and are at a reasonable price which is within the Bureau's budget. Financially, Life of Jamaica is sound and its ratings both locally and internationally indicate its ability to adequately meet its obligation to its policyholders.

Based on the foregoing analysis, the Procurement Committee recommends that the Group Health Insurance Contract for the two year period at an initial premium (for the first year) of Six Million, Five Hundred and Fourteen Thousand and Eighty Dollars be awarded to Life of Jamaica Limited.”¹³⁸

Introduction of New Evaluation Criteria

Despite the recommendations of the Procurement Committee, the Minutes of a Special Meeting of the Standards Council Human Resources Committee, which was held on 2006 October 18, revealed that a recommendation had been made for Ms. Yanike Harrison, the then Manager, Human Resources, to conduct interviews with the bidders who had submitted proposals for the BSJ's tender for Health Insurance Services.

¹³³ Minutes of the Meeting of the Executive of the Standards Council held on 8 September 2006 in the Boardroom of the BSJ. Page 7. Enclosure # 76

¹³⁴ Minutes of the Meeting of the Executive of the Standards Council held on 8 September 2006 in the Boardroom of the BSJ. Page 7. Enclosure # 76

¹³⁵ Minutes of the Meeting of the Executive of the Standards Council held on 8 September 2006 in the Boardroom of the BSJ. Page 7. Enclosure # 76.

¹³⁶ Minutes of the Meeting of the Executive of the Standards Council held on Thursday, 12 October 2006, in the Boardroom of the Bureau. Page 6. Enclosure # 75.

¹³⁷ Minutes of the Meeting of the Executive of the Standards Council held on Thursday, 12 October 2006, in the Boardroom of the Bureau. Page 10. Enclosure #

75.

¹³⁸ Report and Recommendation of the Procurement Committee.

The proposed interview process was deemed to be beneficial to the overall tender process.

However, the Minutes of the Special Meeting of the Standards Council Human Resources Committee, which was held on 2006 October 18 clearly indicated that *"The meeting noted that the interviews were not arranged as recommended."*¹³⁹

The OCG found that the Minutes of the 2006 October 18 meeting revealed that the bidders were reportedly not privy to all of the criteria for the award of the contract. In fact, there was an internal set of evaluation criteria which was not included in the tender document that was made available to bidders.

Given the requirement to adhere to the GPPH, members of the Procurement Committee advised persons in attendance at the Standards Council Meeting that the introduction of new criteria would require the current tender process to be aborted in order to avoid a breach of the GPPH.

In point of fact, the Minutes of the Special Meeting of the Standards Council Human Resources Committee, which was held on 2006 October 18, revealed that Ms. Henry, the BSJ's Legal Officer and the then Chair of the Procurement Committee, reiterated that *"...if the Bureau interjected new criteria and evaluated on same in the manner proposed, this would be considered a breach of the rules. However, if the Bureau wished to introduce the new criteria, it had to abort the current process and re-tender and at that stage include all the relevant information, including new criteria."*¹⁴⁰

Despite all the deliberations of the referenced meeting, the OCG found that *"... the Committee unanimously agreed to the approval of the proposed provider, LOJ, subject to verification of the assumption that if the tender document did not state a limit, the request was "unlimited"."*¹⁴¹

It must be noted that the Minutes of the Special Meeting of the Standards Council, which was held on 2006 October 27, indicated that *"...the agreement with Blue Cross had been extended to the end of October 2006..."*¹⁴²

Further, the referenced Minutes of the Special Meeting of the Standards Council, which was held on 2006 October 27, indicated that after some deliberation on procedural matters regarding the manner in which submissions were to be made to the NCC, it was indicated that *"The Chairman suggested that a further extension be sought from Blue Cross and that the matter be taken as an agenda item at the November sitting of the full Council."*¹⁴³

It is also instructive to note that the Minutes of the Meeting of the Standards Council, which was held on 2006 November 22, clearly indicated that *"...the current Health Plan with Blue Cross had been extended to 31 December 2006."*¹⁴⁴

The OCG has, therefore, found that the contract with Blue Cross of Jamaica was extended by the BSJ on two (2) occasions in order to facilitate the tender process for Health Insurance Services.

It must be noted that the attachments to the letter which was dated 2006 December 22, from Dr. Jean Dixon, revealed that the Procurement Committee had been instructed, in writing, to conduct an interview session with bidders for the Health Insurance Services.

¹³⁹ Minutes of Special Meeting of the Standards Council Human Resources Committee held Wednesday 18 October 2006. Page 7

¹⁴⁰ Minutes of Special Meeting of the Standards Council Human Resources Committee held Wednesday 18 October 2006. Page 4

¹⁴¹ Minutes of Special Meeting of the Standards Council Human Resources Committee held Wednesday 18 October 2006. Page 7

¹⁴² Minutes of the Special Meeting of the Standards Council held 2006 October 27. Page 12

¹⁴³ Minutes of the Special Meeting of the Standards Council held 2006 October 27. Page 12

¹⁴⁴ Minutes of the 347th Meeting of the Standards Council held on November 22, 2006.

According to a letter from the BSJ's Procurement Committee, which was dated 2006 December 8, and which was addressed to the Standards Council, BSJ, it was stated, *inter alia*, that *"On Wednesday, 06 December 2006 (4:30 pm), the Procurement Committee received a memorandum from Human Resource Manager mandating that four (4) members of this Committee participate in an interviewing process, scheduled for Friday, 08 December 2006 (see attached memo A). The memo informed that this is a directive from the Council through the Executive Director (acting)."*¹⁴⁵

Further, the letter from the Procurement Committee, which was addressed to the Standards Council of the BSJ, also indicated that:

"We must emphasize the importance of a structured contract award process to which the Procurement Committee has complied. We note your decision to have a representative of the Bustamante Industrial Trade Union (BITU) sit on the Procurement Committee during the exercise. Please be advised that the date (06 December 2006 at 4:32pm) when your decision was communicated to the Committee the evaluation was already completed. However, we are willing to share all documentation relating to this exercise.

*Based on the foregoing and to avoid any embarrassment to the institution and the members of the Procurement Committee... it would be desirable that no member of the Committee be asked to participate in this "interviewing process." Accordingly, it is the hope that you will understand the position stated and find it possible to not include any member of the Procurement Committee."*¹⁴⁶

With regard to the aforementioned, the Minutes of the Meeting of the Standards Council Executive Committee, which was held on Monday, 2006 December 11, reveals that there was some contention between the members of the Procurement Committee and the Standards Council in regard to the conduct of the interview process which, in the Procurement Committee's opinion, would have amounted to a breach of the procurement guidelines.

In point of fact, the Minutes of the Meeting of the Standards Council, which was held on 2006 December 11, indicated that *"...three (3) companies were being considered for the new contract and based on a decision taken by the Standards Council at an executive session held on 22 November 2006, each provider would be invited to an interview, after which an informed decision could be made with respect to the most appropriate Provider."*¹⁴⁷

The Minutes of the referenced meeting, which was held on 2006 December 11, further revealed that *"...the instructions of the Council were not carried out as upon inviting Members of the Procurement Committee, a response was received informing that the Procurement Committee would not be able to participate in the interview process as same would be operating outside the Government's Handbook of Public Sector Procurement Procedures (Handbook)."*¹⁴⁸

According to the Minutes of the Meeting of the Standards Council, which was held on 2006 December 11, ***"The Chairman then stated that he declared interest in this matter due to his relationship with Blue Cross. He went on to state that he was looking at the principle involved. The Council took a decision whether that decision was right or wrong, noting that same decision was communicated to the Procurement Committee by the Human Resource Division but was not implemented by the Procurement Committee."***¹⁴⁹ (OCG Emphasis)

¹⁴⁵ Letter from the Procurement Committee addressed to the Standards Council, BSJ. Letter is appended to Dr. Jean Dixon's letter of 2006 December 22.

¹⁴⁶ Letter from the BSJ's Procurement Committee to the Standard Council of the BSJ, dated 2006 December 8

¹⁴⁷ Minutes of Meeting of the Standards Council Executive Committee held on 2006 December 11: Page 6

¹⁴⁸ Minutes of Meeting of the Standards Council Executive Committee held on 2006 December 11: Page 6

¹⁴⁹ Minutes of Meeting of the Standards Council Executive Committee held on 2006 December 11: Page 7

Further, according to the Minutes of the Meeting of the Standards Council Executive Committee, which was held on 2006 December 11, the Chairman, in addressing the meeting indicated that *“... a meeting was set and same was summarily dismissed as the Procurement Committee decided not to take the instructions of the Council... If Procurement had an issue, the matter should have returned to the Council. If there was a breach, the matter could have been re-advertised. He further thought the decision by the Procurement Committee was inappropriate.”*¹⁵⁰

The Minutes of the referenced meeting also noted that Ms. Annette Henry, the then Chairman of the Procurement Committee, was asked to inform the Meeting of the Standards Council Executive Committee *“...why the decision of the Council was not adhered to by the Procurement Committee.”*¹⁵¹

In her response to the query, and according to the Minutes of the meeting, which was held on 2006 December 11, Ms. Henry indicated that *“...the Procurement Committee was asked to participate in a process that was not provided for in the Handbook and or the BSJ’s Procurement Policies and Procedures and advised the acting Executive Director and the Manager, Human Resource that the execution of the impending interviews and the introduction of new criteria would amount to breaches of the procurement process.”*¹⁵²

Further to the aforementioned, it must be noted that at a Meeting of the Standards Council, which was held on 2006 December 20, it was reported that the *“...the scheduled interviews with the three (3) Health Insurance Providers, as mandated recently by the Council, were not held owing to a decision taken by the Procurement Committee.”*¹⁵³

It is also instructive to note that the referenced Minutes of the Meeting of the Standards Council, which was held on 2006 December 20, indicates that *“Council Members expressed their anger and annoyance that the edict of the Council was not executed; hence, the following declaration was made by the Chairman:*

(i) The Procurement Committee is to be reviewed.

*(ii) The Chairman warned and advised that all decisions taken by the Council are to be implemented as per instructions. Any deviations/objections must be communicated to the Standards Council for approval.”*¹⁵⁴

Following upon this declaration by the then Chairman, Dr. Henry Lowe, the Minutes of the meeting, which was held on 2006 December 20, revealed that Ms. Henry, the then Chair of the BSJ’s Procurement Committee was asked to inform the meeting why the *“...directives of the Council were not followed.”*¹⁵⁵

The Minutes of the 2006 December 20 Meeting records that Ms. Henry *“...drew Council’s attention to the letter from the Procurement Committee, dated 08 December 2006, which detailed the concerns of the Committee. She pointed out that the Committee was asked to, among other things, participate in an interviewing process, which was not included in the original documentation and therefore was not apart of the tendering and or evaluation process.”*¹⁵⁶

Ms. Henry in her response to the query, and as captured by the Minutes of the Meeting which was held on 2006 December 20, is reported as also asserting that *“... the Committee was asked to (during the interview process) to use and or introduce new criteria that were not communicated to the bidders. Further, the Committee when it received the directives through the Human Resource Manager wrote to same... highlighting its concerns, notwithstanding the foregoing, it was advised right or wrong the directives must be followed, at this time the Committee considered it important to write and wrote to the Standards Council, detailing the concerns and kindly requested that its Members not be asked to participate in the process.”*¹⁵⁷

¹⁵⁰ Minutes of Meeting of the Standards Council Executive Committee held on 2006 December 11: Page 7

¹⁵¹ Minutes of Meeting of the Standards Council Executive Committee held on 2006 December 11: Page 7

¹⁵² Minutes of Meeting of the Standards Council Executive Committee held on 2006 December 11: Page 7

¹⁵³ Minutes of the 348th Meeting of the Standards Council held on 20 December 2006 at Eden Gardens. Page 7. Enclosure # 68

¹⁵⁴ Minutes of the 348th Meeting of the Standards Council held on 20 December 2006 at Eden Gardens. Page 7. Enclosure # 68

¹⁵⁵ Minutes of the 348th Meeting of the Standards Council held on 20 December 2006 at Eden Gardens. Page 8. Enclosure # 68

¹⁵⁶ Minutes of the 348th Meeting of the Standards Council held on 20 December 2006 at Eden Gardens. Page 7. Enclosure # 68

¹⁵⁷ Minutes of the 348th Meeting of the Standards Council held on 20 December 2006 at Eden Gardens. Page 8

The Minutes of 2006 December 20, also revealed that staff members were reportedly not aware of the details of the base document and the options for the Health Insurance Provider. Of particular import is the 'Executive Session' meeting which was held immediately after the referenced discussion.

According to information which was garnered from interviews that were conducted by the OCG with senior personnel from the BSJ, 'Executive Sessions' are held to discuss sensitive issues amongst members of the BSJ's Standards Council.

The 'Executive Session', for which there are apparently no recorded Minutes, included discussions on the matter of Health Insurance. **In point of fact, and according to the 2006 December 20 Minutes of the Meeting of the Standards Council, discussions were held in the Executive Session, "...after which, it was stated that the entire procurement process for Group Health, Group Life, as well as Accidental Death and Dismemberment (AD & D) would be combined; thus aborting the current tendering process. Coverage would be extended under the current plan for an additional period of three (3) months."**¹⁵⁸ (OCG Emphasis)

The Minutes of the 2006 December 20 meeting revealed that in the normal proceedings of the meeting of the same date, the **"...Chairman of the Standards Council disclosed his interest and refrained from participating in the deliberation on the matter."**¹⁵⁹ (OCG Emphasis)

The OCG has not seen evidence which would indicate whether or not the then Chairman, Dr. Henry Lowe, chaired the distinct 'Executive Session' and/or whether or not he actively participated in the actual deliberations of the 'Executive Session' which was held on 2006 December 20.

Whilst Dr. Lowe is noted as refraining from participating in the deliberations which were held in the normal course of the Meeting of the Standards Council, which was held on 2006 December 20, the OCG has seen no evidence to suggest that he left the room, thereby eliminating the probability of garnering any further knowledge which would have given Blue Cross of Jamaica an unfair advantage in the tender process or that his actions were in compliance with the provisions of Section 17 (2) of the Public Bodies Management and Accountability Act.

Section 17 (2) of the referenced Act provides that **"A director who is directly or indirectly interested in any matter which is being dealt with by the board- (a) shall disclose the nature of his interest at a board meeting; (b) shall not take part in any deliberation of the board with respect to that matter."** (OCG Emphasis).

The concerns which were raised at the various Standards Council Meetings, inclusive of the attempt to introduce new criteria into the tender evaluation process, the lack of involvement of the staff and the move to combine the various aspects of the Health Insurance Coverage appear to be the bases upon which the BSJ sought to retender the procurement of Health Insurance Services.

The aforementioned Finding, however, does not negate and/or dilute the improper conduct of Dr. Henry Lowe and/or members of the BSJ's Standards Council as it regards his involvement in discussions and decisions which were related to the procurement of Health Insurance Services of the BSJ.

Status of the 2007 April Tender Exercise

Subsequent to the events of 2006, which led to the extension of Blue Cross of Jamaica's contract with the BSJ and the BSJ's decision to retender for the Health Insurance Services, it must be noted that the BSJ, by way of a public advertisement in the Daily Gleaner, on 2007 April 4, tendered for the provision of Health Insurance Coverage for the period of 2007 May 1 to 2009 April 30. The tender exercise had a scheduled Tender Opening date of 2007 April 18.

¹⁵⁸ Ibid: page 8

¹⁵⁹ Ibid: page 8

Further to the retender exercise of 2007 April, the OCG, by way of a letter, which was dated 2007 December 11, wrote to Dr. Camella Rhone, then Executive Director of the BSJ, requesting an update of the status of the procurement of Health Insurance Services, which was retendered and advertised in 2007 April.

In response to the OCG's written request, Dr. Camella Rhone, by way of a letter which was dated 2007 December 17, provided the OCG with information as follows:

1. *Three tenders were received by the tender opening date of 18 April 2007; namely Life of Jamaica, Blue Cross of Jamaica and Guardian Insurance*
2. *The documents were reviewed by an evaluation committee and the results tabulated and a selected supplier recommended to the Procurement Committee.*
3. *The documents were reviewed by the Procurement Committee and a recommendation was made to the Executive and Finance Sub-committee (EFS) of the Standards Council*
4. *The EFS reviewed the documents and indicated that the evaluation should have been conducted by a **Ministry of Finance approved actuary**, in accordance with the directive contained in a correspondence from the Bureau's governing Ministry, the Ministry of Industry, Investment and Commerce (MIIC). They instructed that the services of an approved actuary be contracted to conduct the evaluation.*
5. *Requests for quotes were sent to the two approved actuaries and only one responded positively.*
6. *The documents for actuarial services were submitted to the Procurement Committee and a recommendation sent to the Ministry Procurement Committee through the Permanent Secretary.*
7. *In a correspondence from the Ministry dated 28 November 2007, the request for contracting the services of Coke and Associates/Eckler Partners was approved*
8. *Subsequently, the actuarial services were contracted and on 30 November 2007 and a recommendation for Health Insurance provider was received today, Monday 17 December 2007.*

The aforementioned information indicates that in the initial phases the 2007 tender went through the proper channels even though it had been faced with challenges, specifically as it regards the evaluation of the tenders.

It was also indicated by Dr. Rhone that the referenced tender would return to the BSJ's Procurement Committee for consideration in January 2008 followed by submission to the relevant NCC Sector Committee and then to the NCC for endorsement.

It must be noted that by way of a letter, which was dated 2008 January 9, Dr. Camella Rhone, the then Executive Director of the BSJ, wrote to the then Permanent Secretary, Dr. Jean Dixon, indicating that *"The Bureau's Procurement Committee and the Standards Council have approved the selection of Life of Jamaica based on the recommendation made by Ministry of Finance approved actuary."*¹⁶⁰

The NCC records reveal that by way of a letter, which was dated 2008 March 5, a submission was made to the National Works Agency (N.W.A) Sector Committee, and indicated that *"Tenders were received by BSJ and evaluated by their Consultant Actuary, Coke & Associates/Eckler Partners. The BSJ having accepted the recommendation of their actuary has now submitted that the contract to provide Group Health Insurance coverage for the staff at the BSJ be awarded to **Life of Jamaica** for the contract period 2008/2009."*¹⁶¹

The submission which was made to the NCC reveals the following cost and score components for the three tenders which were received by the BSJ:

¹⁶⁰ Letter dated 2008 January 9 from Dr. Camella Rhone addressed to Dr. Jean Dixon

¹⁶¹ Letter form MIIC addressed to Mr. John Wright. Chairman. NWA Sector Committee

Company	Tender Amount J\$	Points Score
Life of Jamaica Ltd.	8,392,512	88
Guardian Life Insurance	8,839,259	82
Blue Cross of Jamaica	12,244,224	77

It must be noted that the BSJ had a comparable estimate of J\$8.9 Million for the provision of Health Insurance Services.

The referenced procurement of Health Insurance Services was subsequently endorsed by the NCC on 2008 April 9.

By way of a letter which was dated 2008 April 10, the NCC wrote to Dr. Jean Dixon, the then Permanent Secretary in the then Ministry of Industry, Investment and Commerce, advising that *"The National Contracts Commission having considered the matter at its meeting on 2008 April 09 has endorsed the recommendation of the Sector Committee to award the contract to Life of Jamaica in the sum of Eight Million, Three Hundred and Ninety-two Thousand, Five Hundred and Twelve Dollars (\$8,392,512.00)."*¹⁶²

It must also be noted that Dr. Henry Lowe, ceased to be Chairman of the BSJ in 2007 August and, as such, the conflict of interest scenario would have therefore been stymied prior to the evaluation and endorsement of the recommendation for the award of the contract in 2008 April.

Documentation which was provided to the OCG, by the current Executive Director of the BSJ, Mr. Noel Osborne, revealed that the recommendation for contract award which was endorsed by the NCC was in actuality consummated between the BSJ and Sagicor Life Jamaica Ltd (formerly life of Jamaica). The referenced contract had a policy effective date of 2008 May 1.

Records of Interview with Dr. Henry Lowe

In an interview with Dr. Henry Lowe, which was conducted at the OCG, on 2007 June 19, the OCG enquired, *inter alia*, about Dr. Lowe's involvement in the procurement of Health Insurance at the BSJ.

Dr. Henry Lowe, in his interview with the OCG, indicated that he held the position of the Chairman of the Board of the BSJ since 2003.

When asked about the circumstances surrounding the aborted 2006 tender process for the provision of Health Insurance Services, Dr. Lowe, in his interview with the OCG, indicated that he did not try to get too involved in the matter because *"he was the Chairman of the board as well as Blue Cross of Jamaica."*¹⁶³

Further, and according to Dr. Lowe, *"Everytime the issue arose he would declare his interest and there have been instances when he was reminded by members of the Board that the Board was not making decisions but seeking clarification on the matter, Hence, he did not recuse himself from the meetings."*¹⁶⁴

Further in his interview with the OCG, Dr. Lowe was asked if he had ever made a written declaration of his interest in Blue Cross of Jamaica. The records of the interview reveal that *"Dr. Lowe stated that this was not required and therefore there was no written declaration, but he has often voiced his interest and everyone is aware of his declared interest and position; which can be attested to by the Minutes of the Board meetings."*¹⁶⁵

¹⁶² Letter from the NCC to Dr. Jean Dixon, dated 2008 April 10 Re: Award of Contract – Bureau of Standards, Jamaica – Procurement of Health Insurance Provider.

¹⁶³ Records of Interview held with Dr. Lowe, former Chairman of the BSJ, on 2007 June 19.

¹⁶⁴ Records of Interview held with Dr. Lowe, former Chairman of the BSJ, on 2007 June 19.

¹⁶⁵ Records of Interview held with Dr. Lowe, former Chairman of the BSJ which was held on 2007 June 19.

Timeline of Material Occurrences and Activities

Date	Activity/Occurrences
2006 May 4	Minutes of the BSJ's Board Meeting indicates that the Board discussed matters which were related to the Tender for Health Insurance Services.
2006 July 12	Minutes of the BSJ's Board Meeting reveals that Dr. Henry Lowe, the then Chairman of the BSJ Board and the then Chairman of the then Blue Cross of Jamaica, participated in the deliberations of the BSJ Board and advised the referenced Board regarding components of the fee structure for proposed Health Insurance Service Providers.
2006 August 18	The Tender for Health Insurance Services was advertised in the Daily Gleaner
2006 August 20	A public Tender Opening for the procurement of Health Insurance Services, by the BSJ, occurs.
2006 October 10	The BSJ's Procurement Committee recommends the award of the contract for Health Insurance Services in favour of Life of Jamaica.
2006 October 18	The Minutes of a Special Meeting of the Standards Council Human Resource Committee reveals that instructions were issued to the Procurement Committee for the conduct of interviews with the bidders who had submitted proposals. The referenced interviews were not arranged as recommended.
2006 December 11	The Minutes of the Meeting of the BSJ's Board of Directors reveals that Dr. Henry Lowe declared his interest in the matter. However, despite this declaration, the then Chairman, Dr. Henry Lowe, is noted as participating in the referenced meeting and, in point of fact, questioned the propriety of the Procurement Committee's choice not to fulfill the Board's directives.
2006 December 20	The Minutes of the Meeting of the BSJ's Board of Directors reveals that the then Procurement Committee was chastised, <i>inter alia</i> , by Dr. Henry Lowe, for not conducting interviews with the bidders. Dr. Henry Lowe is also recorded as having disclosed his interest and refraining from participation in the referenced meeting, but only after certain discussions ensued and a 'Executive Session' was convened to discuss the Health Insurance tender. A decision was taken by the BSJ Board to abort the tender process.
2007 April	The BSJ retenders for a Health Insurance Service Provider by way of an advertisement in the Daily Gleaner on 2007 April 4.
2007 August	Dr. Henry Lowe demits office as Chairman of the Board, BSJ.
2008 January 9	Dr. Camella Rhone, the then Executive Director of the BSJ, writes to Dr. Jean Dixon, the then Permanent Secretary, advising her that the BSJ's Procurement Committee and Board had approved the selection of Life of Jamaica as the preferred Health Insurance Service Provider.
2008 March 5	A BSJ submission is made to the N.W.A Sector Committee recommending the award of the contract for Health Insurance Services to Life of Jamaica.
2008 April 9	The NCC endorses the award of a contract to Life of Jamaica in the sum of J\$8,392,512.00.
2008 May 1	The stated policy "Effective Date" for the BSJ Health Insurance Service Provider Contract

Conclusions

Based upon the evidentiary documents which have been reviewed, and the assertions of the representatives of the BSJ, the OCG has arrived at the following considered Conclusions:

1. The Procurement Committee of the BSJ, by choosing to abide by the requirements of the GPPH, acted in accordance with Section 1.5.2.3 "Procurement Committee" of the 2001 GPPH.

Section 1.5.2.3 of the 2001 GPPH provides, *inter alia*, that:

"The Procurement Committee is mandated to:

- *ensure compliance with relevant policies, guidelines and procedures;*

- *effect objective evaluation processes with respect to quotations, tenders and requests for proposals;*
 - *facilitate response to contractor inquiries;*
 - *maintain proper record of Committee meetings, including records of the procurement; and*
 - *ensure compliance with reporting obligations.*¹⁶⁶
2. It is also concluded herein that had the BSJ Procurement Committee complied with the request of the Standards Council, it would have breached the requirements of the 2001 GPPH and would have contravened Section 4(1) of the Contractor General Act via the introduction of new criteria into the tender evaluation and award process.
 3. It is also concluded that the decision of the BSJ to abort the tender process which was undertaken in 2006, and to subsequently retender for the award of the Health Insurance Service Provider and to pass same through the Procurement Committee, was a right which the BSJ could have executed in order to ensure the integrity of the tender process.
 4. It is also concluded that Dr. Henry Lowe, while he was the Chairman of Blue Cross of Jamaica and the BSJ, and via his participation in the BSJ Board Meetings of 2006 July 12, 2006 December 11 and 2006 December 20, and, further, by the issuance of directives to the BSJ's Procurement Committee regarding the referenced tender in respect of which Blue Cross of Jamaica was an interested party, had, by his conduct, contravened section 17 (2) of the Public Bodies Management and Accountability Act.

It is important to note that, in all three (3) instances, the Minutes of the Meetings of the BSJ Board have revealed that Dr. Henry Lowe participated in the deliberations of the BSJ Board.

In fact, and according to the Minutes of the BSJ Board, Dr. Henry Lowe is noted as (a) in the 2006 July 12 BSJ Board Meeting, having offered advice based upon his knowledge of the industry, (b) having questioned the then Procurement Committee for not adhering to the instructions of the Board, regarding the procurement of a Health Insurance Provider, in the Board Meeting Minutes of 2006 December 11, and (c) chastising the then Procurement Committee, in the Board Meeting of 2006 December 20, for not conducting interviews with the bidders, as per the instructions of the Board.

5. The BSJ aborted the tender process which began in 2006 and subsequently retendered in April 2007. This particular contract has been awarded to Sagikor Life Jamaica, via a competitive tendering process.

The referenced contract has been subject to the scrutiny of both the N.W.A Sector Committee and the NCC, for adherence to the applicable procurement guidelines.

6. Dr. Henry Lowe was not the Chairman of the Board at the BSJ at the time of the award of the contract which was advertised in April 2007, and which has subsequently been awarded to Sagikor Life Jamaica.

However, it is the OCG's considered opinion that the involvement of Dr. Henry Lowe in the various stages of the referenced BSJ Health Insurance tender process, whilst he held the conflicted positions of Chairman of Blue Cross of Jamaica and Chairman of BSJ, amounted to a breach of statutory duty on his part.

Referrals

The OCG, in the conduct of its Investigation, is required to be guided by Section 21 of the Contractor General Act. This provision mandates a Contractor General to consider whether he has found, in the course of his Investigation, or on the conclusion thereof, any evidence of a breach of duty, misconduct or criminal offence on the part of an Officer or member of a Public Body, and to formally refer the matter to the appropriate person or authority that is competent to initiate such proceedings in the matter as may be deemed appropriate.

¹⁶⁶ Section 1.5.2.3 – Procurement Committee of the 2001 GPPH

Additionally, the Contractor General is also required, in all such instances, to lay a special report thereon before Parliament.

Dr. Henry Lowe's involvement in the meetings of the Standards Council of the BSJ, which were held on 2006 July 12, 2006 December 11 and 2006 December 20, and in particular those meetings in which the matter of the procurement of a Health Insurance Service provider was discussed, was done in **direct** contravention of the provisions of **Section 17 (2) of the Public Bodies Management and Accountability Act**.

Section 17 (2) of the referenced Act provides that, "*A director who is directly or indirectly interested in any matter which is being dealt with by the board- (a) shall disclose the nature of his interest at a board meeting; (b) **shall not take part in any deliberation of the board with respect to that matter.***" (OCG Emphasis).

It is instructive to note the following peculiar occurrences which directly contravene the referenced provision of the Public Bodies Management and Accountability Act:

1. On 2006 July 12, Dr. Henry Lowe, the then Chairman of the BSJ Board and the then Chairman of the then Blue Cross of Jamaica, is noted in the Minutes of the BSJ Board Meeting as having offered advice on the fee structure for the proposed Health Insurance Providers based upon his "*knowledge of the industry*";
2. On 2006 December 11, Dr. Henry Lowe is noted as participating in the deliberations of the BSJ Board regarding the procurement of a Health Insurance provider. Though the Minutes record that Dr. Lowe declared his interest in the matter this does not, in any way, counter or negate his active involvement in the deliberations of the BSJ Board; and
3. The Minutes of the Meeting of the BSJ's Board of Directors, which was held on 2006 December 20, revealed that the then Procurement Committee was chastised for not conducting interviews with the bidders. Dr. Henry Lowe is recorded as having disclosed his interest and refraining from participation in the referenced meeting, but only after certain discussions ensued and an 'Executive Session' was convened to discuss the Health Insurance tender.

In fact, the Minutes of the Meeting of the BSJ's Board of Directors revealed that the Chairman, Dr. Henry Lowe, issued certain declarations and warnings to the then Procurement Committee arising out of its handling of certain instructions of the Board, regarding the Procurement of Health Insurance Services.

Further, it is instructive to record that Sections 6 and 17 (1) 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, Dr. Henry Lowe, the then sitting BSJ Board Chairman, would not have been permitted to Chair meetings of the Standards Council at which time discussions were held in regard to the tender for Health Insurance Services.

Section 6 of the Public Bodies Management and Accountability Act provides 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".

Section 17 of the Public Bodies Management and Accountability Act provides 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 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.”

In the premises, 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 Attorney General on the basis that there is *prima facie* evidence which is recorded herein which would suggest that there was, *inter alia*, a clear and unambiguous breach of duty specifically on the part of Dr. Henry Lowe, the former Chairman of the Standard Council of the BSJ, in contravention, *inter alia*, of Sections 6 and 17 of the provisions of the Public Bodies Management and Accountability Act.

The matter is being referred to the Attorney General particularly, *inter alia*, in light of the provisions that are contained in Sections 6, 17 and 25 of the Public Bodies Management and Accountability Act.

Additionally, the matter is being referred to the Attorney General for a determination as to whether the actions and/or inactions of the then members of the former Board of the BSJ, are in any way complicit, as it regards all of the circumstances of the case, and in particular, the actions of Dr. Henry Lowe at the Board Meetings of 2006 July 12, 2006 December 11 and 2006 December 20.

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. The OCG recommends that the Procurement Committees of Public Bodies should be insulated from the direction and influence of management and/or the Boards of Public Bodies, as it regards the objective and impartial discharge of their duties which are prescribed by the Government of Jamaica Procurement Guidelines.

Further, the OCG must recommend that the Ministry of Finance, in the drafting of the Government of Jamaica’s Procurement Guidelines, and attendant Circulars, should consider and implement punitive and administrative sanctions against any Public Officer and/or Official who interferes with and/or attempts to instruct a Procurement Committee to act in a manner which would violate or bring the procurement process into disrepute.
2. In instances where a Member of the Board or any other Public Official finds himself/herself in a probable Conflict of Interest scenario, it is recommended that the individual not only makes the necessary and principled disclosures with an intent to remove himself/herself from the conflict of interest situation but also withdraws himself/herself entirely from the process.
3. 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 situation. Such action will ensure legitimacy and good governance in the administration of GOJ procurement and management.
4. The OCG also respectfully recommends that all Appointees to the Board of Directors of any Public Body are duly and fully made aware of their responsibilities and obligations under the provisions that are contained, *inter alia*, in the Public Bodies Management and Accountability Act.
5. The OCG feels compelled to strongly recommend, again, as it has in previous Investigation Reports, 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, as the case may be, the award of Government contracts (or the divestment of publicly owned assets) by a Public Body, to members of its Board of Directors, or to any entity in which a Board member or a close family relative may have a pecuniary interest.

If this recommendation is not wholeheartedly accepted and implemented, at the very least, the OCG recommends that the Public Bodies Management and Accountability Act be reviewed in respect of the Board of Directors' disclosure of interests.

In this respect, the OCG recommends that members of Boards of Directors be mandated to disclose their interests to the Portfolio Minister, and the relevant Accounting Officer and Accountable Officers, when being appointed, so as to ensure full disclosure and transparency in the affairs of the public sector.

6. The OCG further respectfully recommends that Parliament should implement legislation to ensure that Directors of Public Body Boards who flagrantly abuse their office and/or authority and/or who fail substantially in the discharge of their fiduciary and statutory responsibilities to their Boards and, by extension, to the Taxpayers of Jamaica, are effectively barred from serving in any like capacity in the future.
7. Finally, the OCG believes that it is timely to 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 Award of Contracts for the Olympic Athletes Homecoming Week of Celebrations – 2008
October 3-10

The Former Ministry of Information, Culture, Youth & Sports (MICYS)

Ministry of Youth Sports & Culture

Initiated: 2008 October

Concluded: 2010 June

On 2008 October 22, 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 award of contracts that were associated with the Olympic Athletes Homecoming Week of Celebrations.

Section 15 (1) of the Contractor-General 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 Investigation was taken against the background of a Cabinet Decision, which was dated 2008 August 25, that exempted *“Artistic and cultural products and services – works of art, performance services and other cultural and creative products/services”* from the Government of Jamaica (GOJ) Procurement Procedures Handbook (GPPH). The referenced exemption took full effect as at 2008 September 22, via the issuance of Circular # 35 from the Ministry of Finance and the Public Service (MoFPS).

It should be noted, however, that although the GOJ Public Sector Procurement Procedures makes provision for the exemption of *“Artistic and cultural products and services...”*, the exemption does not in any way restrict or limit the OCG’s jurisdiction into the award of any government contract to determine if a contract has been awarded in compliance with the provisions of Section 4 (1) (a) of the Contractor General Act.

The reason for this is elementary. The provisions of a duly promulgated Act of Parliament take legal precedence over all policies, rules, procedures and regulations.

Section 4 (1) (a) of the Contractor-General Act mandates a Contractor General “... *on behalf of Parliament, to monitor the award and the implementation of Government contracts with a view to ensuring that such contracts are awarded impartially and on merit (and that) the circumstances in which each contract is awarded ... do not involve impropriety or irregularity ...*”.

Consequently, all of the contracts which were awarded by the former Ministry of Information Culture, Youth and Sports (MICYS) for the Olympic Athletes Homecoming Week of Celebrations, irrespective of whether or not the above-referenced exemption was applicable to them, must be tested for lawful validity, probity, impartiality, merit, propriety and regularity in keeping with the statutory requirements of Section 4 (1) (a) of the Contractor General Act.

The referenced Week of Celebrations took place in various parishes across Jamaica between the period of 2008 October 3 and October 10. Funding for the referenced Week of Celebrations was reportedly secured via a co-mingling of private sector and GOJ funding.

As such, and given the participation and the co-funding of events by the Public Bodies involved, the award of the referenced contracts, they being “*Government contracts*” within the meaning of Section 2 of the Contractor General Act, fell within the jurisdictional purview of the OCG.

In point of fact, the Jamaica Information Service (JIS) had published an article which was entitled “*Olympic Homecoming Celebration Fund Launched*” on 2008 September 18, which stated, *inter alia*, that “*The Olympic Homecoming Celebration Fund, a partnership between the Government and the private sector, to help underwrite the cost of a week-long celebration to welcome home Jamaica’s Olympic Team, was launched this morning at Jamaica House.*”

The article further indicated that “*The Fund has been established through the National Commercial Bank (NCB) and will be co-ordinated by the Private Sector Organization of Jamaica (PSOJ), working in association with the Ministry of Sports. Pledges in cash and kind were committed at the launch this morning, most of which will be used to finance the seven day celebratory programme...*”

On 2008 October 3, the JIS published another article which was entitled, “*\$4 Million Boost for Olympic Homecoming Celebrations*” which stated, *inter alia*, the following:

“*The Government’s Olympic Homecoming Celebration Fund has been boosted by a \$4 million contribution from the Spanish-Jamaica Foundation.*

A cheque in this amount was, on Wednesday (Oct. 1), presented to Information, Culture, Youth and Sports Minister, Olivia Grange, by President of the Foundation, and Spanish Ambassador to Jamaica, Jesus Silva, at Jamaica House...

The funds, which will assist in offsetting the cost of staging a week of activities, between October 3 and 10, to celebrate the success of Jamaica’s Olympians at the Beijing Summer Olympics in China in August, represents contributions from some 10 Spanish entities, with current investments in Jamaica...the contribution was the result of a request from State Minister in the Office of the Prime Minister, Daryl Vaz, for assistance.”¹⁶⁷

Based upon the above information, a number of Contractors/Suppliers were reportedly awarded contracts to provide goods and/or services for the Olympic Athletes Homecoming Week of Celebrations.

It was on this premise that the OCG, on the instructions of the Contractor-General, took the decision to investigate the procurement process which was utilised by the former Ministry of Information, Culture, Youth and Sports (MICYS), or anyone acting on its behalf, to award contracts for the Olympic Athletes Homecoming Week of Celebrations.

¹⁶⁷ JIS article dated 2008 October 3 entitled, “\$4 Million Boost for Olympic Homecoming Celebrations”.

The referenced Investigation was of utmost importance particularly in light of the fact that the referenced 'Celebrations' represented a partnership arrangement between the Government of Jamaica (GOJ) and private sector entities. Further, the referenced partnership involved the spending of public funds to cover certain components of the overall expenditure.

The OCG, in a press release which was dated 2008 October 23, indicated, in unequivocal terms, that *"the Ministry of Information, Culture, Youth & Sports is a Public Body that is now licensed to jettison the standing Government procurement procedures when undertaking certain procurements."*

Having regard to the foregoing, and specifically the OCG's mandate pursuant to Section 4 of the Contractor-General Act, the OCG initiated its Investigation into the award of contracts for the Olympic Athletes Homecoming Week of Celebrations.

Section 4 (1) of the Contractor-General Act requires, *inter alia*, that Government of Jamaica contracts must be awarded *"impartially and on merit"* and that the circumstances of award must *"not involve impropriety or irregularity"*.

By way of a letter which was dated 2008 October 22, Mrs. Faith Innerarity, the Permanent Secretary, in the former MICYS, was requisitioned by the OCG and was required to provide the following:

- a) An Executive Summary outlining the events that were staged during the referenced 'Olympic Athletes Homecoming Week of Celebrations' and the planning, management and funding arrangements that were associated with same;
- b) Preliminary information in a spreadsheet format, in respect of every contract of JA\$100,000.00 in value and above that was awarded in connection with the Week of Celebrations; and
- c) A global total of the respective values of all contracts which were awarded, together with the aggregated payments that had been made there-under.

Given the aforementioned, the primary purpose of the OCG's Investigation was directed at ensuring that there was probity, transparency and accountability in the award of government contracts for all goods, works and/or services that were associated with the Olympic Athletes Homecoming Week of Celebrations and, in particular, those goods, works and/or services which were the subject of the exemption from the standing requirements of the GPPH (2001 May).

The Terms of Reference of the OCG's Investigation 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 the GOJ Procurement Procedures.

The OCG, was also guided by Section 21 of the Contractor-General Act, which 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 appropriate authority.

The OCG's Investigation sought to determine, *inter alia*, the following:

1. Whether there was compliance with the provisions of the Contractor-General Act (1983) and the GOJ Procurement Procedures Handbook (GPPH, 2001 May) in the award of contracts by the former MICYS, in regard to the Olympic Athletes Homecoming Week of Celebrations.
2. Whether there were any breaches of the Government Procurement Procedures in the award of any of the contracts which were consummated and/or executed for the provision of any of the goods, works and/or services for the Olympic Athletes Homecoming Week of Celebrations.

3. Whether there is any *prima facie* evidence that would indicate any level of impropriety or irregularity, on the part of any individual or entity, acting on behalf of the former MICYS, in the award of any contract for the Olympic Athletes Homecoming Week of Celebrations.
4. Whether the process which led to the award of contracts to the Contractors/Suppliers who were engaged for the Olympic Athletes Homecoming Week of Celebrations was fair, impartial and transparent.
5. The procurement process which was employed by the former MICYS, or anyone acting on its behalf, in engaging the referenced contractors.
6. Whether the contracts that were entered into with the referenced Contractors/Suppliers were awarded fairly and on merit.
7. Whether the referenced Contractors/Suppliers were providing cultural and/or artistic services, which would have been governed by the exemptions from the procurement process, as contained in Circular No. 35 which was issued by the MoFPS.

It is instructive to note that Section 18 (3) of the Contractor-General Act stipulates that *“For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents”*. (OCG Emphasis)

Further, Section 17 (1) of the Contractor-General Act empowers a Contractor-General *“to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit”*. (OCG Emphasis)

The primary method of data collection and evidence gathering which was utilized throughout the Investigation was the issue, by the OCG, of written Requisitions/Questionnaires pursuant to the provisions of the Contractor-General Act, the Voluntary Declarations Act and the Perjury Act.

Very importantly, the form of written Requisition, which was utilised by the OCG, also required each Respondent to provide, under the pain of criminal prosecution, complete, accurate and truthful written answers to a specified list of written questions and to make a formal declaration attesting to the veracity of same before a Justice of the Peace.

The Requisitions were issued pursuant to the powers that are reserved to the Contractor-General under the Contractor General Act and, in particular, under Sections 4, 15, 17, 18 and 29 thereof. The Requisitions were also issued pursuant to Sections 2 and 7 of the Voluntary Declarations Act and Section 8 of the Perjury Act.

A preliminary Requisition/Questionnaire, which was dated 2008 October 22, was sent by the OCG to Mrs. Faith Innerarity, Permanent Secretary, in the former Ministry of Information, Culture, Youth and Sports (MICYS).

Further Requisitions/Questionnaires were subsequently directed to other Public Officials and to representatives of private sector entities, 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 sworn written statements and declarations. These ‘Follow-up’ Requisitions were also designed, *inter alia*, to clarify any discrepancies in the information which was provided by the Respondents.

The Requisitions/Questions which were utilised by the OCG included specific questions that were designed to elucidate critical information from Respondents on the matters which were being investigated.

However, in an effort to not limit and/or exclude the disclosure of information which was germane to the Investigation, but which might not have been specifically requisitioned by the OCG, the OCG asked all Respondents the following question:

“Are you aware of any additional information which you believe could prove useful to this Investigation or is there any further statement in regard to the Investigation which you are desirous of placing on record? If yes, please provide full particulars of same.”

The Findings of the OCG’s Investigation into the award of Government contracts that were associated with the Olympic Athletes Homecoming Week of Celebrations are premised primarily upon an analysis of the sworn statements and the documentary evidence which were provided by the Respondents who were requisitioned by the OCG, during the course of the Investigation.

Summary of Key Findings and Conclusions

Based upon the documents which have been reviewed, as well as the sworn written responses which have been received from the representatives of the former MICYS, the Planning Sector Organisation of Jamaica (PSOJ), the Jamaica Cultural Development Commission (JCDC) and Jambiz International Limited, the OCG has arrived at the following considered Findings and Conclusions:

1. The Olympic Athletes Homecoming Week of Celebrations was a joint venture between the Government of Jamaica (GOJ), through the former Ministry of Information, Culture, Youth and Sports (MICYS) and the Private Sector Organization of Jamaica (PSOJ).
2. A Planning Committee was established by the Prime Minister, the Hon. Bruce Golding and the stewardship of which was later delegated to the Hon. Olivia Grange. The committee was composed of representatives from the Ministry, other Government Agencies, the Opposition and private sector entities. Several meetings were held by this National Planning Committee which “...identified a series of actions and activities deemed appropriate for the celebrations...”¹⁶⁸
3. During the planning of the celebratory event, the former MICYS took the decision to contract Jambiz International Limited, via the Sole Source Procurement Methodology, based upon the ‘meritorious unsolicited proposal’ justification. The contract which was awarded to Jambiz International Limited, for Consultancy Services to manage and implement the Proposal for the Olympic Athletes Homecoming Week of Celebrations, was consummated on 2008 September 4, in the amount of \$15,461,869.00.
4. The OCG found that the former MICYS awarded the contract to Jambiz International Limited based on a previous approval which was received from the Ministry of Finance and the Public Service. In point of fact, Mrs. Faith Innerarity, in her sworn response to the OCG, indicated that the former MICYS “...was guided by letter dated May 22, 2008 from the Ministry of Finance and the Public Services to the Chairman of the NCC...”¹⁶⁹

The decision to engage Jambiz International Limited, effective 2008 September 4, was taken by the former MICYS subsequent to a previous approval, which was received on 2008 May 26, from the National Contracts Committee (NCC), that had endorsed a recommendation to utilise the said company for a previous event - The National Festival Parade and Grand Gala.

Notwithstanding the NCC’s prior approval to utilise the services of Jambiz International Limited for the National Festival Parade and Grand Gala, the OCG has concluded that, with respect to the contract which was awarded for the Olympic Athletes Homecoming Week of Celebrations, there was no approval from the NCC and the Cabinet to engage the services of Jambiz International Limited.

In this regard, the OCG has concluded that the former MICYS contravened Section 2.1.3.4 of the GPPH (2001) which provides that “All Sole Source ... Contracting greater than \$1M must receive prior approval from the NCC through the Accounting Officer.”

5. Subsequent to the signing of the contract which was awarded to Jambiz International Limited, the company sought the approval of the former MICYS, by way of a letter which was dated 2008 September 8, for a waiver of Clause 3.6 (b) of the contract which provided that:

¹⁶⁸ Executive Summary which was provided by the Permanent Secretary in the former MICYS under the cover of letter which was dated 2008 November 12.

¹⁶⁹ Response from the Permanent Secretary, Mrs. Faith Innerarity, which was dated 2009 February 2. Response #23

“The Consultants shall obtain the Client’s prior approval in writing before....(b) entering into a subcontract for the performance of any part of the Services, it being understood (i) that the selection of the Subconsultant and the terms and conditions of the subcontract shall have been approved in writing by the Client prior to the execution of the subcontract, and (ii) that the Consultants shall remain fully liable for the performance of the Services by the Subconsultants and its personnel pursuant to this Contract...”¹⁷⁰

The former MICYS approved the referenced waiver by way of a letter which was dated 2008 September 10, under the signature of Mr. Shawn Thompson, Director of Corporate Services.

Consequently, Jambiz International Limited was seized with the ability, and empowered, to sub-contract the supply of goods and/or services in regard to the execution of its commitments under the Consultancy contract.

6. The former MICYS provided the OCG with a spreadsheet, under the cover of a letter which was dated 2008 November 12, which represented that forty (40) contracts, which were above J\$100,000.00, were awarded to some thirty-three (33) Contractors/Suppliers to provide goods and/or services for the Olympic Athletes Homecoming Week of Celebrations.
7. The OCG has concluded that the former MICYS relied upon the provisions of the Circular #35, that was issued by the Ministry of Finance and the Public Service on 2008 September 22, to justify the handling of its procurement activities for the Olympic Athletes Homecoming Week of Celebrations.
8. Upon a review of the documents which were provided to the OCG, by the former MICYS, the OCG has concluded that there was a clear misinterpretation of Circular #35 by the representatives of the former MICYS and, in particular, what constitutes *“Artistic Services and Cultural Products”*.

In her sworn response to the OCG, the Permanent Secretary, in the former MICYS, indicated that the following Contractors/Suppliers were related specifically to the provision of artistic and cultural goods and services:

“Fireworks and Explosive (No.2)

Jambiz International (Nos. 3-8)

Phase Three Production Ltd (Nos.9-10)

Laribo Marketing and Consultant (No.14)

Visual Vibes (No.15)

Rose and Company Ltd (No. 16)

Rosina Moder (No.17)

Paul Hamilton (No. 20)

Fitz Harrack (No. 26)

MRB Trading Ltd/Sparkles (No. 27)

Electro Tech Production Ltd (No. 31)”

Of the foregoing list which was provided, the OCG identified three (3) of the eleven (11) Contractors/Suppliers that would fit within the definition of ‘artistic services and cultural products’ namely: Fireworks and Explosives; Fitz Harrack (Production of 8 Effigies/Images of Athletes; and Rosina Moder (Jamaica Festival Orchestra).

¹⁷⁰ Clause 3.6, Consultancy contract between the GOJ/former MICYS and Jambiz International Limited which was consummated on 2008 September 4.

It must be noted that that Fireworks and Explosive was contracted prior to 2008 September 22, and as such the procurement of the company's services would not have been exempt from the procurement guidelines.

In this regard, and in keeping with the directive from the Ministry of Finance and the Public Service, it is the OCG's opinion that only two (2) of the referenced contracts, namely Fitz Harrack and Rosina Moder, should have been considered and, consequently, 'exempted' *per se*, from the procurement guidelines under the provisions of Circular # 35.

9. The former MICYS, under the cover of a letter which was dated 2009 August 13, provided justifications for eight (8) of the eleven (11) Contractors/Suppliers which were considered to be of an artistic and cultural nature.

The OCG does not agree, in totality, with the justifications which were provided, particularly in regard to the nature of the goods and services which were provided by some of the named Contractors/Suppliers, and the justification for their subsequent exemption from the procurement guidelines.

It is the OCG's considered opinion that the provision of video screens, lighting and sounds, masking and décor of stage(s) and consultancy services, *inter alia*, for a production, does not meet the requirements to be categorized as 'artistic services and cultural products' under the strictures of the procurement guidelines.

10. Based upon the assertion that the engagement of Contractors/Suppliers, which were required to provide the referenced goods and/or services for the Olympic Athletes Homecoming Week of Celebration, was urgent in nature, the former MICYS purportedly utilized the Sole Source and Direct Contracting Procurement Methodologies to 'award the contracts'.

The OCG found that approval from the Procurement Committee was not received prior to the award of contracts pursuant to Section 1.5.2.3 of the Handbook of Public Sector Procurement Procedures (May 2001) which states, *inter alia*, that "*The Procurement Committee is mandated to: ensure compliance with relevant policy guidelines and procedures...*"

11. In point of fact, Mrs. Faith Innerarity, Permanent Secretary, in the former MICYS, stated, *inter alia*, that; "...I approved direct contracting/sole sourcing for some goods and services because bona fide invoices were presented and payments were required for the successful implementation of the Athletes Homecoming Celebrations. It should be noted that while the requests for the approval of direct contracting/sole sourcing may bear earlier dates, the actual approvals were given (that is, signed approved) either on the dates of the supporting invoices or later, but in all cases, subsequent to the effective dates indicated in the relevant Ministry of Finance Circulars in respect of exemptions for cultural and artistic products and services..."¹⁷¹

Based upon the foregoing, the former MICYS indicated that approval was received from the Permanent Secretary, Mrs. Faith Innerarity, for some of the contracts which were awarded. Based upon the evidence which has been presented, the OCG has concluded that in more than one instance the Permanent Secretary gave approval for invoices pertaining to contracts which had already been awarded.

12. The OCG has concluded that the former MICYS did not receive prior approval from the Accounting Officer and/or the NCC for the use of the Sole Source/Direct Contracting Procurement Methodology, which is particularly evidenced in the contracting of the services of Jambiz International Limited, in a sum exceeding J\$15 million, which was consummated on 2008 September 4.
13. The OCG has concluded that the former MICYS was misguided in its opinion that the funds which were expended from the PSOJ/GOJ Special Account did not require the exercise of due care and scrutiny, specifically in respect to the expenditure of funds for the award of contracts which were associated with the Olympic Athletes Homecoming Week of Celebrations.

¹⁷¹ Response from the Permanent Secretary, Mrs. Faith Innerarity, which was dated 2009 February 2. Response #25

It is the OCG's considered opinion that once private donations have been handed over to a public entity, and especially where there is a co-mingling of public monies with private donations, such funds become a part of the public purse.

As such, the GOJ should have been held accountable for the administration of said funds and, in this regard, the OCG concludes that the onus was, therefore, upon the former MICYS to establish mechanisms to ensure that there were proper accounting and procurement procedures in place, which were in line with the GOJ's accounting requirements, prior to the disbursement of funds.

As such, the applicable GOJ Procurement Procedures would have applied to, and should have been considered in the procurement activities which were to be covered by any account to which public funds were deposited.

14. The OCG observed that information which was received from the former MICYS, under the covers of letters which were dated 2008 November 12, 2009 February 2 and 2009 September 1 respectively, were inconsistent in regard to the agencies which were responsible for the 'award' of the various contracts.

Based upon the OCG's analysis of the information which was presented during the course of its Investigation, the OCG has arrived at the following conclusions:

- i. The PSOJ, as asserted by Mrs. Karis Flowers, was not responsible for the engagement of any Contractors/Suppliers and did not award any contracts for the Olympic Athletes Week of Celebrations;
 - ii. The JCDC had contracted the services of seven (7) Contractors/Suppliers by way of the Direct Contracting Procurement Methodology, for and on behalf of, the former MICYS;
 - iii. The National Planning Committee was not responsible for the procurement of any goods, works and/or services for the Olympic Athletes Homecoming Week of Celebrations;
 - iv. Jambiz International Limited only claimed accountability for the contracting of eleven (11) of the Contractors/Suppliers which were engaged for the Olympic Athletes Homecoming Week of Celebrations.
15. The OCG has found that one (1) member of the National Planning Committee, and a company in which another member of the National Planning Committee had an interest, were engaged to provide goods and/or services for the Olympic Athletes Homecoming Week of Celebrations.

The following Committee members were identified, in the foregoing regard, based upon the information which was provided to the OCG, during the course of the Investigation:

- i. Mr. David Mais, of the Sports Development Foundation, who was a member of the National Planning Committee from the initial convening of the meetings, on 2008 August 21, was awarded a contract after he was appointed as a member of the referenced Committee. The OCG has concluded that Mr. Mais was sub-contracted by Jambiz International Limited, the main Contractor which had authority to sub-contract.

The OCG has found no documentary evidence to definitively speak to any level of irregularity or impropriety with respect to this contract award.

- ii. Mr. Lenford Salmon, principal of Jambiz International Limited, was the other member of the National Planning Committee whose company was identified as having benefitted from the award of a contract. However, the OCG found that Mr. Salmon was appointed as a member of the National Planning Committee *after* the contract was awarded to Jambiz International Limited.

Irrespective, however, of the foregoing, it should be noted that, based upon the evidence that was adduced to the OCG, the National Planning Committee did not procure and/or award any goods and/or services for the event and Jambiz International Limited was in fact contracted by the former MICYS.

16. The OCG has concluded that the former MICYS did not fully monitor the implementation and award of the contracts for the goods which were supplied, and the services which were rendered in regard to the Olympic Athletes Homecoming Week of Celebrations.

In this regard, the MICYS did not implement a satisfactory system to ensure accountability, transparency and impartiality in the award and implementation of the contracts and to ensure accountability in the expenditure of GOJ funds, pursuant to the provisions of the Contractor General Act and the Financial Administration and Audit Act.

Given the compendium of facts, the OCG has been led to conclude that there was indeed maladministration, an untidy state of affairs and a lack of due care, on the part of the former MICYS, in the expenditure of public funds, due in part to the Public-Private Partnership approach which was adopted.

17. Two (2) accounts were found to have held the funds which were donated/pledged and which were used to undertake the expenses for the Olympic Athletes Homecoming Week of Celebrations. One (1) account which was entitled “PSOJ/GOJ Special Account” contained the mix of private and public funds and a second account entitled “MICYS Homecoming Fund/Beijing Deposit Fund” contained only public funds.

The administrative directive that was given for the funds which were expended from the PSOJ/GOJ Special Account to Contractors/Suppliers, which had provided the goods and/or services was that “...all cheques would require three (3) signatories. Payment vouchers should be prepared and retained by the PSOJ, whom would be responsible for all record keeping and account...”¹⁷²

In regard to the two (2) bank accounts which were utilised for the funding of the celebratory event, the OCG has not been able to definitively account for all the inflows and outflows nor can it conclude which of the accounts had covered the cost of the referenced contracts, as payments appeared to have been made from both accounts, depending on the availability of funds.

The OCG must, however, reiterate the point that once public funds are deposited into any account, the GOJ, has a responsibility to ensure that the proper accounting and administration is undertaken in accordance with the Financial Administration and Audit Act and the GPPH (2001, May).

The total cost of the expenditure for the contracts which were awarded above J\$100,000.00, as represented in the ‘Analysis of Spending’ spreadsheet, which was provided by the former MICYS, under the cover of a letter which was dated 2008 November 12, was J\$57,303,002.78.

The PSOJ revealed that the total expenditure which was paid to the Contractors/Suppliers from the PSOJ/GOJ Special Account was J\$32,388,205.57.

18. The OCG is of the opinion that the ‘award’ of contracts for the Olympic Athletes Homecoming Week of Celebrations and, in particular, those contracts which were valued above J\$275,000.00, did not adhere to the strictures of the procurement procedures and guidelines. The former MICYS had relied upon the fact that there was an exemption for artistic and cultural products and services in respect of the said contracts.

The OCG is further of the view that it was not until after the goods and/or services were provided and invoices were to be honoured, that the former MICYS had made a decision to approve the respective procurement methodologies which were employed – all of which were undertaken in contravention of the provisions of the GPPH (May 2001).

Referrals

The OCG, in the conduct of its Investigation, is required to be guided by Section 21 of the Contractor-General Act.

¹⁷² Response from the Permanent Secretary, Mrs. Faith Innerarity, which was dated 2009 February 2. Response #8

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.”¹⁴⁶ (OCG’s Emphasis)

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 Auditor General and the Financial Secretary for them to determine what steps, if any, may be taken to hold to account the Accounting Officer, and/or any Accountable Officers, within the former MICYS, now the Ministry of Culture, Youth and Sports (MCYS).

Section 20 (1) Financial Audit and Administration Act provides as follows:

“20. (1) If it appears to the Financial Secretary upon a report by the Auditor-General that any person who is or was an officer-

(a) has failed to collect any moneys owing to the Government for the collection of which such person is or was at the time of such employment responsible;

(b) is or was responsible for any improper payment of public moneys or for any payment of such moneys which is not duly vouched; or

(c) is or was responsible for any deficiency in, or for the loss or destruction of, any public moneys, stamps, securities, stores, or other Government property, and if, within a period specified by the Financial Secretary, an explanation satisfactory to him is not furnished with regard to such failure to collect, improper payment, payment not duly vouched, deficiency, loss or destruction, as the case may be, the Financial Secretary may surcharge against the said person the amount not collected or such improper payment, payment not duly vouched, deficiency, loss or the value of the property destroyed, as the case may be, or such lesser amount as the Financial Secretary may determine.”

This Referral is in regard to the identified breaches of the Government of Jamaica (GOJ) Procurement Procedures Handbook (May 2001) and Circulars #35 and #36, dated 2008 September 22, in the award of contracts which were estimated at approximately \$57 million in value in connection with the Olympic Athletes Homecoming Week of Celebrations.

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 that:

1. The Accounting Officer, Mrs. Faith Innerarity, Permanent Secretary, in the former MICYS, was in breach of her duty and the provisions of the GOJ Public Sector Procurement Guidelines, in approving payments for invoices for the Olympic Athletes Homecoming Week of Celebrations after the referenced contracts were awarded and executed, without the prior approval from the Head of the Agency, the NCC and/or the Cabinet, as the cases may have warranted.

Section 16 (2) of the Financial Administration and Audit Act provides that:

“An accounting officer shall be responsible for the financial administration of the department specified in a designation under subsection (1) and shall be accountable to the Minister for (a) the assessment and collection of, and accounting for, all the moneys lawfully receivable by his department, ...(and) (c) making any payment required to be made in relation to such appropriation”.

The Accounting Officer, Mrs. Faith Innerarity, and, in particular, those members who sat on the former MICYS Procurement Committee, primarily Mr. Shawn Thompson, the Chair of the Committee, failed to take sufficient and timely action to properly ensure, among other things, (a) that the circumstances which led to the award of the contracts were fair, transparent and impartial; (b) that value for money was obtained by the former MICYS in the award of the said contracts; (c) that the proper and applicable procurement procedures and/or guidelines were complied with in the award of the said contracts; and/or (d) that there was strict compliance with the provisions of the Financial Administration and Audit Act by the management of the former MICYS.

2. Mr. Shawn Thompson, Director of Corporate Services, in the former MICYS, provided inconsistent responses to the respective OCG's Requisitions in respect to the authorities/entities which were responsible for the procurement of the goods and/or services which were subsequently awarded for the Olympic Athletes Homecoming Week of Celebrations.

Mr. Shawn Thompson, under the cover of a letter which was dated 2009 August 13, in which he provided, in his response to the OCG's Requisition, which was dated 2009 September 1, stated that *"The National Planning Committee did not procure any goods/service. Jambiz International was mandated via a contract to ensure that all goods/services required for the Olympic Celebrations were procured."*

However, the OCG did not receive any documentation to suggest that Jambiz International was responsible for engaging and/or awarding contracts to all the Contractors/Suppliers which had provided goods and/or services. Further documentary evidence revealed that the PSOJ was not responsible for the award of any contracts.

To-date, and at the end of this Investigation, there is still a grey area in regard to: a) the payments which were made to the respective Contractors/Suppliers from the co-mingled funds and the other account which was reported as containing only government funds and; b) the identity of the contracts that were definitively awarded by the former MICYS.

The OCG is of the considered opinion that it is within the purview of the Auditor General and the Financial Secretary in the Ministry of Finance and the Public Service (MOFPS) to determine what appropriate and/or applicable actions may be taken or initiated against the representatives of the former MICYS, having regard to all of the circumstances of the case.

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 Recommendations:

1. 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 where approval for the award of a government contract is being granted by an Accounting and/or Accountable Officer, any such approval must be within the parameters of the established GOJ procurement and accounting procedures. Therefore, approvals should not be granted retroactively, nor should such approvals for the engagement of contractors be granted on the basis of the presentation of an invoice for payment.

2. All Public Bodies, which become involved in Public Private Partnerships should prepare an internal project plan or policy in accordance with the applicable GOJ procurement and accounting procedures, to guide any future project which is to be undertaken. The policy must, at a minimum, make provision for:

- a) Details of the scope of work for the project;
 - b) A project implementation plan which should include a detailed breakdown of the estimated project costs, its completion time and its progress benchmarks;
 - c) The roles, responsibilities and accountabilities of all parties which will be involved in the project; and
 - d) The approvals and authorizations which must be secured before the commencement of the project as well as those which must be obtained throughout the execution of the project before the award of contract. These approvals should include provision for the agency's Procurement Committee, its Accounting/Accountable Officers, the NCC and the Cabinet.
3. The OCG recommends that in instances where 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. It is recommended that an immediate review of the accounting, procurement and public administration management practices at the now Ministry of Youth, Culture and Sports (MYCS) and at other major Public Bodies be undertaken by the Public Administration and Appropriations Committee of the House of Representatives, the Auditor General and the MOFPS.

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 in accordance with the provisions, *inter alia*, of the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act, the Contractor General Act, Regulations and the GOJ Public Sector Procurement Procedures.

5. The Ministry of Finance and the Public Service (MOFPS) should, in an effort to prevent the recurrence and/or likelihood of a public body misinterpreting any aspect of the exemption procedures, and abusing same to by-pass the procurement process, revisit the definition of the exemption which was provided for under Circular #35 (now outlined under S-1000 of the Revised GOJ Public Sector Procurement Procedures - November 2008), which exempts '*Artistic and cultural products and services – works of art, performance services and other cultural and creative products and services*'.
6. The co-mingling of the contributions which were made by the private and the public sectors was utilized as an excuse by the former MICYS for not adhering to the provisions of the GOJ Public Sector Procurement Procedures (May 2001) in respect of the award of contracts for the Olympic Athletes Homecoming Week of Celebrations.

In this regard, the Ministry of Finance and the Public Service needs to develop a policy which provides for such Public Private Partnerships and/or joint ventures which are undertaken by Public Bodies, for and on behalf of the Government of Jamaica.

A policy of this nature should ensure that the procurement of goods, works and/or services which are funded under such a regime is executed with a vested interest in enforcing standards and protecting the public's interest. This would further promote the OCG's mandate which provides that the award and implementation of all government contracts should be undertaken in a fair and transparent manner and one which is free from impropriety and irregularity.

7. Finally, Public Bodies must be reminded that the Contractor General, pursuant to Section 4 of the Contractor General Act, has jurisdiction over the award and implementation of **all** government contracts, irrespective of whether or not such contracts are exempted from the GOJ procurement guidelines.

The OCG therefore recommends that Public Bodies ensure that the award and implementation of government contracts are awarded impartially and on merit and that the circumstances in which each contract is awarded does not involve any level of impropriety or irregularity.

To effect same, the OCG respectfully recommends that the MOFPS, through the issuance of an appropriate Circular, advise all Public Bodies that an exemption from the procurement guidelines does not preclude the award of any government contract from the jurisdiction and oversight of the OCG.

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA**Executive Summary of Report of Investigation**

Conducted into the Alleged “Sweetheart Deals” Involving the Government of Jamaica and Dehring, Bunting and Golding (DB&G) Ltd.

Ministry of Finance and the Public Service

(Formerly Ministry of Finance and Planning)

Initiated: 2008 May

Concluded: 2010 August

On 2008 May 22, the Office of the Contractor General (OCG), acting on behalf of the Contractor General, and pursuant to Section 15 (1) and 16 of the Contractor General Act (1983), initiated an Investigation into the circumstances surrounding the alleged “*Sweetheart Deals*” involving the Government of Jamaica (GOJ) and Dehring, Bunting and Golding Ltd. (hereinafter referred to as DB&G).

The Investigation was initiated following upon certain allegations and comments which were made by the Hon. Audley Shaw, Minister of Finance and the Public Service, regarding the alleged transactions, as well as the responses which had been made to those allegations and comments by the former Chairman and Chief Executive Officer of DB&G, and now Opposition Member of Parliament, Mr. Peter Bunting.

The allegations and comments suggested, *inter alia*, that the referenced deals were executed by the former Ministry of Finance and Planning (MOFP) under circumstances which may have been irregular, improper or lacking in transparency and fairness and not in accordance with the relevant provisions of the Contractor General Act and the Government Procurement Procedures and Guidelines.

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 Contractor-General Act (1983), mandates that Government contracts must be awarded “*impartially and on merit*” and in circumstances which “*do not involve impropriety or irregularity*”.

It must be noted that on 2008 April 23, during a sitting of the House of Representatives, the Hon. Audley Shaw, Minister of Finance and the Public Service addressed the House of Representatives with regard to certain transactions which were entered into between the GOJ and DB&G. Detailed below are succinct elements of the charges, which were made by the Hon. Audley Shaw, as detailed in the Hansard¹⁷³:

- “...to compound this matter, receivables from the sale of National Commercial Bank and JOSLIN Jamaica Redevelopment Foundation, instruments were sold under further discounts, government was holding paper from the AIC and from the Jamaica Redevelopment Foundation, government was holding paper that was due from these institutions.
- They were sold under further discounts to an entity, which was close to the government under very questionable circumstances.
- In addition, other inexplicable but equally reprehensible acts included the sale of assets to other government entities while using financial intermediaries unnecessarily and at great cost to the taxpayers.

¹⁷³ Hansard of the Honourable House of Representatives. Session held on April 23, 2008.

- ... On March 26, 2004...receivables due from AIC for some J\$2.5 billion, was sold by the Ministry of Finance to Dehring, Bunting and Golding Limited...at a 6% discount... with full recourse to the Government and interest assignable at the Treasury Bill rate.
- ...a fee of 1% for a very low risk transaction was charged by DBG. The total discount plus transaction fee – some would say income earned on this initial phase was \$175 million.
- DBG in turn sold 34% or \$852 million to the National Housing Trust and the National Insurance Fund...
- The discount that was given there at 3%. That is, NHT and NI [sic] bought the receivables from DBG for 97% of the face value.
- In respect of the NHT... the Agreement for Sale was signed with the Ministry of Finance on the 26th day of March 2004... the DBG Agreement with the National Housing Trust was approved on March 15, 2004...
- ...receivables due from the Jamaica Redevelopment Foundation with a face value of US\$29.6 million, was sold to the DBG at a discount rate of 2.4%, plus an agency fee of 1%. Again, at full recourse to the government.
- ...these receivables were due for payment by the JRF in July of the same year, only three months later, resulting in a further deprivation of government resources when calculated in Jamaican dollars of \$70 million that the taxpayers were deprived that went because the Minister sold it as a discount three months before the instrument was due to be paid.
- ...the Ministry of Finance technocrats communicated their concern as to pricing being too generous, the one per cent fee as being excessive; saying that what is the norm is one/quarter of one per cent, and not one per cent, and the lack of competitive bids.
- The obvious question to be asked is, since the Government had assets to itself, why did it need an intermediary, costing multi-millions of dollars?¹⁷⁴

Following upon the allegations, which were made by Minister Audley Shaw, several newspaper articles were published in the local print media which alluded to the propriety or impropriety of the alleged transactions which had been entered into between the then MOFP and DB&G.

It must also be noted that on 2008 May 13, Mr. Peter Bunting issued a media release regarding the allegations which had been levied against him, in Parliament, by Minister Audley Shaw.

In the referenced media release of 2008 May 13, and in direct reference to the Hon. Audley Shaw, Mr. Peter Bunting indicated that he “...will show that the Minister misled this Honourable House...”¹⁷⁵

Further, in his media release of 2008 May 13, Mr. Bunting, in reference to the allegations which were made by Minister Shaw, indicated, *inter alia*, as follows:

*“One of those two examples was a supposed sale by the Government of cash flows owing by the Jamaica Redevelopment Foundation... The fact is that no such transaction ever took place. DB&G did communicate with the Government about the potential benefits of a transaction arising from the Government’s ongoing dealings with the Jamaica Redevelopment Foundation. However, those discussions did not lead to any form of transaction.”*¹⁷⁶

In regard to another of the transactions, which were cited by Minister Audley Shaw, Mr. Bunting indicated, *inter alia*, that:

¹⁷⁴ Hansard of the Houses of Parliament. Wednesday, 2008 April 23

¹⁷⁵ Statement by Mr. Peter Bunting, MP. Re allegations of sweetheart deals by Audley Shaw, Fin. Minister.

¹⁷⁶ Statement by Mr. Peter Bunting, MP. Re allegations of sweetheart deals by Audley Shaw, Fin. Minister.

"It was a matter of public record that part of the price at which the Government had sold the National Commercial (NCB) to AIC some time before, included a portion that would be paid over time with interest.

As the 2003/4 fiscal year was drawing to a close, it was also well known in financial circles that the Government was facing a significant challenge in meeting its fiscal target. Failure to meet the target would have been damaging to the Jamaican economy, as it would result in expectations of higher public sector borrowings and higher interest rates in the coming year.

DB&G conceptualised a potential transaction whereby the Government could sell those future payments from AIC to yield their present value, applying current interest rates to determine the price of the sale of those cash flows. The transaction would bring forward substantial revenue for the benefit of the Government's coffers. DB&G approached the Ministry of Finance with the idea, and offered to arrange the transaction and to find investors who were willing to fund it.

The Government of Jamaica Handbook of Public Sector Procurement Procedures (May, 2001) of the National Contracts Commission describes itself as "the definitive book on the subject as of 1st May, 2001"... The Procedures provide that Sole Source or Direct Contracting may be justified in circumstances such as:

- (1) when the procuring entity receives an unsolicited proposal it considers meritorious;*
- (2) when there is an unusual and compelling urgency; or*
- (3) where it is otherwise in the public interest.*

The question of putting the AIC Receivables transaction out to tender did not arise. First of all, it would have been quite unethical for the Government to take DB&G's idea and give other finance houses the benefit of the opportunity to bid on it. Secondly, a key objective of the transaction was to assist the 2003/4 fiscal target to be achieved with resulting benefits to the overall economy... It was a clear case in which the Sole Source or Direct Contracting approach was justified in the public interest...

...A 1% fee was negotiated by DB&G for conceptualising and arranging the entire transaction and then successfully placing it in the market with investors, and was fair and reasonable. DB&G also had a continuing obligation as Registrar and Paying Agent for the transaction. It cannot be fairly compared to the fees that the Government pays for routine offerings of debt that do not involve any financial engineering or any continuing administrative role...

...The transaction was reviewed by an entire team of Ministry technocrats, and the consensus was in favour of the transaction, which is why it proceeded."¹⁷⁷

According to a media report, which was published on the Radio Jamaica website on 2008 May 15, and which was entitled "No FINSAC/DB&G deal took place", Mr. Peter Bunting was quoted as saying "I acknowledged that discussions for the sale of receivables to JRF did occur but that the transaction did not take place. The documentation presented by Mr. Shaw presents a short term bridging facility which was facilitated given that the transaction didn't occur..."¹⁷⁸

It must be noted that despite the foregoing assertions of Mr. Bunting, it was reported in an article, which was published in the Jamaica Gleaner newspaper, on 2008 May 22, that during a sitting of the House of Representatives on 2008 May 21, Mr. Bunting "...retracted statements he made last week accusing Finance and the Public Service Minister Audley Shaw of misleading the House with his claims about a so-called "sweetheart deal".¹⁷⁹

¹⁷⁷ Statement by Peter Bunting MP, re allegation of sweetheart deals by Audley Shaw, Fin. Minister.

¹⁷⁸ Media Article published on the RadioJamaica website. 2008 May 15

¹⁷⁹ Media article published in the Jamaica Gleaner on 2008 May 22 entitled "Bunting recants- Apologises to Shaw"

The referenced article that was entitled “*Bunting recants – Apologises to Shaw*”, and which was published on 2008 May 22 stated, in part, that “... *Bunting said the transaction which occurred was a short-term financing arrangement which showed full repayment of US\$29.6 million by the Ministry of Finance to DB&G within 120 days.*”¹⁸⁰

Given the many allegations and iterations of the alleged transactions which had been the subject of much discourse, both in the Houses of Parliament and in the media, the OCG, on 2008 May 22, launched an Investigation into the aforementioned alleged transactions.

The Terms of Reference of the OCG’s Investigation into the circumstances surrounding the alleged “*Sweetheart Deals*” involving the GOJ and DB&G, were primarily developed in accordance with those of the mandates of the Contractor General which are stipulated in Section 4 (1) and Section 15 (1) (a) to (f) of the Contractor General Act, 1983.

Additionally, the OCG was guided, *inter alia*, by a recognition of the very important responsibilities which are imposed upon Public Officials and Officers of the MOFP by the Corruption Prevention Act, the Financial Administration and Audit Act and the 2001 Government Procurement Procedures Handbook (GPPH) and other relevant statutes and guidelines.

The OCG was also guided by Section 21 of the Contractor-General Act, which 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 appropriate authority.

The OCG’s Investigation sought to determine, *inter alia*, the following:

1. Whether there was compliance with the provisions of the 2001 Government Procurement Procedures Handbook (GPPH) and the Contractor General Act (1983) by the former Ministry of Finance and Planning (MOFP) in the engagement of the services of DB&G.
2. The procurement process which was employed by the former MOFP or anyone acting on its behalf in the alleged “*Sweetheart Deals*” transactions which were conducted with DB&G;
3. Whether there were any breaches of the Government’s procurement procedures on the part of the former MOFP or anyone acting on its behalf, in the execution of any aspect of the transactions which were conducted with DB&G;
4. What attempts, if any, were taken by the former MOFP to ensure that a fair market value was realized for each of the transactions which were conducted with DB&G;
5. Whether the process leading up to the award of the alleged “*Sweetheart Deals*” contracts to DB&G was fair, impartial and transparent;
6. Whether there was any *prima facie* evidence that would suggest impropriety on the part of any individual or entity which contributed to the award of the alleged “*Sweetheart Deals*” agreement/contracts to DB&G.

It is instructive to note that Section 18 (3) of the Contractor-General Act stipulates that “For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents”. (OCG Emphasis)

Further, Section 17 (1) of the Contractor-General Act empowers a Contractor-General “to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit”. (OCG Emphasis)

¹⁸⁰ Media article published in the Jamaica Gleaner on 2008 May 22 entitled “Bunting recants- Apologises to Shaw”

The primary method of data collection and evidence gathering which was utilised throughout the Investigation was the issue, by the OCG, of written Requisitions/Questionnaires pursuant to the provisions of the Contractor-General Act, the Voluntary Declarations Act and the Perjury Act.

Very importantly, the form of written Requisition, which was utilised by the OCG, also required each Respondent to provide, under the pain of criminal prosecution, complete, accurate and truthful written answers to a specified list of written questions and to make a formal declaration attesting to the veracity of same before a Justice of the Peace.

The Requisitions were issued pursuant to the powers that are reserved to the Contractor General under the Contractor-General Act and, in particular, under Sections 4, 15, 17, 18 and 29 thereof. The Requisitions were also issued pursuant to Sections 2 and 7 of the Voluntary Declarations Act and Section 8 of the Perjury Act.

A preliminary set of Requisitions/Questionnaires, which were dated 2008 June 12, was sent by the Contractor General to key representatives of the Ministry of Finance and the Public Service (MOFPS) and Mr. Peter Bunting, the former Chairman and Chief Executive Officer of DB&G.

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 sworn written statements and declarations. These 'Follow-up' Requisitions were also designed, *inter alia*, to clarify any discrepancies in the information which was provided by the Respondents.

The Requisitions/Questions which were utilized by the OCG included specific questions that were designed to elucidate critical information from Respondents on the matters which were being investigated.

However, in an effort to not limit and/or exclude the disclosure of information which was germane to the Investigation, but which might not have been specifically requisitioned by the OCG, the OCG asked all Respondents the following question:

"Are you aware of any additional information which you believe could prove useful to this Investigation or is there any further statement in regard to the Investigation which you are desirous of placing on record? If yes, please provide full particulars of same."

The Findings of the OCG's Investigation into the circumstances surrounding the alleged "Sweetheart Deals", involving the GOJ and DB&G, 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 its Investigation.

Summary of Key Findings and Conclusions

Based upon the documents which have been reviewed, as well as the sworn testimony which has been received from the representatives of the MOFPS and other persons of interest, the OCG has made the following considered Findings and Conclusions.

1. The OCG has found and has concluded that the two (2) agreements which were referred to by the Hon. Audley Shaw, Minister of Finance, in his presentation to Parliament, were as follows:
 - a. The Agreement for the "Sale of receivables arising from the sale of shares in National Commercial Bank Jamaica Limited" that was consummated between DB&G and the GOJ and which was signed on 2004 March 26; and
 - b. The Agreement for the Sale of GOJ receivables with full recourse to the GOJ that was consummated between the then MOFP and DB&G and which was signed on 2005 March 31.

2. Based upon the documentary evidence which has been provided to the OCG, by Dr. Omar Davies, the former Minister of Finance and Dr. Wesley Hughes, the incumbent Financial Secretary, the OCG has been led to conclude that the then MOFP was approached by DB&G with a proposal for the Sale of the AIC Receivables in 2004 January.

The referenced proposal from DB&G amounts to the receipt and acceptance by the then MOFP of an **unsolicited proposal**.

Based upon the foregoing, the OCG has been unable to conclusively determine that the above transaction was fair, transparent and/or indicative of the most beneficial terms and conditions which could have been derived by the GOJ, given the lack of competition.

3. Further, and based upon the sworn evidence which was provided to the OCG, the OCG has also been led to conclude that there is no evidence to indicate that attempts were made by the then MOFP to solicit and/or engage other financial institutions to provide the services which DB&G provided to the GOJ, in regard to the two (2) transactions which were consummated in 2004 March and 2005 March, respectively.
4. The Sale of the AIC Receivables was subject to the review of senior personnel within the then MOFP and also the Attorney General's Chambers.
5. The AIC Receivables were in fact sold at a discounted rate to DB&G and included the payment of an arrangement fee by the then MOFP. According to the MOFPS, this was in part due to the fact that the then MOFP did not have a strong bargaining position.

In point of fact, the then Acting Financial Secretary, Ms. Darlene Morrison, in her sworn response to the OCG's Requisition indicated that **"DB&G charged an initial arrangement fee of 1.25% of the face value, but a final negotiated fee of 1% was agreed on. The fees charged were initially regarded as being excessive, but the timeframe within which the transaction was required to be completed meant that the Government did not have a strong negotiating position."**¹⁸¹ (OCG Emphasis)

Although the OCG has seen evidence that the referenced rates and discounts were negotiated between the DB&G and the GOJ, the sworn evidence which was provided to the OCG, by the MOFPS, has indicated that **"It is not a common practice to offer discounts on financial instruments whilst simultaneously paying a handling fee."**¹⁸²

Given the foregoing, the OCG has been led to conclude that the terms and conditions of the referenced transaction with DB&G were in fact favourable to DB&G.

6. The Sale of the AIC Receivables, according to the documentary evidence which was adduced to the OCG, was done in order to meet the fiscal requirements of the 2004 fiscal year. The referenced Conclusion lends credence to the assertion of the then Acting Financial Secretary, Ms. Darlene Morrison, that the GOJ did not have a strong negotiating position.
7. The OCG has concluded that DB&G was in fact placing the AIC Receivables in the market place, prior to the formal execution and finalization of a written contract with the then MOFP.

The OCG has been led to conclude the foregoing based upon the evidence which has been provided to it by the MOFPS. Should the referenced evidence be accepted as factual and correct, then, as at 2004 March 16, the DB&G had already credited the GOJ with proceeds from the sale of the AIC Receivables Transaction.

The OCG must, therefore, conclude that, whatever the circumstances and reasons were, the execution of a GOJ contract, prior to the finalization of a formal written contract, was in fact irregular and highly improper.

¹⁸¹ Response from Ms. Darlene Morrison: Question # 14

¹⁸² Response from Ms. Darlene Morrison: Question # 20

8. DB&G in fact sold some thirty two percent (32%) or \$852 million of the AIC Receivables to the NHT, and the NIF, at a price which varied from that at which it had bought the said Receivables.
9. In the case of the NHT, the OCG has concluded that a submission was made to the NHT's Finance and Audit Committee on 2004 March 17, at which time the proposed transaction was considered attractive, by the Committee, for various reasons.
10. The Board of Directors of the NHT approved the DB&G transaction on 2004 March 29, following which a cheque in the sum of J\$600 million was submitted to DB&G with a transaction date of 2004 March 31.
11. The evidence, which has been provided to the OCG, refutes the allegation which was made by Minister Audley Shaw that *"...the Agreement for Sale was signed with the Ministry of Finance on the 26th day of March 2004, the DBG Agreement with the National Housing Trust was approved on March 15, 2004."*

However, it should be noted that on 2004 March 15, DB&G presented the NHT with a letter in which the terms and conditions of the AIC Receivables transaction were detailed. Subsequent to DB&G's submission of the referenced letter, which was dated 2004 March 15, a presentation was made to the NHT's Finance and Audit Committee on 2004 March 17.

Consequently, the Board of Directors of the NHT gave its final approval for the referenced transaction on 2004 March 29.

12. The OCG has concluded that the DB&G presented the NHT with the terms and conditions of the AIC Receivables transaction prior to the finalization of a formal signed agreement with the then MOFP. In point of fact, the agreement between DB&G and the then MOFP was executed on 2004 March 26. However, DB&G presented its terms and conditions to the NHT on 2004 March 15.

Despite the short timeline which was identified as being available to complete the referenced transaction, the OCG must conclude that the foregoing actions of DB&G were premature, having regard to the fact that the terms and conditions of the sale of the Receivables, by the GOJ, were not finalised in writing, and executed in writing, until 2004 March 26.

13. In the case of the NIF, the OCG has found and concluded that Section 39 (4) of the National Insurance Act permits that:

"Any moneys and investments forming part of the Fund may from time to time be invested or realized, as the case may be, in accordance with the directions of the Minister responsible for finance."

Consequently, the OCG has concluded that the NIF, under the direction of the Minister of Finance, has the authority to commit the Fund's money to investment opportunities.

14. The OCG has been advised by the NIF that the then Minister of Finance, Dr. Omar Davies, did not provide any approval for the referenced transaction. Further, and according to the NIF *"As a matter of course and practice, transactions (purchase or sale) involving Government of Jamaica debt are not brought before the Board for approval. This is because the Board of the National Insurance Fund is an advisory board. Its recommendations will need the approval of the Minister of Finance prior to any execution thereof."*

However, Dr. Omar Davies, the then Minister of Finance, has flatly rejected the foregoing assertion that investments made by the NIF would have required the approval of the Minister of Finance and Planning. In point of fact, in his sworn statement to the OCG, Dr. Davies asserted, *inter alia*, that **"To the best of my recollection, the requirement of approval by the Minister of Finance was limited to investments which carried risks, such as in real estate...the NIF could make investments without the approval of the Minister of Finance."** (OCG Emphasis)

In light of the provisions of the National Insurance Act, and the foregoing contradictory statements, the OCG has been led to conclude that the clarification of the matter will require further legal consideration by the Attorney General and the Solicitor General.

15. To date, the OCG has not been able to determine whether the requisite approvals were granted by the then Minister of Finance, Dr. Omar Davies and/or whether the Board of Directors of the NIF had granted an approval to enter into the referenced investment transaction.

This is premised upon the fact that the OCG has not been provided with any documentary evidence to support the approvals which would have been required.

16. Based upon the sworn evidence which has been provided to the OCG during the course of its Investigation, the OCG has found and has subsequently concluded that the then MOFP did not directly approach the NIF, the NHT or any other Public Body, to sell to them, the Receivables from the sale of the NCB Shares to AIC Ltd.

According to the then Acting Financial Secretary, Ms. Darlene Morrison, *“The block of funds amounting to \$2.5 billion was too large to be treated in retail manner and the nature of the transaction required an arranger with the necessary expertise to undertake.”*¹⁸³

17. The OCG has concluded that the GOJ entered into a one hundred and twenty (120) day short term financing agreement with DB&G on 2005 March 31, in the amount of some US\$29.6 million, for the purposes of meeting the fiscal deficit in that particular financial year.
18. The OCG has found and concluded that on 2005 March 31, the GOJ signed an agreement with DB&G for the sale of certain receivables which were due to the GOJ on various FINSAC related transactions.
19. The OCG has concluded that on 2005 March 31, DB&G credited the Consolidated Fund in the amount of US\$28.9 Million and, further, on the same date, billed the then MOFP, in the sum of US\$295,902.05, as an *“Arrangement fee for the financing of US\$29,590,205.00 Sale of GOJ Receivables.”*
20. The OCG has also concluded that the GOJ experienced a shortfall in its collection of debts related to the FINSAC transactions. As such, in order to repay the money which had been provided by DB&G, on 2005 March 31, for short term financing, the GOJ borrowed money from Capital and Credit Merchant Bank on 2005 July 29, in order to repay DB&G, as per the terms and conditions of the Term Sheet (signed contract).
21. Based upon the sworn evidence which was provided to the OCG, by the then Acting Financial Secretary, Ms. Darlene Morrison, the then MOFP did not consider the two (2) referenced transactions, which were consummated between the GOJ and DB&G, in 2004 March and 2005 March, as falling within the ambit of the procurement procedures and guidelines.

Irrespective of same, the OCG must clearly and unequivocally state that the award or settlement of any GOJ contract, by any Public Body, must adhere to the contract award principles which are enshrined in Section 4 (1) of the Contractor General Act which stipulates that such contracts must be awarded impartially and on merit, and in circumstances which do not involve impropriety and/or irregularity.

In this regard, the OCG has concluded that the referenced transactions with DB&G were not subject to any form of a competitive process whereby the then MOFP could verify that it was in fact obtaining the best financing offer.

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:

¹⁸³ Statement from the then Acting Financial Secretary. Response to Question # 11

“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.”¹⁸⁴ (OCG Emphasis)

1. Pursuant to the mandatory statutory obligations which are imposed upon a Contractor General by Section 21 of the Contractor General Act, the matter is hereby being referred to the Solicitor General and the Attorney General for a considered determination to be made as to whether the provisions of the National Insurance Act, and the subsequent actions of representatives of the National Insurance Fund (NIF), as evidenced by the Fund's participation in the purchase of the AIC Receivables, were in keeping with the provisions of the said Act and, in particular, the authority on which the NIF proceeded to invest in the purchase of the AIC Receivables without the approval of the then Minister of Finance, Dr. Omar Davies.

The matter is being referred to the Solicitor General and the Attorney General particularly for a determination to be made as to whether or not the actions of the representatives of the NIF, with regard to the participation in the purchase of the AIC receivables, amounted to a breach of the National Insurance Act.

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 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 evaluation and approval processes for commercial agreements, by the Ministry of Finance and the Public Service, be undertaken by the Public Administration and Appropriations Committee of the House of Representatives and by the Auditor General.

This review should be conducted to ensure that adequate procedures, systems, checks and balances are not only implemented by these Public Bodies, but are aggressively enforced to secure a radically improved level of compliance with the relevant Government approved procedures, regulations and laws. Particular attention must also be paid to the requirements of the Financial Administration and Audit Act, the Public Bodies Management and Accountability Act, the Contractor-General Act and the Government's Procurement Procedures.

2. The OCG is of the view that the concept of the **unsolicited proposal**, which has found its way into the country's procurement conventions, should be **immediately** excised from the Government's Procurement Guidelines. The OCG has formally made this considered Recommendation before, but, like so many of its other considered Recommendations, nothing has come of it.

The OCG is 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 contention that all such proposals must be tested for propriety, legitimacy, cost-effectiveness, quality, value for money and competitiveness in the open market place.

¹⁸⁴ Contractor-General Act. 1983

3. Finally, the OCG is obliged to strongly recommend that all Public Bodies and Public Officers should ensure that proper procedures are adhered to in the consummation and execution of any and all GOJ contracts. In this regard, the OCG is recommending that every GOJ contract should be finalised and evidenced in writing prior to the execution of same.

The aforementioned Recommendation should be applicable to all forms of GOJ contracts and should have even greater applicability and implications for financials transactions and commercial agreements in which GOJ assets and/or finances are being negotiated, divested and/or realised.

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Conducted into the Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer

Ministry of Energy and Mining (MEM)

Formerly Ministry of Industry, Technology, Energy and Commerce (MITEC)

Initiated: 2006 October

Concluded: 2010 August

On 2006 October 9, the Office of the Contractor General (OCG), acting on behalf of the Contractor General, and pursuant to Section 15 (1) and 16 of the Contractor General Act (1983), initiated an Investigation into the oil lifting contract between the Petroleum Corporation of Jamaica (PCJ) and the Dutch company, Trafigura Beheer.

The OCG's decision to commence the formal Investigation followed upon several media reports on 2006 October 4, which reported that the Jamaica Labour Party (JLP) had accused the then ruling People's National Party (PNP) of financing its annual conference with a J\$31 Million largesse¹⁸⁵, which was provided by an overseas oil trader, and had called for the immediate resignation of the entire governing administration.

In a media report which was published in the Jamaica Gleaner on 2006 October 4, and which was entitled "Partying on state funds", it was reported, *inter alia*, that:

"The Opposition Jamaica Labour Party (JLP), yesterday accused the governing People's National Party (PNP), of using state funds of up to \$31 million from the Nigerian oil deal, to finance the party's annual conference last month.

But in a quick response last night, the Government denied the claims.

The allegations were made shortly after the Opposition members walked out of the House of Representatives during a censure motion debate brought against Karl Samuda, the JLP Member of Parliament for St. Andrew North Central.

RELEASED FINDINGS

In a hastily-called press conference inside the Opposition's quarters at Gordon House, Mr. Golding released findings of transactions, which he said were made to an account in Jamaica known as CCOC Association, with Minister of Information Colin Campbell as one of the signatories on the account.

Mr. Golding said that two cheques totalling \$30 million were issued payable to SW Services with both having the signatures of Mr. Campbell, in addition to the signatures of Phillip Paulwell, the Minister of Industry, Commerce and Technology, Prakash Vaswani and Delano Barnett.

A third cheque for \$465,000 drawn on the account of CCOC Association, was, according to Mr. Golding, made payable to Mr. Campbell.

Mr. Golding claimed that the cheques were deposited by Trafigura Beheer, an international company based in the Netherlands which was engaged to carry out the lifting and trading of oil from Nigeria, on the country's behalf.

The oil deal with Nigeria was reportedly negotiated in the 1970s by the Michael Manley administration. The country is supposed to benefit from the proceeds of the sale of oil on the international market.

¹⁸⁵ See extract from the Jamaica Observer dated October 4th, 2006. Item No2 of Investigative file 18.04.29 (i)

But Government member and PNP chairman, Robert Pickersgill, has denied the allegations.

"That is a mouthful of allegations and at the appropriate time the party will respond," he said.

Dr. Raymond Wright, formerly group managing director of the Petroleum Corporation of Jamaica, and now consultant, said he did not know of the allegations.

"I know nothing about these specific allegations. I have no information on it whatsoever. It seems to me very unusual," he said last night.

Meanwhile, Mr. Golding has called for the resignation of the entire government.

"This government has acquired immunity to scandals but there comes a time when enough is enough. That time has come! It is time for this wretched government to go. This one needs no commission of inquiry," he stated.¹⁸⁶

Based upon the foregoing media reports the OCG had made the following determinations, *inter alia*:

1. That the then Opposition, the JLP, alleged that cheques were deposited into an account, in the name of C.C.O.C. Association, by Trafigura Beheer, an international oil trading company which is based in the Netherlands.
2. Trafigura Beheer was also contracted to carry out the lifting and trading of oil from Nigeria, on Jamaica's behalf.

The gravity of the referenced allegations raised several concerns for the OCG, especially in light of the perceived absence of adherence to the 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 Government contracts must be awarded "*impartially and on merit*" and that the circumstances of award must "*not involve impropriety or irregularity*".

Further, and in light of the fact that the allegations had such tremendous national import, which effectively precipitated the then Opposition Party's call for the "*resignation of the entire government*" and the associated 'walk-out' from the House of Representatives by the then Opposition Members of Parliament on 2006 October 3, the OCG deemed the relevant allegations sufficiently pressing to warrant a thorough Investigation.

Consequently, on 2006 October 9, the OCG wrote to the then Minister of Industry, Technology, Energy and Commerce, Mr. Phillip Paulwell, advising him of the commencement of the OCG's Investigation.

It must also be noted that by way of a written Media Release, which was dated 2006 October 10, and which embodied the OCG's correspondence of the previous day, which was written to Mr. Paulwell, the OCG placed the following upon the public record:

- (a) That "*...the captioned matter has been the subject of extensive media reports over the past six days. Significant public interest and commentary have also arisen over the matter as well as over a number of issues which are associated therewith.*

The Office of the Contractor General (OCG) has therefore taken a decision to commence a formal investigation into the circumstances which surround the award of the subject Contract.

- (b) *In the exercise of my discretionary powers under Section 28 (2) of the Contractor General Act, I should also like to advise that I will be submitting, in due course, a report or reports on this matter to the Parliament of Jamaica.¹⁸⁷*

¹⁸⁶ Jamaica Gleaner article entitled "Partying on state funds", published Wednesday, 2006 October 4

¹⁸⁷ OCG Media Release which was dated 2006 October 10

The primary purpose of the OCG's Investigation was to, *inter alia*, ascertain the circumstances surrounding the oil lifting contract which was awarded by the GOJ to Trafigura Beheer, and to determine if there was any impropriety and/or irregularity surrounding the award of a Government contract to Trafigura Beheer.

The Terms of Reference of the OCG's Investigation into the oil lifting contract between the PCJ and Trafigura Beheer were primarily developed in accordance with 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 (1983).

The Terms of Reference of the OCG's Investigation were designed to elucidate two (2) particular elements of the allegations, which were made in the public domain, namely (a) the propriety of the procurement process and (b) the link, if any, between the money which was paid by Trafigura Beheer and the award and/or future award of any GOJ contract to that entity and, in consequence, evidence of any form of corruption.

It is important to note that on 2006 October 9, the OCG, by way of a letter of even date, requisitioned information in respect of the GOJ's dealings with the oil trader, Trafigura Beheer, from the then Minister of Industry, Technology, Energy and Commerce, Mr. Phillip Paulwell.

On 2006 October 23, Mr. Paulwell replied to the Contractor General, indicating, *inter alia*, that he was not privy to any relationships that would have been collateral to the contract or which are/were directly or indirectly linked to or conditioned upon, its execution or performance.¹⁸⁸

Based upon the evidence which was provided to the OCG, by Mr. Paulwell and representatives of the PCJ, the OCG was able to undertake a historical analysis of the Government of Jamaica's (GOJ's) contractual oil-lifting arrangements and, consequently, the contract with Trafigura Beheer.

In this regard, the OCG found that the GOJ's first contract with Trafigura Beheer was executed on 2000 August 3 and a subsequent contract was signed on 2004 December 13.¹⁸⁹

It is instructive to note that at the time of the transfer of J\$31 Million to the C.C.O.C. Association account, Trafigura Beheer was still lifting oil on behalf of the PCJ without a formal written contract in place.

According to the information which was provided to the OCG, by Mr. Paulwell, the contract with Trafigura Beheer provided for the payment of a fee (commission) to the PCJ, by Trafigura Beheer, in respect of every barrel of oil which was lifted from Nigeria, by Trafigura Beheer, on behalf of the PCJ.

Further, the OCG found that the contract award process, which was undertaken by the PCJ in 2001 and 2002, was akin to the Limited Tender Process wherein tenders were invited from a shortlist of oil - lifters.

However, the PCJ did not deem the contract award to be one of a "procurement contract" as no contract value was involved, that is, there were no amounts to be paid by the PCJ to the contractor. Instead, the PCJ received an agreed amount, from the contractor, for each barrel of oil that was lifted.

In this regard, the OCG found that the contract awards did not receive the prior endorsement of the National Contracts Commission (NCC) nor was there any evidence to indicate that Cabinet approval was granted for the award of the oil-lifting contracts.

The OCG also found that the PCJ did not have a Procurement Committee in place prior to 2006, which is, in and of itself, another breach of the GOJ Procurement rules.

¹⁸⁸ See page 4 of Mr. Paulwell's letter to the Contractor General which was dated 2006 October 23. Item No 60 of Investigative file 18.04.29 (i)

¹⁸⁹ See page 1 of Mr. Paulwell's letter to the Contractor General which was dated 2006 October 23. Item No 60 of Investigative file 18.04.29 (i)

As regards the alleged payments, which were deposited into an account in the name of C.C.O.C. Association, with which Mr. Colin Campbell was associated, the OCG has found that on 2006 September 6, and twice on the 12th, three (3) payments, in the respective sums of JA\$10,684,316.05, JA\$10,161,516.72 and JA\$10,410,911.62, were allegedly credited to the account at the First Caribbean International Bank (Jamaica) Limited.

It was further alleged that at the time of the payments, one of the signatories to the C.C.O.C. Association account was the then Senator, Mr. Colin Campbell. Up until 2006 October 9, Mr. Campbell was the Minister of Information & Development and the General Secretary of the then ruling PNP.

It must be noted that Mr. Campbell tendered his resignation from the respective offices, effective 2006 October 9, a few days after the allegations which were levied by the then Opposition Leader, Mr. Bruce Golding.

On 2006 October 26, the OCG wrote to Mr. Colin Campbell on the assumption that he, being the person who featured most prominently in the allegations, may have been able to assist the OCG in its Investigation and/or monitoring of the GOJ's award of any future contract(s) for the lifting and/or sale of Nigerian oil.

It is instructive to note that in the referenced letter of 2006 October 26, the OCG required Mr. Colin Campbell to provide responses to the following questions, amongst others:

- (a) *"Please state if there are/were any agreements of which you are aware, between Trafigura, on the one hand, and the GOJ or any GOJ public body, public officer, other person and/or entity on the other, which are/were collateral to the GOJ's and Trafigura's past, present or prospective Nigerian oil trading contractual arrangements or which are/were directly or indirectly linked to, or conditioned upon, the consummation, execution and/or performance of any such contractual arrangements.*
- (b) *Please state if the subject Trafigura payments of 466,000 euros or any part thereof were in any way linked to or conditioned directly or indirectly upon Trafigura's past, present or prospective Nigerian oil trading contractual arrangements with the GOJ?*
- (c) *How and for what purpose or reason were the Trafigura payments disposed of after they were credited to the CCOC Associates account? Please provide full particulars of the disposition of the entire sum, inclusive of the dates, the amounts and the payee(s) or recipient(s) of any sum which to date has been withdrawn from the account."*¹⁹⁰

On 2006 October 30, Mr. Campbell replied to the OCG and stated, *inter alia*, that; "... CCOC Association, S. W. Services and the Peoples National Party are not public bodies as defined in Section 2 of the Contractor General Act. In the circumstances any relationship between Trafigura and any of the above entities would be outside the provisions of Section 4 of the Contractor General Act"¹⁹¹.

Consequently, the OCG wrote to Mr. Campbell on 2006 November 16, outlining the reasons why his aforementioned statements were flawed and gave him additional time in which to furnish the information that had originally been requested by the OCG.

On 2006 November 30, Mr. Campbell wrote to the OCG advising that he could not give any assistance in relation to the above subject matter and, further, that *"In all the circumstances the answers already given remain unaltered."*¹⁹²

Of significant import also is the fact that on 2006 October 11, the Netherlands Police Agency (KLPD), contacted the OCG, via telephone, seeking assistance in carrying out its own investigations into the allegations against Trafigura Beheer.

¹⁹⁰ OCG Requisition to Mr. Colin Campbell which was dated 2006 October 26

¹⁹¹ Letter from Colin Campbell dated 2006 October 30

¹⁹² Letter from Colin Campbell dated 2006 November 30

The series of communications which followed thereafter, between the OCG and the Dutch Authorities, proved to be of no assistance to the OCG in the conduct of its Investigation. In point of fact, the communications between the OCG, the Dutch Authorities and their representatives failed to assist the OCG in determining whether there was any link between the alleged payments which were made by Trafigura Beheer, and the award of any contract, whether past, present and/or prospective, to Trafigura Beheer, by the GOJ.

Between 2006 October 11 and 2007 March 20, a combination of approximately twenty three (23) emails were exchanged between the OCG and the Dutch Authorities. The full particulars of these are appended hereto. The referenced emails attest to the OCG's efforts to enquire into the referenced allegations from numerous contemplated perspectives.

Further, the OCG must place upon the Record what it considers to be three (3) distinct classifications of the encounters, which it has had, in regard to the Dutch Authorities, between 2006 October and 2008 January. The three (3) categories are as follows:

- (a) Direct written correspondence between the OCG and the Dutch Authorities;
- (b) Representations which were made to the OCG by a Mr. Harold Brady, a private Attorney-at-Law, in 2007 November regarding a proposed meeting between himself, the OCG and the Dutch Authorities; and
- (c) Contact which was made with the OCG, by the Jamaica Constabulary Force (JCF) in 2008 January, regarding investigations which were being executed by the Dutch Authorities.

The full particulars of the OCG's interaction with the Dutch Authorities, related incidents and the circumstances regarding same, are detailed herein as a sub-section of the Report of Investigation which is aptly entitled **"OCG Interactions with the Dutch Authorities"**.

Detailed below is a synopsis of key elements of the OCG's Interactions with the Dutch Authorities:

Direct Contact with the Dutch Authorities

By way of an emailed letter, which was dated 2006 October 11, the Dutch Authority advised the OCG that they were investigating Trafigura Beheer and had become aware of the company's alleged involvement in "... a scandal involving a \$31 million transaction between the People's National Party in Jamaica and this Dutch oil company."¹⁹³

In closing, the referenced letter indicated, *inter alia*, as follows:

*"In case you have any information on this case that you might be willing to share with the Dutch authorities or in case you might request our assistance you can contact me at any time."*¹⁹⁴

It must be noted that as early as 2006 October 26, the OCG had written to the Dutch Authorities requesting their assistance in providing information to corroborate certain allegations to which the OCG was privy.

In this regard, the OCG, by way of a letter which was dated 2006 October 26, advised and requested, from the Dutch Authority, *inter alia*, the following:

- (a) *"It is our belief that the Trafigura executives, during their visit to Jamaica, met with certain Jamaican Government and other public officials. It has also been reported that the Prime Minister of Jamaica was paid a courtesy call by two Trafigura executives during the month of August."*

We would like to confirm the following:

¹⁹³ Letter from the Dutch Authorities to the Contractor General which was dated 2006 October 11

¹⁹⁴ Letter from the Dutch Authorities to the Contractor General which was dated 2006 October 11

- (1) *The names of the Trafigura executives who visited Jamaica and the dates when they visited Jamaica;*
 - (2) *The names of the Government of Jamaica or other public officials who they met with while in Jamaica;*
 - (3) *The dates that they met with these officials;*
 - (4) *The purpose of their meetings with the referenced officials;*
 - (5) *The particulars of any agreements or understandings, if any, which were arrived at during these meetings;*
 - (6) *Whether any Trafigura executive had a meeting or meeting with any Government of Jamaica or other public official at any other time during the course of the current year and, if so, what were the names of the meeting participants, what was discussed or agreed, and where and when the meeting or meetings were held.*
- (b) *...we would be grateful if you could assist us to confirm whether the Trafigura payments were made as a political donation or, as Trafigura has allegedly asserted, whether they were made pursuant to a "commercial agreement". If indeed a commercial agreement was settled, we would be grateful if you could assist us to ascertain what are/were its terms and/or provide us with some evidence of same.*

Either way, we would like to understand the bases and understandings upon which the payments were made and who were the Jamaican Government, public or other officials who were party to same.

We would also like to know if any of these payments are or were in any way linked, directly or indirectly, to Trafigura's past, present or prospective oil trading arrangements with the Government of Jamaica.

*We are grateful to you for your offer of assistance and do trust that you will be able to positively contribute to our on-going investigations.*¹⁹⁵

The aforementioned questions are indicative of the extent to which the OCG sought the assistance of the Dutch Authorities in advancing its Investigation into the allegations which surrounded Trafigura Beheer.

However, and despite the numerous subsequent correspondence with the Dutch Authorities, the OCG did not receive the requested information. It must also be noted that on several occasions, the Dutch authorities requested guidance and information from the OCG.

It is instructive to note that the OCG, being guided by Section 28 of the Contractor-General Act (1983), denied the Dutch Authorities' request for assistance and directed them to make contact with officials of the Jamaican Government.

It is instructive to note that Section 28 of the Contractor General Act provides that:

"(1) A Contractor-General may at any time be required by Parliament to submit a report to Parliament in respect of any matter being investigated by him.

(2) A Contractor-General shall submit to Parliament an annual report relating generally to the execution of his functions and may at any time submit a report relating to any particular matter or matters investigated, or being investigated, by him which, in his opinion, require the special attention of Parliament.

(3) Reports under this section 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.

¹⁹⁵ OCG letter to the Dutch Authorities dated 2006 October 26

(4) A Contractor-General may, in the public interest, from time to time publish in such manner as he thinks fit, reports relating to such matters as are mentioned in subsection (2) and any case which is the subject of a special report under section 21, but no such report shall be published until after it has been laid pursuant to subsection (3)."

Contact with Mr. Harold Brady, Private Attorney-at-Law

On 2007 November 16, Mr. Harold Brady, Attorney-at-Law, through his Secretary, Ms. Michelle Vickerman, telephoned the OCG and, on behalf of Mr. Brady, requested that a meeting be convened between the Dutch Authorities, the Contractor General and himself, for that same afternoon. The Contractor General declined Mr. Brady's request as he was unaware of the purpose of the meeting and had reservations about the propriety of the request for the convening of a meeting.

As such, the Contractor General requested that a formal letter of request be submitted to the OCG, providing the relevant details, including the purpose of the meeting. However, the letter was never received by the OCG.

Contact with the Jamaica Constabulary Force (JCF)

In the third instance, the OCG was contacted by an Officer of the Organized Crime Unit of the JCF, on 2008 January 9, regarding the convening of a meeting between representatives of the OCG, the Dutch Authorities and the JCF. The representations, which were made to the OCG, on that date, indicated that the process was being marshalled by the Office of the Director of Public Prosecutions (ODPP).

The contact which was made with the OCG, by the JCF, represented the first and only instance in which the OCG had contact with the Dutch Authorities via another Jamaica State Authority.

In that regard, the Contractor General personally conveyed to the JCF Officer, amongst other things, that:

- (a) "...the Dutch authorities had contacted the OCG over a year ago to request information from us and also to offer assistance to the OCG's investigations into the GOJ's award of a oil-lifting contract to Trafigura. I told DI Bailey that although we had welcomed their offer of assistance, we had made it clear to them that we could not offer them any assistance."*
- (b) The OCG had "...advised the Dutch authorities (a) that the OCG was an independent Commission of the Parliament of Jamaica, (b) that upon completion of the OCG's investigation into the matter, a Report thereon would be submitted to the Parliament of Jamaica where it would be tabled in the Senate and in the House of Representatives, and (c) that under Jamaica Law, only when that was done would we be at liberty to publish the Report and its Findings to the public at large or to any other person."*
- (c) "...at the invitation of the Dutch Authorities, the OCG had written to them seeking answers to certain questions about Trafigura and that they had not responded. I told him that if they had any information for us we would be prepared to receive it but, beyond that, I could see no useful purpose in meeting with them."*
- (d) "...he should feel free to communicate my positions to the DPP and to have him contact me directly should he wish to discuss the matter with me."*

Given the compendium of occurrences, as summarized above, and which are further detailed herein, inclusive of the fact that at least two (2) Jamaican State Authorities, viz, the ODPP and the JCF, were enquiring into the allegations involving Trafigura Beheer as at 2008 January, the OCG took a strategic decision to await further developments regarding the matter, before completing its Report of Investigation into the referenced allegations.

However, approximately two (2) years have since elapsed and there have been no reported developments in the matter, during the referenced period.

Further, and with expressed regard to the fact that the OCG was not provided with any assistance from the Dutch Authorities, nor did Mr. Colin Campbell provide the OCG with responses to its questions, regarding the monies which were received from Trafigura Beheer, the OCG has been unable to definitively and adequately address one major component of its Investigation.

In this regard, the OCG was unable to ascertain the reasons for the payments which were made by Trafigura Beheer to C.C.O.C. Association and the bearing, if any, which it had, or was to have, or may have had on the subsisting and/or prospective oil lifting contracts between the PCJ and Trafigura Beheer.

Out of an abundance of caution and to ensure thoroughness in its Report of Investigation, the OCG took a decision to request pertinent updates from the Jamaica State Authorities which were held out as being involved in the local investigations involving the Dutch Authorities.

As such, and through a series of correspondence which began with letters which were addressed to Detective Inspector Clarence Bailey, JCF and the Hon. Dorothy Lightbourne, Minister of Justice, and which were dated 2010 July 14, the OCG sought the relevant updates from the Jamaica State Authorities.

The OCG's two (2) letters, which were dated 2010 July 14, were both copied to the ODPP.

It is instructive to note that by way of a letter, which was dated 2010 July 21, from the Solicitor General, Mr. Douglas Leys, the OCG was advised that the ODPP was the designated authority, in Jamaica, from whom the requested information could be obtained.

In his letter to the OCG, the Solicitor General also advised the OCG that it was very unlikely that there would have been any difficulty in obtaining the requested information from the ODPP.

Consequently, on Monday, 2010 July 26, the OCG wrote directly to the ODPP requesting that the ODPP provide the OCG with an update of its investigative efforts in the Trafigura Beheer matter, no later than Thursday 2010 July 29.

It is important to note that the OCG did not receive the information which was requested from the ODPP by the stipulated deadline.

As such, on Tuesday, 2010 August 3, the OCG again wrote to the ODPP to ascertain (a) whether the ODPP intended to cooperate with the OCG's Investigation and (b) to request that the ODPP provide the OCG with the requested information no later than Monday, 2010 August 9. The referenced OCG letter was faxed to, and hand delivered to the ODPP on 2010 August 3.

On 2010 August 5, the ODPP responded to the OCG's letters which were dated 2010 July 26 and 2010 August 3 and advised the OCG, *inter alia*, that; " ... we would not be in a position now to release any information at this stage having regard to high levels of sensitivity. To do so now would compromise our international and statutory obligations and might well give others likely to be affected a cause of action where none now exists."¹⁹⁶

The full details of the OCG's efforts in this regard are documented in the sub-section the Report of Investigation which is entitled "Contact with the Ministry of Justice, the JCF and the DPP to Secure Updates on Jamaica State Authorities' Involvement in the Matter."

Having regard to (a) the passage of time, (b) the lack of further developments, (c) the challenges which were faced by the OCG and (d) the OCG's stated intent to submit a Formal Report on the matter, the OCG has now deemed it both prudent and necessary to complete its Investigation, in fulfillment of its statutory mandate and in the interest of transparency, and to submit its Report thereon to the Parliament of Jamaica.

¹⁹⁶ Letter from the ODPP which was dated 2010 August 3 in response to the OCG's letters which were dated 2010 July 26 and 2010 August 3.

Based upon the documents which have been reviewed, the OCG has arrived at the following considered Conclusions:

1. The contracts which were awarded to Trafigura Beheer and GoodWorks International LLC., prior to 2006, were not subject to the scrutiny of the PCJ's Procurement Committee as one was not established until 2006 May/June.
2. The OCG has concluded that the PCJ's failure to properly constitute a Procurement Committee, prior to 2006 May/June, has contravened Section 1.5.2.3 of the GPPH (2001 May).
3. The contracts which were awarded by the PCJ to Trafigura Beheer and GoodWorks International LLC., in 2001, coincided with the drafting of the GPPH which came into effect in 2001 May.

However, at that time, the directives which were issued under Ministry of Finance Circular #182/02 and Cabinet Decision #32/85 brought into effect the Government Contracts Committee (GCC) and the Cabinet Directive Mandating Adherence to GCC Procedures, and would have required that the contracts be approved by the Cabinet and the GCC. However, the OCG has not seen any evidence that there was adherence to the referenced requirements.

4. The Trafigura Beheer contracts, which were awarded by the PCJ in 2002 through to 2004, would have required adherence to the GPPH. However, the OCG has not seen any evidence that the PCJ complied with the relevant provisions of the GPPH.

It is instructive to note that elements of the Sole Source/Direct Contracting Procurement Methodology were seen in the PCJ's contracting of GoodWorks International LLC. and Trafigura Beheer. In the first instance, GoodWorks International LLC. was contracted using the Sole Source/Direct Contracting Methodology.

In the contracting of Trafigura Beheer, by the PCJ, the OCG found that traces of the Limited Tender Procurement Methodology were utilized. In this regard, Trafigura Beheer was selected from a NNPC pre-approved list of oil traders.

5. Based upon the reports which were made in the local print media and by the Leader of the then Opposition (JLP), a total of J\$31 million was lodged to the C.C.O.C. Association Account in respect of which Mr. Colin Campbell was an alleged signatory. The alleged beneficiary of the referenced funds was the PNP for its 2006 campaign financing activities.

However, attempts by the OCG to secure information with regard to establishing the link, if any, between the J\$31 million payment which was made by Trafigura Beheer and the award of a GOJ contract, whether in the past or prospectively, proved to be futile.

Notwithstanding, the OCG has been able to establish the following facts:

- a. Between 2002 and 2004, the contract with Trafigura Beheer was renewed annually;
 - b. At the time of the alleged transfer of the funds, in 2006, from Trafigura Beheer to C.C.O.C. Association, the PCJ and Trafigura Beheer maintained a contractual relationship which was not evidenced in writing;
 - c. In 2007, the PCJ went to competitive tender for oil lifting services;
 - d. A contract for oil lifting services was awarded to Glencore Energy UK Limited in 2007 October based upon the competitive tender process and at a rate which was more competitive than that which was offered by Trafigura Beheer.
6. Based upon the information which has been provided to the OCG, by the Permanent Secretary in the MEM, Mrs. Hillary Alexander, the OCG has found, and has been led to conclude, that the PCJ has not benefited from any Nigerian oil lifts since the PCJ went to competitive tender in 2007 March.

Further, the OCG has also found and concluded that the contract with Glencore Energy UK Limited was automatically terminated in 2008 October and that there has been no subsequent bidding process in regard to the NNPC oil lifting arrangements.

7. The OCG has concluded that the repeated failure and/or refusal of Mr. Colin Campbell to provide detailed and particularised answers to the specific written requisitions and questions which were put to him by the OCG, and to otherwise cooperate with the OCG's Investigation into the allegations which were made concerning the sums which were paid by Trafigura Beheer into the C.C.O.C. Association's account, have, among other things, hindered and obstructed the OCG's investigative efforts in violation of Section 29 (b) (i) of the Contractor General Act.

The OCG, in concluding the foregoing, must also allude to the following considerations, among others:

- Mr. Colin Campbell was allegedly a signatory to the C.C.O.C Association account;
 - Leading up to, and shortly after, the Trafigura Beheer exposé, Mr. Campbell was the Minister of Information for the then administration and, therefore, Mr. Campbell would have been privy to vital information as it related to Government matters;
 - Mr. Campbell was warned on several occasions that should he, amongst other things, hinder or obstruct a Contractor General, same would constitute the commission of a criminal offence under Section 29 of the Contractor General Act.
8. The OCG has not been able to independently determine the purpose of the money which was transferred to the C.C.O.C. Association account from Trafigura Beheer.

This is premised upon the lack of information and/or cooperation from the Dutch Authorities and Mr. Colin Campbell. As such, the OCG is unable to determine whether there was any irregularity and/or impropriety in (a) the award of the contract to Trafigura Beheer and/or (b) the facilitation of the award of any future contract with Trafigura Beheer.

Likewise, and based upon the records which were reviewed, the OCG has seen no evidence which would conclusively suggest that the contract/procurement process was corrupted by the alleged passing of monies through C.C.O.C. Association, to Senator Campbell, via PCJ's oil lifter, Trafigura Beheer. Conversely, the OCG is unable to conclusively conclude that the process was not corrupted.

Similarly, and in the absence of further information from the Dutch Authorities and/or the ODPP, and having regard to the repeated failure and/or refusal of Mr. Colin Campbell to fully cooperate with the OCG's Investigation, the OCG has been unable to conclude that there was any corruption involved in the C.C.O.C. Associations', and by extension, the PNP's receipt of funds from Trafigura Beheer

In the same vein, the OCG has not been provided with any clear and actionable evidence which would lead it to conclude that there was, in fact, any form of corruption on the part of any public official and/or former public official, in so far as the entire Trafigura Beheer matter is concerned.

Conversely, the OCG is unable to conclusively conclude that there was no corruption on the part of any public official and/or former public official, in relation to the issues which are the subject of the OCG's Investigation in this matter.

9. The OCG has found, and has subsequently concluded, that the investigative efforts by the Jamaica State Authorities into the matter of the \$31 Million payment which was made to the C.C.O.C. Association, is one which now resides squarely with the ODPP. The OCG's conclusion is premised, particularly, upon the bases of the following facts:
 - a. The OCG's attempts to obtain information from the Dutch Authorities have proved to be futile;
 - b. The OCG's attempts to obtain critical information from Mr. Colin Campbell have been summarily obstructed. Consequently, the OCG has concluded, herein, that there is *prima facie* evidence that Mr. Colin Campbell has committed a criminal offence or offences under Section 29 (b) of the Contractor General Act – the prosecution of which now resides squarely with the Learned DPP;

- c. By way of a letter, which was dated 2010 July 21, the Learned Solicitor General of Jamaica advised the OCG that the ODPP was designated the central authority in Jamaica for the purpose of investigation *“of such matters”*;
- d. The ODPP’s letter, to the OCG, which was dated 2010 August 3, has confirmed that the ODPP is in fact the designated authority in Jamaica, under the Mutual Assistance (Criminal Matters) Act, in respect of the referenced matters; and
- e. The ODPP’s stated position, in its letter, which was dated 2010 August 3, has clearly conveyed that any disclosure by it of the requested information to the OCG, at the current time, would, among other things, compromise the ODPP’s international and statutory obligations.

Given the compendium of facts as have been stated above, and the challenges which have been faced by the OCG during the course of its Investigation, the OCG is of the considered opinion that the ODPP is now the primary Jamaica State Authority which is seized with the requisite access to information, capacity and resources to further the investigations into the allegations which have been made concerning Mr. Colin Campbell and, by extension, the PNP’s dealings with Trafigura Beheer.

10. Finally, it must be noted that the PCJ and Ministry files, which were perused by the OCG, were not consistent with any logical flow which would have led to the ease of referencing and understanding of information which was made available to the OCG.

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. The OCG is hereby formally recommending that a copy of this Report should be referred to the DPP on the basis that there is evidence which is recorded herein which establishes that Mr. Colin Campbell has committed a criminal offence or offences under Section 29 (b) of the Contractor General Act by failing, without lawful justification or excuse, to comply with a lawful requirement of a Contractor General and/or by withholding critical information from a Contractor General, thereby obstructing and hindering him in the execution of his lawful investigative and other functions under the Contractor General Act.

The repeated failure and/or refusal of Mr. Colin Campbell to provide detailed and particularized answers to those of the OCG’s written requisitions and questions which were lawfully directed to him, and/or to otherwise fully cooperate with the OCG’s Investigation into the specific allegations which are associated with the subject payment of \$31 Million to the C.C.O.C. Association, has virtually stumped the OCG’s investigative attempts and efforts in this matter.

Section 29 of the Contractor General Act provides, *inter alia*, as follows:

“Every person who -

- (a) *willfully makes any false statement to mislead or misleads or attempts to mislead a Contractor-General or any other person in the execution of his functions under this Act; or*
- (b) *without lawful justification or excuse –*
 - (i) *obstructs, hinders or resists a Contractor-General or any other person in the execution of his functions under this Act; or*
 - (ii) *fails to comply with any lawful requirement of a Contractor General or any other person under this Act;...*

shall be guilty of an offence...”

Consequently, the OCG is recommending that the appropriate legal action, as deemed fit by the DPP, be pursued against Mr. Colin Campbell.

2. In light of the controversy that has surrounded this Trafigura Beheer matter, the OCG feels obliged to recommend that stringent and appropriate election campaign financing laws be enacted to, among other things, force the disclosure of the identity of political campaign donors and financiers.

The proposed laws should also stipulate strict procedures regarding the receipt of campaign financing funds from any person and/or entity with whom the GOJ has or has had a contractual relationship.

It is the OCG's firm belief that once this is done, the OCG and other State anti-corruption agencies will have the ability to cross-check these names against an electronic database of persons who are the beneficial recipients of Government contracts.

In the latter regard, a formal recommendation has already been made by the OCG to the Government, on 2010 February 19.

It is instructive to note that by way of a written Media Release, which was dated 2010 February 19, the OCG placed the following considered actions and positions upon the public record:

“The Office of the Contractor-General (OCG) has, today, formally submitted to the Government, its detailed proposal for the mandatory disclosure of particulars of the beneficial owners of all Private Entities that are desirous of bidding or tendering on Government contracts which exceed \$275,000 in value.

The new anti-corruption measure, which is designed to combat what the OCG views as a corruption-enabling facility which is currently enjoying the colour of law, will significantly improve transparency in Government contracting by revealing the true identities of the owners of companies and other private business entities that are receiving Government of Jamaica contracts.”

In the above-referenced regard, it is important to note that in 2009, more than 11,800 Government contracts, each exceeding \$275,000 in individual value, and totaling in excess of \$88 Billion in aggregated value, were awarded to contractors, most of whom were private business entities and whose certified beneficial owners were either not known or otherwise not readily identifiable.

Based upon the foregoing, and the gravity of the allegations which surround the J\$31 Million payment which was made by Trafigura Beheer to an account which was associated with then senior Public Officials, the OCG believes it prudent to highlight the Contractor General's then stated position that:

“By implementing this very important and ground-breaking anti-corruption measure, we will finally know the true identity of the persons, public officials, parliamentarians and politicians and related parties, inclusive of their friends, relatives and associates, who have been receiving Government contracts”.

3. It is recommended that the PCJ, if it has not already done so, revamp its Procurement Committee, and undertake initiatives to ensure that the members of same become sufficiently knowledgeable with the Revised Public Sector Procurement Handbook (RPPH) and the Regulations which are associated with same.
4. The OCG also recommends that procurement workshops be undertaken with the PCJ, by the Ministry of Finance and the Public Service, to reinforce the requirements of the RPPH to the PCJ's Procurement Committee.

Furthermore, the PCJ should commit itself to renewed familiarisation with the GOJ Procurement rules through continuous training and workshops for all members of staff who are involved in the procurement of services, goods or works on behalf of the Corporation.

5. The OCG recommends that a review of the PCJs' records management systems, be undertaken. This should be done with a view of streamlining the methods by which files are created, managed and stored in order to ensure uniformity, thereby implementing a more efficient system of documentation.

The implementation of this Recommendation will ensure an enhanced level of efficiency and accountability in the PCJ's document management system. Further, it will also allow all relevant stakeholders, both internal and external, to have access to a complete, logical and comprehensive set of records.

6. It is further recommended that towards the end of each oil lifting contractual period, the PCJ should tender all services that are related to the said contract in compliance with the GOJ Procurement Rules.
7. The OCG recommends that regular internal procurement and financial audits be conducted by the PCJ, on a quarterly basis, so as to ensure that its finances are kept in check and are in conformance with all applicable GOJ accounting and financial regulations, namely the Financial Administration and Audit Act and the Public Bodies Management and Accountability Act.
8. With regard to the matter of impropriety, and having regard to the existence of published information which has publicly conveyed that other Jamaican State Authorities were in fact collaboratively working with the Dutch Authorities, the OCG recommends that such investigations be continued by the appropriate Jamaican State Authorities that are mandated under Jamaican Law to undertake a thorough forensic auditing and analysis of the alleged transactions.

If the referenced Jamaica State Authorities have themselves been faced with similar obstacles, such as those experienced by the OCG, then, in the interest of transparency and accountability, such disclosures, if not prejudicial to the case, should be made public with a view to shedding light on the Trafigura Beheer matter.

9. The OCG recommends, based upon the allegations which were made by the then Opposition Party (now the current ruling Administration), relating to corruption and fraud, that those matters be investigated by other agencies, such as the Commission for the Prevention of Corruption, the Office of the DPP and the JCF.
10. Finally, the OCG recommends that the Permanent Secretary, who has 'Accounting Officer' responsibility for the PCJ, take a more proactive and aggressive role in developing, implementing and enforcing effective risk management systems, checks and balances and other appropriate management systems at the PCJ, in an effort to mitigate against any possibility of deviations from the RPPH and the Contractor General Act, by the institution's management and procurement staff – with the intention of promoting good governance within the Public Sector, by enhancing transparency and accountability.

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA

Executive Summary of Report of Investigation

Conducted into the Award of a Multi-Million Dollar Consultancy Contract to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd.

Ministry of Agriculture & Fisheries

Initiated: 2009 October

Concluded: 2010 September

On 2009 October 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 circumstances surrounding the award of a multi-million dollar consultancy contract to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd., by the Sugar Company of Jamaica (SCJ), a Government of Jamaica Public Body.

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 –

the registration of contractors;

(g) tender procedures relating to contracts awarded by public bodies;

(h) the award of any government contract;

(i) the implementation of the terms of any government contract;

(j) the circumstances of the grant, issue, use, suspension or revocation of any prescribed licence;

(k) 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 initially aired over the electronic media on 2009 October 15.

Subsequently, on 2009 October 16, an article which was entitled “\$27M for Aubyn Hill” was posted on the website of the *Sunday Herald* newspaper. The article alleged that Mr. Aubyn Hill’s company, Corporate Strategies Ltd., had been paid \$27 million for consultancy services.

The article further indicated, *inter alia*, as follows:

1. “Hill’s company, according to invoices submitted to the Ministry of Agriculture, is paid over \$1.9 million monthly for consultancy services, driver’s salary, motor vehicle expenses and telephone expenses.
2. Between June and July this year, the Government paid over \$3.9 million for these services.
3. The contract, according to documents obtained by the **Sunday Herald**, was approved by Cabinet decision in June 2008 for the privatization of the sugar industry and was extended to July 2009.

4. *Hill insists that his firm was contracted by the Ministry of Finance to help divest the country's sugar assets in an arm's length deal, and he also pointed out that taxpayers are currently getting good value for their money.*¹⁹⁷

The foregoing allegations raised critical questions and concerns for the OCG, particularly because of the reports that approximately \$27 Million had already been paid out under the contract since 2008 July and the fact that Mr. Aubyn Hill was also the Chairman of the Board of Directors of the SCJ Holdings Ltd., which then held the Government of Jamaica's (GOJ's) assets which were being divested.

Further, the allegations, in relation to the award of the contract to Mr. Aubyn Hill inferred, *inter alia*, (a) a lack of transparency; (b) a lack of impartiality; (c) a breach of applicable Government Procurement Procedures; and (d) a potential conflict of interest.

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*".

At the commencement of its Investigation on 2009 October 16, the OCG undertook a preliminary review of (a) the allegations which were contained in the *Sunday Herald* article, which was dated 2009 October 16; and (b) the documents which were already in the possession of the OCG, with regard to the GOJ Sugar Divestment Process. 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 circumstances which surrounded the award of the multi-million dollar consultancy contract to Mr. Aubyn Hill and/or his company, Corporate Strategies 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 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 further 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 OCG's Investigation sought to determine, *inter alia*, the following:

1. Whether there was compliance with the provisions of the Contractor General Act (1983) and to ascertain whether the applicable Government Procurement Procedures were complied with by the SCJ and/or the MAF in relation to the award of the contract to Mr. Aubyn Hill and/or to his company, Corporate Strategies Ltd.
2. The merits of the allegations which have been made that \$27 Million has been paid to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd., for consultancy services.

¹⁹⁷ Sunday Herald. "\$27M for Aubyn Hill". 2009 October 16. <http://www.sunheraldja.com/2009/10/27m-for-aubyn-hill/>

3. The procurement process which was employed by the SCJ, the MAF and/or by anyone acting on their behalf, in the award, implementation, execution and/or variation of the contract(s) which was/were awarded to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd.
4. Whether the terms of the contract(s) which was/were awarded to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd., and whether any other member of the Government's Sugar Cane Industry Privatization Negotiating Team is being paid under similar or other terms.
5. To determine the overall circumstances of the contract award and the persons and authorities who negotiated and/or approved same.
6. Whether the contract(s) has/have, so far, been implemented in accordance with its terms.
7. Whether there were any breaches of the Government's Procurement Procedures or applicable laws on the part of the SCJ and/or the MAF and/or by anyone acting on their behalf, in the facilitation, procurement, award, implementation, execution and/or variation of the referenced contract(s).
8. Whether the process which led to the award of the contract(s) to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd. was/were fair, impartial, transparent and devoid of irregularity or impropriety.
9. Whether there was any *prima facie* evidence that would suggest impropriety on the part of any individual or entity which contributed to the award (or non-award) of the contract(s) to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd.
10. Whether the disclosure and conflict of interest provisions of the Companies Act, the Public Bodies Management and Accountability Act or any other law were in any way violated by Mr. Aubyn Hill, who, at all material times, was the Chairman of the Board of Director of the SCJ Holdings Ltd. and a Member of the Board of Directors of the SCJ.

It is instructive to note that Section 18 (3) of the Contractor General Act stipulates that *"For the purposes of an Investigation under this Act, a Contractor-General shall have the same powers as a Judge of the Supreme Court in respect of the attendance and examination of witnesses and the production of documents"*. (OCG Emphasis)

Further, Section 17 (1) of the Contractor-General Act empowers a Contractor-General *"to adopt whatever procedure he considers appropriate to the circumstances of a particular case and, subject to the provisions of (the) Act, to obtain information from such person and in such manner and make such enquiries as he thinks fit"*. (OCG Emphasis)

The primary method of data collection and evidence gathering which was utilised throughout the Investigation was the issue, by the OCG, of written Requisitions/Questionnaires pursuant to the provisions of the Contractor-General Act, the Voluntary Declarations Act and the Perjury Act.

Very importantly, the form of written Requisition, which was utilised by the OCG, also required each Respondent to provide, under the pain of criminal prosecution, complete, accurate and truthful written answers to a specified list of written questions and to make a formal declaration attesting to the veracity of same before a Justice of the Peace.

The Requisitions were issued pursuant to the powers that are reserved to the Contractor-General under the Contractor General Act and, in particular, under Sections 4, 15, 17, 18 and 29 thereof. The Requisitions were also issued pursuant to Sections 2 and 7 of the Voluntary Declarations Act and Section 8 of the Perjury Act.

A preliminary Requisition/Questionnaire, which was dated 2009 October 23, was sent by the Contractor General to the Permanent Secretary, Mr. Donovan Stanberry, MAF.

Further Requisitions/Questionnaires were subsequently directed to other Public Officials, and other persons and/or entities that 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 discrepancies in the information which was supplied by the Respondents.

The Requisitions/Questions which were utilised by the OCG included specific questions that were designed to elucidate critical information from Respondents on the matters which were being investigated.

However, in an effort to not limit and/or exclude the disclosure of information which was germane to the Investigation but which might not have been specifically requisitioned by the OCG, the OCG asked all Respondents the following question:

“Are you aware of any additional information which you believe could prove useful to this Investigation or is there any further statement in regard to the Investigation which you are desirous of placing on record? If yes, please provide full particulars of same.”

The Findings of the OCG’s Investigation into the circumstances which surrounded the award of the multi-million dollar consultancy contract to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd., 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, letters were directed on 2009 October 21, by the Contractor General, to the Minister of Agriculture and Fisheries, the Hon. Dr. Christopher Tufton, the Permanent Secretary in the Ministry of Agriculture and Fisheries (MAF), Mr. Donovan Stanberry, the Chairman of the SCJ, Mr. Robert Levy and to Mr. Aubyn Hill, himself, in his capacity as the Chairman of SCJ Holdings Ltd., to formally advise them of the commencement of the OCG’s Investigation into the circumstances which surrounded the award of the multi-million dollar consultancy contract to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd.

Findings and Conclusions

Overview of Mr. Aubyn Hill’s Involvement in the Divestment of the Government of Jamaica’s (GOJ’s) Sugar Assets

In 2005 December, the GOJ initiated the process for the divestment of its sugar assets.

In this regard, the Permanent Secretary, in the MAF, Mr. Donovan Stanberry, informed the OCG that *“The GOJ decided to divest itself of the control and/or management of the Sugar Assets as part of its efforts to modernize and diversify the industry and based this decision on the country strategy for the sugar cane industry of Jamaica.”*¹⁹⁸

With regard to the GOJ sugar divestment, the OCG found that there were several teams which were established to manage the process.

Detailed in the table below are the requisite teams which were established to manage and/or carryout the GOJ sugar divestment process since 2005 December.

TEAMS	TENURE	TERMS OF REFERENCE
Sugar Enterprise Team (SET)	2005 December- 2007 September	To oversee the privatization of the Sugar assets owned by the GOJ.
Sugar Cane Industry Negotiating Team (SNT)	2007 October – 2008 June	To identify and negotiate with the preferred bidders & recommend a suitable proposal to the Cabinet.
Sugar Cane Industry Implementation Team (SIT)	2008 June – 2009 January	To guide the implementation of the Heads of Agreement, that was signed with Infinity Bio-Energy, and to ensure a smooth transition from GOJ ownership to private ownership.
Sugar Negotiating Team (SNT)	2009 January – Present	To identify, assess, evaluate and recommend

¹⁹⁸ Donovan Stanberry. Response to the OCG’s Requisition. 2009 November 19. Question #1

	(Note- the reactivation of the SNT was approved by the Cabinet on 2009 February 2, by way of Cabinet Decision No. 5/09).	suitable investors to Cabinet.
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In his response to the OCG's Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, Permanent Secretary, MAF, informed the OCG that Mr. Hill, in 2005 December, was appointed the Chairman of the Sugar Cane Industry Enterprise Team (SET), "...at the commencement of the sugar divestment transaction..." and that **"The mandate of the SET was to oversee the privatisation of the Sugar Assets owned by the GOJ."**¹⁹⁹

Further, the OCG also found and that Mr. Aubyn Hill was appointed the Chairman of all the respective teams which were established to manage and/or carryout the GOJ sugar divestment process.

Having regard to the foregoing, the OCG found that Mr. Aubyn Hill was intimately involved in the divestment of the GOJ Sugar Assets since the commencement of the process in 2005, when he was appointed the Chairman of the Sugar Cane Industry Enterprise Team (SET).

Contracts which were Awarded to Mr. Aubyn Hill &/or Corporate Strategies Ltd.

The OCG, in its Requisition, which was dated 2009 October 23, that was addressed to the Permanent Secretary, Mr. Donovan Stanberry, asked, *inter alia*, the following question:

*"What is the extent of your knowledge of the alleged contract(s) which was/were awarded to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd. by the SCJ, MAF and/or any other Public Body(ies) acting on its behalf, during the period of the GOJ sugar asset divestment process?"*²⁰⁰

In his response to the OCG's Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, stated, *inter alia*, as follows:

"Mr. Aubyn Hill was offered a Contract of Employment by the Ministry of Agriculture on August 18, 2008, pursuant to Cabinet Decision No. 22/08 dated 30/6/2008 to lead the implementation of the Heads of Agreement signed between the Government of Jamaica (GoJ) and Infinity Bio-Energy (IBE). Prior to this, Mr Hill headed the Sugar Enterprise Team (SET), which prepared the asset packages for divestment, and the Sugar Negotiating Team (SNT), which negotiated with the sole bidder, Infinity Bio-Energy..."

Due to the fact that no deal was completed with Infinity Bio-Energy under the Heads of Agreement and the subsequent reopening of the bidding process by the Cabinet (Decision No. 5/09 dated 2/2/2009, Mr. Hill was offered another contract on the same terms as the previous."²⁰¹ (OCG Emphasis)

Based upon the foregoing, the OCG found that Mr. Aubyn Hill was awarded (2) two contracts between 2008 June and 2009 February by the MAF. The circumstances relating to the award of the two (2) contracts are detailed below:

First Contract- 2008 August 18

In his response to the OCG's Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, Permanent Secretary, MAF, provided the OCG with an overview of the circumstances which led to the award of the first contract to Mr. Aubyn Hill.

In this regard, Mr. Donovan Stanberry informed the OCG that following the commencement of the bidding process on 2007 December 14, **"One bid was presented on time, from Infinity Bio-Energy Limited/IBE (of Infinity Bio-Energy Brasil Participacoes S.A.)."**²⁰²

¹⁹⁹ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question 1

²⁰⁰ OCG Requisition to Mr. Donovan Stanberry. 2009 October 23. Question#5

²⁰¹ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #5

Mr. Donovan Stanberry, in his response to the OCG's Requisition, which was dated 2009 November 19, also stated, *inter alia*, as follows:

"The SNT commenced negotiations with IBE on Monday, 11 March 2008..."

Signing of a Heads of Agreement. *The negotiations with IBE culminated in the signing of a Heads of Agreement on Friday, 27 June 2008, and also commenced the process of transition of ownership of the Government-owned assets of the Sugar Cane Industry to IBE. The Heads of Agreement outlined the essential terms of the transaction and the terms and conditions on which the Parties would jointly seek to implement the modernization and diversification of the sugar cane industry. The Heads of Agreement also identified the actions to be taken by GOJ and IBE to give effect to IBE's plan for improvements to the Industry. GOJ and IBE agreed to enter into a joint venture "Newco" – Infinity Bio and Clean Energy Limited (Ownership GOJ: 25%, IBE: 75%) to carry on the Sugar-Related Business and the Dehydration Business.*

Implementation Phase. *At their meeting held on Monday, 30 June 2008, Cabinet by Decision No. 22/08 approved the appointment of the Sugar Cane Industry Implementation Team (SIT) and the engagement of Mr. Aubyn Hill as Head of the Team to drive the implementation. Pursuant to this, a contract of employment was entered into between the ministry of Agriculture and Mr. Hill...(OCG Emphasis)*

★ **The mandate of the SIT was to guide the implementation of the Heads of Agreement signed with IBE and ensure the smooth transition from GOJ ownership to private ownership.**

The Agreement between the GOJ and IBE was further solidified with supplementary Implementation and Transition Agreements which clearly set out the intricate details of the transaction, inclusive of timelines, deliverables, expectations of both parties, and other information critical to the deal. The drafting of most of these agreements was completed during the implementation phase (July 2008 to December 2008).

Termination of the Heads of Agreement between GOJ and IBE. *Following protracted delays, unfulfilled commitments and IBE's inability to provide evidence of its financing capability, on Friday, 30 January 2009 the Honorable Prime Minister advised that since an agreement could not be reached with IBE, negotiations with that company would be terminated. This effectively brought the first round of the sugar divestment to an end."²⁰³*

A copy of the first contract, which was awarded to Mr. Aubyn Hill, was also submitted to the OCG by Mr. Donovan Stanberry, Permanent Secretary, MAF. A review, by the OCG, of the referenced document, revealed, *inter alia*, the following:

- (i) The contract was dated 2008 August 18 and was signed by Mr. Aubyn Hill on the said date in his occupational capacity as a "**Consultant**". (OCG Emphasis)
- (ii) The contract refers to "**the Consultant**" and does not indicate that it is one of an Employment Contract as had been articulated by the Permanent Secretary, Mr. Donovan Stanberry, in his first response to the OCG's Requisition, which was dated 2009 November 19. (OCG Emphasis)
- (iii) In point of fact, it is very important to record that the word "employment" or "employee" does not appear anywhere in the contract which has a preamble and nineteen (19) numbered clauses. The word "**Consultant**", however, appears as many as nineteen (19) times in the document.

²⁰² Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #1

²⁰³ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19

- (iv) The contract states that “Cabinet, by its Decision No. 22/08 dated June 30, 2008, has approved the **appointment of the Consultant** as Head of the Sugar Privatization Implementation Team for the period July 1 to September 30, 2008.”²⁰⁴ (OCG Emphasis)
- (v) The contract states that “**The Consultant** shall undertake the assignment throughout a period of three (3) months, from July 1 to September 30, 2008 at a remuneration of FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000.00) payable in three (3) equal installations. **PROVIDED HOWEVER**, it is hereby understood and agreed that the assignment shall not exceed an aggregate value of FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000.00).”²⁰⁵ (OCG Emphasis)
- (vi) The contract states that “...**the Consultant** shall be provided with a fully maintained motor vehicle and driver throughout the continuance of this Agreement.”²⁰⁶ (OCG Emphasis)
- (vii) Most importantly, the contract states that “**The Consultant shall be an independent contractor and not the servant of MOA.** In such capacity, the Consultant shall bear exclusive responsibility with regard to discharging all his statutory payments and deductions arising under the term hereby created.”²⁰⁷ (OCG Emphasis)

It is also instructive to note that the contract, that was awarded to Mr. Aubyn Hill, which was dated 2008 August 18, had a timeframe of 2008 July 1 to 2008 September 30.

However, Minister, the Hon. Dr. Christopher Tufton, in his sworn response to the OCG’s Requisition, which was dated 2010 February 24, stated, *inter alia*, as follows:

“This Contract was essentially to undertake the implementation of all activities agreed to between the Government of Jamaica (GoJ) and Infinity Bio-Energy (IBE) in the Heads of Agreement dated June 27, 2008. This Heads of Agreement...contemplated completion by September 30, 2008. **To the extent that the Heads of Agreement was extended by both parties, Mr. Hill’s contract was similarly extended up to January 31, 2009.**”²⁰⁸ (OCG Emphasis)

Further, it is instructive to note that Minister, the Hon. Dr. Christopher Tufton, in his response to the OCG’s Requisition, which was dated 2010 February 24, referred to the contract with Mr. Aubyn Hill as one of an employment contract.

In this regard, Minister, the Hon. Dr. Christopher Tufton, stated, *inter alia*, that “**Mr. Hill was offered an Employment Contract by the Ministry of Agriculture...**”²⁰⁹ (OCG Emphasis)

(a) Second Contract- 2009 March 30

In his response to the OCG’s Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, Permanent Secretary, MAF, provided the OCG with an overview of the circumstances which led to the award of the second contract to Mr. Aubyn Hill.

In this regard, Mr. Donovan Stanberry informed the OCG as follows:

“THE DIVESTMENT PROCESS - SECOND ROUND

²⁰⁴ MAF/Hill Contract. 2008 August 18

²⁰⁵ MAF/Hill Contract. 2008 August 18

²⁰⁶ MAF/Hill Contract. 2008 August 18

²⁰⁷ MAF/Hill Contract. 2008 August 18

²⁰⁸ Min. the Hon. Dr. Christopher Tufton. Response to the OCG’s Requisition. 2010 February 24. Question #1

²⁰⁹ Min. the Hon. Dr. Christopher Tufton. Response to the OCG’s Requisition. 2010 February 24. Question #1

In February 2009 the GOJ decided to re-open the opportunity to all interested parties able to submit an acceptable proposal to purchase all or some of the Government's Sugar Assets. The GOJ's re-stated model emphasized a wholistic [sic] approach to the divestment of the Sugar Assets, stating in the Information Memorandum that preference would be given to investors, or groups of investors, seeking to acquire the Sugar Assets en bloc. A Sugar Negotiating Team (SNT) was reactivated and mandated to assess, evaluate and recommend suitable investors. Cabinet also approved the extension of the tenure of the Sugar Cane Industry Privatization Secretariat at DBJ and that of DunnCox, which was retained to provide legal support to the Negotiating Team...

Note: Mr. Aubyn Hill's contract of employment was renewed to carry on this process further to agreement with Hon. Don Wehby. (OCG Emphasis)

★ ***In February 2009, a Sugar Negotiating Team was reactivated and mandated to identify, assess, evaluate and recommend suitable investors to Cabinet.***²¹⁰

A copy of the second contract, which was awarded to Mr. Aubyn Hill, was also submitted to the OCG by Mr. Donovan Stanberry, Permanent Secretary, MAF. A review, by the OCG, of the referenced document revealed, *inter alia*, the following:

- (i) The contract was dated 2009 March 30.
- (ii) Contrary to the assertions of Mr. Donovan Stanberry, the contract refers to "**the Consultant**", and does not indicate that it is/was an Employment Contract. (OCG Emphasis)
- (iii) In point of fact, it is instructive to note that, very much like the first contract, the word "employment" or "employee" does not appear anywhere in the contract which has a preamble and nineteen (19) numbered clauses. The word "**Consultant**", however, appears as many as nineteen (19) times in the document.
- (iv) The contract states that "*Cabinet, by its Decision No. 22/08 dated June 30, 2008, has approved the **appointment of the Consultant** as Head of the Sugar Privatization Implementation Team for the period July 1 to September 30, 2008.*"²¹¹ (OCG Emphasis)
- (v) The contract states that "**The Consultant** shall undertake the assignment throughout a period of Four (4) months, from February 1 to May 31, 2009 at a remuneration of SEVEN MILLION THREE HUNDRED THIRTY-THREE THOUSAND THREE HUNDRED AND THIRTY-THREE DOLLARS AND THIRTY-THREE CENTS (\$7,333,333.33) payable in four (4) equal installments. **PROVIDED HOWEVER**, it is hereby understood and agreed that the assignment shall not exceed an aggregate value of SEVEN MILLION THREE HUNDRED THIRTY-THREE THOUSAND THREE HUNDRED AND THIRTY-THREE DOLLARS AND THIRTY-THREE CENTS (\$7,333,333.33)." ²¹² (OCG Emphasis)
- (vi) The contract states that "*The period for negotiating the sale of the Government assets of the Sugar Cane Industry has been extended.*"²¹³
- (vii) Most importantly, the contract states that "**The Consultant shall be an independent contractor and not the servant of MOA.** In such capacity, the Consultant shall bear exclusive responsibility with regard to discharging all his statutory payments and deductions arising under the term hereby created." ²¹⁴ (OCG Emphasis)

The OCG also found that the particulars of the second contract were substantially identical to the first contract, which was dated 2008 August 18.

²¹⁰ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #1

²¹¹ MAF/Hill Contract. 2009 March 30

²¹² MAF/Hill Contract. 2009 March 30

²¹³ MAF/Hill Contract. 2009 March 30

²¹⁴ MAF/Hill Contract. 2009 March 30

Further, the duties and responsibilities that were detailed in the second contract, which was dated 2009 March 30, were substantially the same as that which was detailed in the initial contract, which was dated 2008 August 18.

However, it should be noted that the similarity in the responsibilities were with regard to the general activities which were required for the divestment process and excluded any reference to “NEWCO”, which was the contemplated company under the Heads of Agreement between Infinity-Bio Energy and the GOJ.

In addition, the following was an additional responsibility that was added to the contract, which was dated 2009 March 30:

- (i) “Inviting, assessing, evaluating and recommending suitable investors to Cabinet.”²¹⁵

Procurement Procedures which were Utilised in the Award of the Contracts

The OCG, in its Requisition, which was dated 2009 October 23, that was addressed to the Permanent Secretary, Mr. Donovan Stanberry, asked, *inter alia*, the following questions:

“What services have Mr. Aubyn Hill and or his company, Corporate Strategies Ltd. been contracted and/or is being contracted to provide to the SCJ, MAF and/or any other Public Body(ies) acting on its behalf. Please provide an Executive Summary listing all agreement(s) and/or contract(s), if any, which was/were entered into between the SCJ, MAF and/or any other Public Body(ies) acting on its behalf, Mr. Aubyn Hill and or his company, Corporate Strategies Ltd.

The summary should detail:

- i. All agreement(s) and/or contract(s) which was/were entered into for the purposes of or in regard to the GOJ sugar asset divestment process;*
- ii. The rationale and purpose of each agreements(s) and/or contract(s);*
- iii. The method of procurement which was utilized in each instance (i.e. Selective Tender etc.);*
- iv. If the contract(s) was/were awarded using the Sole Source Methodology please provide the justification for the use of that procurement methodology...”²¹⁶*

In his response to the OCG’s Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, stated, *inter alia*, as follows:

“The first Contract with Mr. Hill was entered into pursuant to Cabinet Decision No.22/08. This Contract was essentially to undertake the implementation of all activities agreed to between the GoJ and IBE in the Heads of Agreement dated June 27, 2008. This Heads of Agreement...contemplated completion by September 30, 2008. To the extent that the Heads of Agreement was extended by both parties, Mr. Hill’s contract was similarly extended up to January 31, 2009. (OCG Emphasis)

Consequent on GoJ terminating the Heads of Agreement at the end of January 2009, the Cabinet by Decision No. 5/09 dated 2/2/2009 approved the re-opening of the sugar divestment process. As a consequence of the re-opening process and further to consultations with and agreement of the Honourable Don Wehby, Mr. Hill was offered another contract by the Ministry on the same terms and conditions, after approval by the Ministry’s Contracts Committee, which has authority to approve such employment contracts... (OCG Emphasis)

²¹⁵ MAF/Hill Contract. 2009 March 30

²¹⁶ OCG Requisition to Mr. Donovan Stanberry. 2009 October 23. Question#6

As explained in 6(iii) above, Mr. Hill's original contract was approved by the Cabinet. The sole sourcing method was employed with respect to his re-engagement, as his long association as Chairman of the SET and SNT, as well as his previous engagement in the implementation of the Heads of Agreement, uniquely qualified him and allowed for continuity.²¹⁷ (OCG Emphasis)

Mr. Donovan Stanberry also submitted, to the OCG, a copy of a Memorandum, which was dated 2008 July 21, and captioned ***"Engagement of Mr. Aubyn Hill as Head of the Sugar Cane Industry Implementation Team."***

The referenced Memorandum was addressed to Mrs. Yvonne Crawford, Senior Legal Officer, MAF, from Mr. George Callaghan, Head, Sugar Transformation Unit, MAF, and stated, *inter alia*, as follows:

"By Cabinet Decision dated June 30, 2008, Mr. Aubyn Hill was appointed Head of the Sugar Cane Industry Implementation Team effective July 1, 2008

*I am directed by the Permanent Secretary, to see to the arrangements for the contracting of Mr. Hill. Accordingly, I hereby request you to draft a Contract Agreement between Mr. Aubyn Hill and the Ministry of Agriculture...*²¹⁸

In response to the foregoing Memorandum, Mrs. Yvonne Crawford, wrote to Mr. George Callaghan, by way of another Memorandum, which was dated 2008 July 25. In the referenced Memorandum, Mrs. Crawford stated, *inter alia*, as follows:

"Attached please find the Contract for the employment of Mr. Aubyn Hill as Head of the Sugar Cane Industry Implementation Team, as required.

I would ask that you note the following:

*...Government does not pay G.C.T so G.C.T would not be payable. **However, the Contract speaks to Mr. Hill as being an independent contractor and responsible for all taxes due and payable under the contract of employment. Government cannot assume Mr. Hill's taxes.***²¹⁹ (OCG Emphasis)

Based upon the foregoing, the OCG found that the contract, which was awarded to Mr. Hill, which was dated 2008 August 18, and his subsequent contract which was dated 2009 March 30, were awarded via the Sole Source/Direct Contracting Procurement Methodology.

In the first instance, Cabinet approved the appointment of Mr. Aubyn Hill, as Head of the SIT, in order to conclude the Heads of Agreement with Infinity Bio-Energy. Subsequent to the Cabinet granting its approval on 2008 June 30, instructions were given, by the Permanent Secretary, to draft the contract which was later signed on 2008 August 18.

Having regard to Mr. Donovan Stanberry's assertion that *"...Mr. Hill's original employment contract was the subject of a Cabinet approval..."*²²⁰, the OCG, by way of a Requisition, which was dated 2010 January 4, that was addressed to the Cabinet Secretary, Ambassador Douglas Saunders, asked, *inter alia*, the following question:

*"Kindly provide copy of all Cabinet Submissions and Decisions regarding the award of the contract(s) which was/were entered into with Mr. Aubyn Hill and/or Corporate Strategies Ltd. by the SCF[sic], the Ministry of Agriculture (MAF) and/or any other Public Body acting on its behalf, in relation to the Government of Jamaica (GOJ) Sugar Divestment Process."*²²¹

²¹⁷ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19

²¹⁸ Memorandum to Mrs. Yvonne Crawford. 2008 July 21

²¹⁹ Memorandum from Mrs. Yvonne Crawford. 2008 July 25

²²⁰ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #8

²²¹ OCG Requisition to Ambassador Douglas Saunders. 2010 January 4

In his response to the OCG's Requisition, which was dated 2010 January 15, Ambassador Douglas Saunders stated that **"Whilst the Submission and Decision, copies enclosed, do not speak specifically to an award of contract, they do indicate approval of Mr. Hill's appointment, and the intention of the Ministry of Agriculture to negotiate appropriate negotiation [sic] with regard thereto."**²²² (OCG Emphasis)

Ambassador Saunders provided the OCG with a copy of Cabinet Submission No. 382/MA-21/08 and Decision No. 22/08, which were dated 2008 June 30.

Cabinet Submission No. 382/MA-21/08

In the referenced document, which was dated 2008 June 30 and which was signed by the Minister, the Hon. Dr. Christopher Tufton, the following information, *inter alia*, was detailed:

- (1) *"The Sugar Privatization Implementation Team will be charged to work with a small team from Infinity Bio-Energy to execute the requirements of the Heads of Agreement, signed by the Honorable Prime Minister on Friday 27th June 2008 on behalf of the GOJ with Infinity, with the clear mandate to ensure the completion arrangements in the Heads of Agreement are in place to allow the GOJ and Infinity to sign the completion agreement on September 30th 2008.*
- (2) *The team will commence work on July 1st 2008.*
- (3) **The Ministry Agriculture will negotiate appropriate remuneration for Mr. Aubyn Hill in his capacity as Head of the Sugar Privatization Implementation Team for the period 1st July 2008 to the end of September 2008 or until such time as the handover of assets to infinity is effected.**
- (4) **Based upon the aforementioned facts, Cabinet is being asked to approve the appointment of Mr. Aubyn Hill as Head of Sugar Privatization Implementation Team effective 1st July 2008.**²²³ (OCG Emphasis)

Cabinet Decision No. 22/08, which was dated 2008 June 30

The referenced document stated, *inter alia*, as follows:

"After consideration, the Cabinet gave approval for the appointment of Mr. Aubyn Hill as Head of the Sugar Privatization Implementation Team effective July 1, 2008."²²⁴ (OCG Emphasis)

Notwithstanding the foregoing, with regard to the first consultancy contract, the OCG has concluded that the approval of the NCC was not sought and/or granted. The 2008 August 18 contract, which was awarded to Mr. Aubyn Hill, was awarded pursuant to Cabinet Decision No. 22/08 which was dated 2008 June 30.

The OCG has also concluded that the award of the first consultancy contract to Mr. Aubyn Hill, on 2008 August 18, was done in an irregular and improper manner. This is premised upon the fact that the Contracts Committee of the MAF and the NCC were bypassed in the approval process.

In the second instance, the Permanent Secretary informed the OCG that the contract, which was dated 2009 March 30, was awarded to Mr. Aubyn Hill, using the Sole Source Procurement Methodology, based upon Mr. Hill's **"...long association as Chairman of the SET and SNT, as well as his previous engagement in the implementation of the Heads of Agreement, uniquely qualified him and allowed for continuity."**²²⁵ (OCG Emphasis)

²²² Ambassador Douglas Saunders. Response to the OCG's Requisition. 2010 January 15

²²³ Cabinet Submission No. 328/MA-21/08

²²⁴ Cabinet Decision No. 22/08

²²⁵ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #6

Further, it is instructive to note that by way of Cabinet Decision No.5/09, which was dated 2009 February 2, the Cabinet approved the reactivation of the Sugar Negotiating Team, which was chaired by Mr. Aubyn Hill. The OCG found that the referenced Cabinet Decision was also the basis upon which Mr. Hill's second contract was awarded.

The OCG in its Requisition, which was dated 2009 October 23, that was addressed to the Permanent Secretary, Mr. Donovan Stanberry, also asked, *inter alia*, the following questions:

"Please state whether prior approval was sought from the (a) Procurement Committee and (b) Accounting Officer of the SCJ, MAF and/or any other Public Body(ies) acting on its behalf for the award of the contract(s) to Mr. Aubyn Hill and/or Corporate Strategies Ltd?"

- i. If yes, please state the date(s) on which this was done and provide documentary evidence of the same;*
- ii. If no, why was this not done and is it customary for SCJ, MAF and/or any other Public Body(ies) acting on its behalf to bypass the relevant Procurement Committee and the Accounting Officer...²²⁶*

In his response to the OCG's Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, stated, *inter alia*, as follows:

*"As explained in 6 above, **Mr. Hill's original employment contract was the subject of a Cabinet approval, and the subsequent contract was duly approved by the Ministry's Procurement Committee.**"²²⁷ (OCG Emphasis)*

Mr. Donovan Stanberry also provided the OCG with a copy of a Memorandum, which was dated 2009 March 25, that was addressed to Mrs. Paulette Lyons-Dodd, Chairman, Contracts Committee, MAF, from Ms. Judith C. Maloney, Principal Director, MAF, requesting the reengagement of Mr. Aubyn Hill.

Below, is a verbatim extract of the information that was contained in the referenced Memorandum which was dated 2009 March 25:

- (i) "Mr. Aubyn Hill was appointed Head of the Sugar Cane Industry Implementation Team effective July 1, 2008, by Cabinet Decision dated July 21, 2008..."*
- (ii) **In February, Cabinet took the decision to terminate the operations of the Sugar Cane Industry Privatization Implementation team and to reappoint the Sugar Negotiating Team (SNT) and reappoint Mr. Aubyn Hill, Chairman of the SNT...***
- (iii) Hon. Don Wehby, in consultation with the Hon. Christopher Tufton agreed to extend the contract with equivalent terms and conditions for a period of four (4) months...*
- (iv) **Justification***

*Mr. Hill has been associated with the privatization of the public sector sugar assets since the inception of the process in 2005 and therefore possesses unique expertise critical to the success of the negotiations. Additionally, **it was considered extremely urgent and critical that the process of divestment of the sugar assets should commence immediately following non-completion of the deal with Infinity Bio Energy Ltd and it was deemed necessary to reengage Mr. Hill to continue to carry out this programme. Hence, Cabinet took the decision to reappoint Mr. Hill, Chairman of the SNT.***

²²⁶ OCG Requisition to Mr. Donovan Stanberry. 2009 October 23. Question#8

²²⁷ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19

- (v) *A new contract is now being formulated in respect of Mr. Hill's new mandate which now focuses on inviting, assessing, evaluating and recommending suitable investors to the Cabinet. However, it should be reiterated that the compensation remains at JMD1.83 million per month.*
- (vi) **It is against this background that the Contracts Committee is requested to approve the reengagement of Mr. Aubyn Hill by the Ministry of Agriculture for a period of four (4) months effective February 1, 2009.**²²⁸ (OCG Emphasis)

It is also instructive to note that the referenced Memorandum was stamped "APPROVED" on 2009 April 3, and was signed by the Chairman of the Contracts Committee.

Having regard to the foregoing, the OCG found that the approval of the Contracts Committee was sought by way of the referenced Memorandum, which was dated 2009 March 25, for the contract, which was signed on 2009 March 30. Of import is the fact that the Contracts Committee did not approve the referenced contract until 2009 April 3. Further, it should be noted that the effective date of the contract was 2009 February 1.

Consequently, the OCG has concluded that the award of the second consultancy contract to Mr. Aubyn Hill was irregular because (a) it was executed prior to its approval by the MAF Contracts Committee on 2009 April 3 and (b) the effective date of the contract preceded the actual contract date.

In the foregoing regard, the OCG has found that the consultancy contract, which was dated 2009 March 30, was expressed to become effective on 2009 February 1. Further, Cabinet approval was not granted until 2009 February 2, one day **after** the effective date of the contract. In consequence, an economic benefit was being directly derived by Mr. Aubyn Hill before the contract was lawfully approved.

It is also instructive to note that the OCG in its Requisition, which was dated 2009 October 23, that was addressed to the Permanent Secretary, Mr. Donovan Stanberry, also asked, *inter alia*, the following questions:

"Please state whether prior approval was sought from the National Contracts Committee (NCC) for the award of the contract(s) to Mr. Aubyn Hill and/or Corporate Strategies Ltd.?"

- i. *If yes, please state the date(s) on which this was done and provide documentary evidence of the same;*
- ii. *If NCC approval was granted, please provide the date(s) on which this was done and provide documentary evidence of the same;*
- iii. *If no, why was this not done and is it customary for the SCJ, MAF and/or any other Public Body(ies) acting on its behalf to bypass the NCC...*²²⁹

In his response to the OCG's Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, stated, *inter alia*, as follows:

"As explained in number 6, the two (2) contracts awarded to Mr. Hill are Employment Contracts, which do not fall within the purview of the National Contracts Committee [sic]."²³⁰ (OCG Emphasis)

Based upon the foregoing, the OCG found that Mr. Donovan Stanberry was fully aware of the type of contracts which would have required the approval of the National Contracts Commission (NCC). Of particular import, is/was the fact that Mr. Stanberry noted that the NCC had no jurisdiction over 'employment contracts'.

²²⁸ MAF Memorandum. 2009 March 25

²²⁹ OCG Requisition to Mr. Donovan Stanberry. 2009 October 23. Question#9

²³⁰ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #9

Further, it is instructive to note that prior to the foregoing assertion of Mr. Stanberry, the OCG, in its Media Release, which was dated 2009 October 16, had clearly indicated, *inter alia*, that **"Prior to September 22, 2008, sole source contract awards in excess of \$1 Million in value would have required, among other things, the prior evaluation and endorsement of the National Contracts Commission (NCC) as to justification and cost competitiveness. In addition, the prior approval of the Cabinet would have had to be secured if the projected value of the contract was in excess of \$15 Million".**²³¹ (OCG Emphasis)

However, contrary to Mr. Donovan Stanberry's assertion of the award of an 'employment contract' to Mr. Aubyn Hill, the OCG found that both contracts which were signed by the MAF and Mr. Hill stated, *inter alia*, as follows:

- (a) "Cabinet, by its Decision No. 22/08 dated June 30, 2008, has approved the **appointment of the Consultant as Head of the Sugar Privatization Implementation Team for the period July 1 to September 30, 2008.**"²³² (OCG Emphasis)
- (b) **"The Consultant shall be an independent contractor and not the servant of MOA."**²³³ (OCG Emphasis)

Having regard to the foregoing, the OCG found that the contracts which were awarded to Mr. Hill were for **consultancy services**. They were not, as the Permanent Secretary had represented, employment contracts.

As such, and notwithstanding the approval from the Cabinet, it is instructive to note that the first contract, which was awarded on 2008 August 18, to Mr. Aubyn Hill, should have been subjected to the GOJ procurement guidelines, which are detailed in the Government Procurement Procedures Handbook (GPPH- 2001 May).

In this regard, the OCG found and concluded that the contract which was awarded on 2008 August 18, to Mr. Aubyn Hill, via the Sole Source or Direct Contracting Procurement Methodology, was unlawfully awarded in breach of Section 2.1.3.4 of the GPPH (2001 May).

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."²³⁴

At the time of the award of the referenced contract to Mr. Aubyn Hill, in 2008 August, there were no legal and/or penal sanctions which were ascribed to a breach of the GPPH, which was then a mere set of rules and guidelines, without the force of law.

However, and notwithstanding, the OCG has found that by virtue of the fact that the MAF had failed to obtain the prior approval of the NCC, the contract award process was, therefore, both irregular and improper in nature. Consequently, the award of the contract to Mr. Hill was unlawful, having regard to the provisions which are contained in Section 4 (1) of the Contractor General Act which prohibit, among other things, the award of Government contracts in circumstances which "involve impropriety or irregularity".

Further, the second contract, which was awarded to Mr. Aubyn Hill, on 2009 March 30, should have been subjected to the **new** GOJ Procurement Guidelines, which are detailed in the Revised Government Procurement Procedures Handbook (RPPH-2008 November) which came into force on 2008 December 10.

Consequently, the OCG found and concluded that the contract which was awarded on 2009 March 30, to Mr. Aubyn Hill, via the Sole Source Contracting Procurement Methodology, was inappropriately and unlawfully awarded in breach of Sub-Section S-2040 (D) and (E) of the RPPH.

Sub-Section S-2040 (E) of the RPPH provides, *inter alia*, that:

²³¹ OCG Media Release. 2009 October 16

²³² MAF/Hill Contract. 2009 March 30

²³³ MAF/Hill Contract. 2009 March 30

²³⁴ GPPH. Section 2.1.3.4. 2001 May.

“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.”²³⁵

It is also instructive to note that Sub-Section S-2040 (D) and (E) of the RPPH details very specific justifications for the use of the Sole Source and Direct Contracting Procurement Methodologies. In this regard, Sub-Section S-2040 (D) of the RPPH provides, *inter alia*, that:

“D. SOLE SOURCE

Sole Source means there is only one provider of the particular good, service or work. Use of this method may be justified when:

- i. The procurement is of a “sensitive” nature.*
- ii. A procuring entity receives an unsolicited proposal that it considers meritorious.*
- iii. A particular supplier or contractor has exclusive rights in respect of goods, services or work.*
- iv. Standardizing equipment available only from a single proprietary source; i.e. the procuring entity has procured goods, equipment or technology from a supplier or contractor and additional supply must be procured from that supplier or contractor for reason of standardization (follow-on procurement).*
- v. For the purposes of research, experiment, study or development.”²³⁶*

Further, Sub-Section S-2040 (E) of the RPPH provides, *inter alia*, that:

*“Direct contracting means only one contractor is invited to participate. **Use of this method may be justified when:***

- i. In response to a catastrophic event, making it impractical to use other methods of procurement because of the time involved in using those methods.*
- ii. For the purposes of research, experiment, study or development.*
- iii. In emergency circumstances.”²³⁷(OCG Emphasis)*

In the instant case of the procurement of the consulting services of Mr. Aubyn Hill, the evidence, and the consequential justification, which were provided to the OCG by the MAF did not support any notion or basis upon which the referenced procurement could have reasonably fit within the prescribed justification parameters of either the Sole Source and/or Direct Contracting Procurement Methodologies.

The OCG is of the considered opinion that the above-referenced consultancy contract which was awarded to Mr. Hill, on 2009 March 30, cannot be justified in either of the eight (8) areas identified in Sub-Sections S-2040 (D) and (E) of the RPPH.

Without prejudice to the aforementioned, it must be clearly noted that despite the assertions of Mr. Donovan Stanberry that the Sole Source Procurement Methodology had been utilized to engage the services of Mr. Aubyn Hill, under the second consultancy contract, the OCG has found that the approval of the NCC was neither sought nor granted for the referenced contract.

²³⁵ RPPH, Sub-Section S-2040(E). 2008 November

²³⁶ RPPH, Sub-Section S-2040(D). 2008 November

²³⁷ RPPH, Sub-Section S-2040(E). 2008 November

To the contrary, the OCG found that the 2009 March 30 contract, which was awarded to Mr. Aubyn Hill, was awarded pursuant to Cabinet Decision No. 5/09, which was dated 2009 February 2. Further, the OCG has concluded that the MAF inappropriately used the Sole Source/Direct Contracting Procurement Methodologies to procure the services of Mr. Aubyn Hill. In so doing, the MAF failed to fully subscribe to the requirements of the Procurement Methodology which it had purported to utilize in the award of the consultancy contract since neither the approval of the NCC was sought nor received.

Had the MAF, though errant in the use of the Sole Source/Directing Contracting Methodologies, sought the approval of the NCC in the instant matter, as is stipulated by the RPPH, the entity would have had the benefit of being advised by the NCC that the contracting of Mr. Aubyn Hill did not meet the justification criteria which are contemplated by Sub-Section S-2040 (D) and (E) of the RPPH and could have, consequently, obtained the appropriate remedial advice.

In this regard, and taking into consideration the inapplicability of the Sole Source/Direct Contracting Procurement Methodologies, it is instructive to note that Sub-Sections S-3000 and S-3010 of the RPPH, amongst others, prescribes the procurement methodologies which are to be utilised by Public Bodies for the procurement of consultancy services.

Sub-Section S-3000 of the RPPH provides as follows:

“III. GENERAL

The process of consultant selection is based on obtaining a limited number of proposals from a shortlist of consultants expressing interest that possess the relevant qualifications. It is too time-consuming and expensive to invite and evaluate proposals from all consultants who want to compete; therefore selection is based on limited competition among qualified firms that, in the Procuring Entity's view, are capable of delivering the required services at the desired quality level.

From the consultants' point of view, the use of a shortlist reduces the number of proposals to be prepared, raises proposal quality, and increases the chances for the consultant of winning the competition. For GOJ, it is an effective way of attracting the best candidates for the assignment.

In keeping with the principles of the Procurement Policy, Procuring Entities are required to ensure the following considerations guide the selection process for the engagement of consultants:

(a) high quality services;

(b) economy and efficiency;

(c) fairness and equity;

(d) transparency in the selection process; and

(e) equal opportunity for qualified consultants.²³⁸ (OCG Emphasis)

Further, given the expressed value of Mr. Hill's 2009 consultancy contract, which was valued at \$7,333,333.33, it is instructive to note Sub-Section S-3010 (III) of the RPPH – “Contract Value Thresholds for Services”, which provides, *inter alia*, that:

²³⁸ RPPH, Sub-Section S-3000(III), 2008 November

The referenced provisions of the RPPH would have required some degree of competitive bidding and the consequent evaluation of bids from suitably qualified consultants. However, the MAF undertook no such competitive process but, instead, relied upon the inapplicable Sole Source/Direct Contracting Procurement Methodologies and, even in doing so, did not seek to comply with the stipulated approval requirements.

Consequently, the OCG found and concluded that the MAF has breached the competitive bidding requirements of Sub-Sections S-3000 and S-3010 of the RPPH. Further, the OCG has also concluded that the award of the second consultancy contract to Mr. Aubyn Hill, on 2009 February 2, was executed in an irregular and improper manner.

Sub- Section S-3000 of the RPPH requires that the selection process for consultants be guided, *inter alia*, by the principles of transparency, equity and fairness, whereas Sub-Section S-3010 requires that the procurement opportunity should be advertised in daily newspapers. None of these criteria was complied with by the MAF in its award of the second contract to Mr. Hill.

Having regard to the identified breach, it must be noted that the Public Sector Procurement Regulations were promulgated in 2008 December as it was considered desirable to “... *more stringently regulate the procurement of general services, goods and works by making the duty to observe procurement procedures legally enforceable and subject to penal sanction...*”²³⁹

It is, therefore, instructive to note Sections 3, 7, 16 and 40 of the referenced Public Sector Procurement Regulations.

Section 3 of the Public Sector Procurement Regulations provides as follows:

“3. These Regulations govern public sector procurement in Jamaica and are applicable to all procurement of goods, works, services and other activities carried out by the Government of Jamaica.”

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 16 of the Public Sector Procurement Regulations provides, *inter alia*, as follows:

“16. (1) The procuring entity shall select the appropriate method of selection for procurement of consulting services having regard to...

...(d) the established thresholds in the Handbook and in accordance with the circulars issued, from time to time, by the Minister.”

²³⁹ The Public Sector Procurement Regulations, 2008. 2008 December 12

Having regard to the expressed provisions of the Public Sector Procurement Regulations and the legal enforceability and penal sanctions which are now contemplated therein, it is instructive to note Section 40 of the Public Sector Procurement Regulations which provides, in very clear terms, 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...”

Consequently, the OCG has concluded that the MAF, having breached Sub-Section S-3000 and S-3010 of the RPPH, has also breached the above referenced provisions of the Public Sector Procurement Regulations which were promulgated in December 2008.

The OCG has also concluded that the award of the two (2) consultancy contracts to Mr. Aubyn Hill lacked transparency. None of them was subjected to the prior scrutiny of the Contracts Committee of the MAF and the first one was awarded without the required prior approval of the NCC.

Further, the lack of a competitive tender process in the award of the second contract, inclusive of the failure of the MAF to adhere to the advertisement requirements of the RPPH, is also indicative of the lack of transparency which has characterized the award of the two consultancy contracts.

Contract Extensions

2008 August 18 Contract

The stipulated timeline for this contract was 2008 July 1 to 2008 September 30.

It is instructive to note that in his response to the OCG's Requisition, which was dated 2010 February 24, Dr. Christopher Tufton stated, *inter alia*, as follows:

*“The first Contract with Mr. Hill was entered into pursuant to Cabinet decision No. 22/08. This Contract was essentially to undertake the implementation of all activities agreed to between the Government of Jamaica (GoJ) and Infinity Bio-Energy (IBE) in the Heads of Agreement dated June 27, 2008. This Heads of Agreement...contemplated completion by September 30, 2008. **To the extent that the Heads of Agreement was extended by both parties, Mr. Hill's contract was similarly extended up to January 31, 2009.**”²⁴⁰*
(OCG Emphasis)

Further, the OCG was also provided with a copy of a Memorandum, which was dated 2008 October 14, with the captioned “*Extension of Contract for Mr. Aubyn Hill*” which was addressed to Dr. the Hon. Christopher Tufton from Mr. Donovan Stanberry.

In the referenced Memorandum, Mr. Donovan Stanberry stated, *inter alia*, that “*Due to the fact that the completion date has been extended, it is now necessary to extend his contract. I recommend that we extend it on a month by month basis on the same terms and conditions. Grateful for your approval or directive otherwise.*”²⁴¹

The OCG was also provided with a copy of a Memorandum, which was dated 2008 October 15, with the captioned “*Extension of Contract for Mr. Aubyn Hill, Head of the Sugar Cane Industry Implementation Team*”, which was addressed to Mrs. Claudette Martin, Acting Principal Finance Officer, MAF, from Mr. George Callaghan.

²⁴⁰ Dr. Christopher Tufton. Response to the OCG's Requisition. 2010 February 24. Question #1

²⁴¹ Memorandum from Mr. Donovan Stanberry. 2008 October 14

In the referenced Memorandum, which was dated 2008 October 15, the following information, *inter alia*, was detailed:

"The period of Mr. Hill's engagement was based upon the provisions of the Heads of Agreement signed between the Government of Jamaica and Infinity Bio-Energy Limited requiring completion/handover of sugar assets by September 30, 2008.

Handover of the sugar assets has not taken place on September 30, 2008, as expected, since a number of issues including those related to the transfer and operation of Petrojam Ethonal Limited (PEL) were not concluded.

*The services of Mr. Aubyn Hill are therefore required. This serves to advise that upon the approval of the Hon. Minister of Agriculture, **the Permanent Secretary has endorsed the extension of Mr. Aubyn Hill's contract for a period of one (1) month from September 30, 2008 to October 31, 2008 subject to the terms and conditions of his current contract.***²⁴² (OCG Emphasis)

Having regard to the foregoing, the OCG found that the Accounting Officer, Mr. Stanberry, approved the extension of the first contract, which was awarded to Mr. Hill, on a month by month basis.

Further, it is instructive to note that in Cabinet Submission No. 382/MA-21/08, which was dated 2008 June 30, it was stated that *"The Ministry of Agriculture will negotiate appropriate remuneration for Mr. Aubyn Hill in his capacity as Head of the Sugar Privatization Implementation Team for the period 1st July 2008 to the end of September 2008 **or until such time as the handover of assets to Infinity is effected.***²⁴³ (OCG Emphasis)

2009 March 30 Contract

The stipulated timeline for this contract was 2009 February 1 to 2009 May 31.

In his response to the OCG's Requisition, which was dated 2009 November 19, Mr. Stanberry submitted, to the OCG, a copy of a Memorandum, which was dated 2009 September 30, that was captioned *"Extension of Contract Agreement No. GOJSUGAR/SERVICE/9071/2008/003 between Mr. Aubyn Hill and the Ministry of Agriculture & Fisheries"*

The referenced Memorandum was addressed to Mrs. Judith Maloney, Principal Director, Policy, Coordination and Administration, MAF, from Mr. Donovan Stanberry, in which he indicated, *inter alia*, as follows:

"By Cabinet Decision No. 5/09 dated February 2, 2009, the Sugar Negotiating Team (SNT) was reappointed with Mr. Aubyn Hill of Corporate Strategies Limited as Chairman. The reappointed SNT was charged by Cabinet to identify and negotiate with investors for the divestment of the Government-owned asset of the sugar industry.

Given the technical nature of the negotiations, it was agreed to contract Mr. Aubyn Hill as Chairman, Sugar Negotiating Team for a period of four (4) months commencing February 1, 2009, with terms and conditions equivalent to his previous contract with this Ministry...

Three (3) of the five (3) [sic] GoJ estates remain to be divested and are the subject of proposals from ENERGEN Development Limited and Eridiana Suisse.

While these two (2) short-listed companies continue due diligence and feasibility on Frome, Monymusk and Bernard Lodge estates with the expectation of a conclusion of the divestment of these three (GoJ) estates, the services of the Chairman of the SNT will be required.

²⁴² Memorandum from Mr. George Callaghan. 2008 October 15

²⁴³ Cabinet Submission No. 382/MA-21/08. 2008 June 30

Therefore, **please arrange extension of the contract between Mr. Aubyn Hill of Corporate Strategies Limited and the Ministry of Agriculture and Fisheries on a month by month basis until further notice.**²⁴⁴ (OCG Emphasis)

The OCG found that, in response to the foregoing Memorandum, another Memorandum was sent to Mr. Donovan Stanberry, from Mrs. Paulette Lyons Dodd, Chairperson of the Contracts Committee, which was captioned: ***“Extension of Contract in respect of Mr. Aubyn Hill.”***

In the referenced Memorandum, which was dated 2009 November 5, it was indicated that:

“Your memorandum of September 30, 2009 to the Principal Director was referred to the Contracts Committee for consideration and endorsement of a contract for Mr. Aubyn Hill.

*We have reviewed its contents and deliberated on the matter, however, **the Committee is proposing that a four month contract be extended to the contractor for the period June to September, 2009 and for the month to month extension for the period October to January, 2010 subject to a review of the Terms of Reference and the terms and conditions of the contract.***²⁴⁵ (OCG Emphasis)

Having regard to the foregoing, the OCG found that the Accounting Officer, Mr. Donovan Stanberry, and the Contracts Committee approved the extension of the second contract, which was awarded to Mr. Hill. In this regard, the referenced contract was initially extended for a period of four (4) months, from 2009 June to September and subsequently extended on a month by month basis.

Amounts which have been paid to Mr. Aubyn Hill &/or Corporate Strategies Ltd.

With regard to the value of the contracts, which were awarded to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd., by the MAF, the OCG found that the expressed provisions which were contained in the contract documents were as follows:

(a) 2008 August 18 contract - \$5,500,000.00

(b) 2009 March 30 contract - \$7,333,333.33

In this regard, the total value of both contracts was \$12,833,333.33.

However, it is instructive to note that both contracts were extended on several occasions and, as such, the OCG has found that the amounts which have been paid to Mr. Aubyn Hill have substantially exceeded the initially intended contract sums.

In an effort to obtain a precise figure for the total amounts which had been paid to Mr. Aubyn Hill, the OCG in its Follow-Up Requisition that was addressed to Mr. Donovan Stanberry, which was dated 2010 April 30, asked, *inter alia*, to be provided with “...a breakdown of the **total** amounts which have been paid by the MAF to Mr. Aubyn Hill, pursuant to the contracts which were awarded on August 18, 2008 and March 30, 2009...”²⁴⁶

In his response, which was dated 2010 June 4, Mr. Donovan Stanberry provided the OCG with a spreadsheet which detailed the total payments, which were made to Mr. Aubyn Hill for the period of 2008 July 1 to 2009 December 31.

²⁴⁴ Memorandum from Mr. Donovan Stanberry to Mrs. Judith Maloney. 2009 September 30

²⁴⁵ Memorandum from the Contracts Committee Chairperson. 2009 November 5

²⁴⁶ OCG Follow-Up Requisition to Mr. Donovan Stanberry. 2010 April 30. Question 5

Below is an extract of the referenced spreadsheet:

Billing Period	Cheque Number	Fixed Fee \$	Vehicle Expenses \$	Payment for Driver \$	Telephone Expenses \$	Airfare \$	Total \$
July 1-31, 2008	2386	1,833,333.33	61,652.12	50,267.83	0.00	0.00	1,945,253.28
August 1-31, 2008	2386	1,833,333.33	42,937.50	48,924.22	0.00	0.00	1,925,195.05
September 1-30, 2008	2425	1,833,333.33	55,604.54	55,704.69	0.00	0.00	1,944,642.56
October 1-31, 2008	2460	1,833,333.33	51,962.20	47,714.51	0.00	0.00	1,933,010.04
November 1-30, 2008	2484	1,833,333.33	41,262.40	56,142.45	2,106.50	0.00	1,932,844.68
December 1-31, 2008	2524	1,833,333.33	55,690.41	84,371.37	705.31	0.00	1,974,100.42
January 1-31, 2009	2565	1,833,333.33	50,558.02	58,175.24	0.00	0.00	1,942,066.59
January 1-31, 2009	2794	0.00	69,669.22	0.00	0.00	0.00	69,669.22
February 1-28, 2009	2620	1,833,333.33	36,281.56	74,468.64	571.29	0.00	1,944,654.82
March 1-31, 2009	2638	1,833,333.33	49,651.42	71,653.13	34.44	0.00	1,954,672.32
April 1-30, 2009	2665	1,833,333.33	42,607.60	56,924.66	7.20	0.00	1,932,872.79
May 1-31, 2009	2674	1,833,333.33	31,241.50	61,733.29	78.82	0.00	1,926,386.94
May 1-31, 2009	2699	0.00	0.00	0.00	0.00	549,325.00	549,325.00
June 1-30, 2009	2736	1,833,333.33	47,520.20	0.00	21.60	0.00	1,880,875.13
July 1-31, 2009	2776	1,833,333.33	50,534.65	0.00	879.83	0.00	1,884,747.81
August 1-31, 2009	2886	1,833,333.33	63,029.48	0.00	396.70	0.00	1,896,759.51
September 1-30, 2009	2904	1,833,333.33	43,022.17	0.00	17.05	0.00	1,876,372.55
October 1-31, 2009	2903	1,833,333.33	57,637.42	0.00	187.81	0.00	1,891,158.56
November 1-30, 2009	2940	1,833,333.33	71,113.20	0.00	0.00	0.00	1,904,446.53
December 1-31, 2009	2969	1,833,333.33	57,393.18	0.00	187.49	0.00	1,890,914.00
TOTAL		32,999,999.94	979,368.79	666,080.03	5,194.04	549,325.00	35,199,967.80

It is instructive to note that the foregoing payments were corroborated by Mr. Aubyn Hill, in his response to the OCG's Requisition, which was dated 2010 June 3.

However, there was one discrepancy with regard to the 2009 May Cheque #2674 Payment. In this regard, the copy of the cheque showed a payment of \$1,926,386.93 and not \$1,926,386.94 as was reported by the Permanent Secretary.

Having regard to the foregoing, the OCG found and concluded that a total of \$35,199,967.79 was paid to Mr. Aubyn Hill for the period of 2008 July 1 to 2009 December 31, in respect of both consultancy contracts.

Basis of the Payments made to Mr. Aubyn Hill &/or Corporate Strategies Ltd.

It is instructive to note that the OCG was also interested in ascertaining the basis upon which the compensation which was to be paid to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd., was premised.

In this regard, it is also instructive to note that Minister, the Hon. Dr. Tufton and Mr. Donovan Stanberry, Permanent Secretary, MAF, informed the OCG that there was consultation with the then Minister without Portfolio, in the Ministry of Finance & the Public Service, Mr. Don Wehby.

Consequently, the OCG in its Requisition, which was dated 2010 February 3, asked Mr. Don Wehby, *inter alia*, the following question:

"Please provide an Executive Summary detailing the extent of your involvement in the process which led to the award of the contract(s) to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd. The summary should detail the following information: ...Any other particulars that are pertinent to the negotiation of the contract(s) which was/were consummated with Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd..."²⁴⁷

In his response to the OCG's Requisition, which was dated 2010 March 8, Mr. Don Wehby stated, *inter alia*, as follows:

"The following were taken into consideration in assessing the compensation package for Mr. Hill

- The contract should have lasted for approximately 3 – 4 months as the deal with Infinity Bio-Energy Limited was close to being completed.*
- The cost of a partner in any of the leading audit/management company varies between \$25,000 - \$30,000 per hour.*
- The equivalent figure in the United States is approximately US\$400 per hour.*
- Therefore, \$25,000 for 5 hours per day would be equivalent to \$125,000 per day. Assuming that there were 20 working days in the month then that would be equivalent to \$2.5 million per month.*

In addition to the above the following circumstances would have been considered:

- The Ministry of Finance & the Public Service (MOF&PS) had just taken over approximately \$16 billion in debt from the Sugar Company of Jamaica (SCJ).*
- The company (SCJ) was accumulating huge losses and needed billions in funding to continue operations.*
- SCJ's bank overdraft facility at National Commercial Bank was heavily overdrawn and the company was paying millions in overdraft fees.*

²⁴⁷ OCG Requisition to Mr. Don Wehby. 2010 February 3. Question #2

- *Mr. Hill was confident that the divestment of SCJ could take place in a reasonable timeframe...*

*By my recollection, the compensation negotiated and finally agreed with Mr. Hill was less than \$2.5 million per month.*²⁴⁸

Role of Mr. Aubyn Hill and/or Corporate Strategies Ltd. pursuant to the Contracts

The OCG was also cognizant of the fact that there were several persons, who were on the respective teams, who were involved in the GOJ sugar divestment process. Having regard to this fact, the OCG was interested in finding out (a) the role of Mr. Hill pursuant to the contracts which were awarded and (b) the difference in Mr. Hill's responsibilities and functions as against those of the other individuals and/or teams who were involved in the GOJ sugar divestment process.

With respect to the foregoing, it is instructive to note that the OCG, in its Requisition, which was dated 2009 October 23, that was addressed to the Permanent Secretary, Mr. Donovan Stanberry, asked, *inter alia*, the following question:

*"Detail his specific functions as against those of the other individual(s) and/or team(s) who was/were involved in the GOJ sugar asset divestment process.."*²⁴⁹

In his response to the OCG's Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry stated, *inter alia*, as follows:

"As Chairman, Mr. Hill shoulders the responsibility of ensuring that the often wide spectrum of views voiced by members of the team is guided into a consensus that allows the negotiating work to move forward. Also it is his role to ensure that as investors seek to get the best deal for themselves and their companies and the negotiators focus on getting the best price and deal for the government and people of Jamaica, that balance is achieved by guiding and shaping arguments, assessments, quantitative and qualitative considerations and using plain common sense to keep the process moving to success, while bearing in mind that at the end there are two possible outcomes - a deal or no deal.

Mr. Hill's specific functions as against those of others in the continuing sugar divestment exercise include the following:

- As Chairman of the SNT, Mr. Hill calls and participates in all meetings and ensures that the relevant issues of the divestment process are on the agenda and discussed freely;*
- As Chairman, Mr. Hill has the responsibility to lead and guide the lawyers and GOJ policymakers to shape and refine GOJ's final positions in the multiplicity of legal agreements which are the bidding [sic] documents in the divestment process;*
- Conducts meetings in a manner that allows all members to air their views while keeping to the agenda and maintaining the focus to divest the assets of the Sugar Company of Jamaica (SCJ) as directed by the Cabinet;
Prepare documents and information required by prospective investors who seek to secure possession of the sugar cane assets available for divestment;*
- Arrange a great number of meetings between prospective investors, many government ministries and independent agencies and bodies such as PCJ, Petrojam Ethanol Limited (PEL) and executives at various levels at the SCJ;*
- Ensured that the minutes and other administrative activities of the Secretariat are completed as required;*

²⁴⁸ Mr. Don Wehby. Response to the OCG's Requisition. 2010 March 8. Question 2

²⁴⁹ OCG Requisition to Mr. Donovan Stanberry. 2009 October 23. Question #4(iii)

- (f) Some members, because of their other responsibilities, scheduling and travel conflicts, would miss meetings from time to time, as chairman Mr. Hill ensures he is always present and properly briefed for the negotiations with the bidders/proposers who are interested as investors in the assets on the divestment schedule;
- (g) Chaird many meetings between prospective investors and relevant stakeholders in the divestment process (such as PEL and Petrojam), arranged and attended meetings with various prospective investors with bodies such as the OUR, JPS and banking institutions;
- (h) As Chairman, Mr. Hill meets on various occasions with officials at the Ministry of Finance to work out tax arrangements and exemptions as required in the divestment exercise;
- (i) In his capacity as Chairman of the SNT, Mr. Hill prepares a variety of reports regularly to the Ministry of Agriculture (his reporting Ministry) as well as handle correspondence with other ministries and review and approve weekly and other periodic reports that are prepared by the Secretariat for the Ministry of Agriculture and for onward presentation to the Cabinet and Parliament;
- (j) As Chairman, Mr. Hill gives regular briefings to the Permanent Secretary and Minister in the Ministry of Agriculture and has had to appear before Cabinet to give presentations and updates on the divestment process;
- (k) As Chairman Mr. Hill has given regular briefings to many stakeholders in the sugar industry including other manufacturers, the unions, and cane farmer groups as well as to various contractors who work in the industry;
- (l) Various members of the media contact Mr. Hill, in his capacity as Chairman, on a regular basis to seek answers and updates on the sugar divestment process;
- (m) Mr. Hill is always on call to prospective investors, to clarify issues that arise in negotiating sessions, and to GOJ officials for regular briefings.²⁵⁰

The OCG, in its Requisition, which was dated 2010 February 4, also asked Mr. Aubyn Hill to “Detail your specific functions as against those of the other individual(s) and/or team(s) who was/were involved in the GOJ sugar asset divestment process.”²⁵¹

In his response to the foregoing question, Mr. Aubyn Hill stated, *inter alia*, that “In respect to two (2) contracts, I was responsible to carry out on a day to day basis the deliverables under my contract. **The team members served principally as resource persons, who were drawn principally from public servants, who were paid in their substantive positions.**”²⁵² (OCG Emphasis)

It is instructive to note that a review of the composition of both the Sugar Cane Implementation Team (SIT), which existed between 2008 June and 2009 January, and the Sugar Negotiating Team (SNT), which existed as at 2009 January, highlighted the following:

- i. Apart from Mr. Aubyn Hill, the only other members of the team who were not Public Officers/Officials, otherwise than by reason of their service to the SNT, were Mr. Archibald Campbell of the University of the West Indies and Ms. Betty-Ann Jones of KPMG.

Having regard to the foregoing, the OCG found that Mr. Hill’s assertion that “**The team members....were drawn principally from public servants, who were paid in their substantive positions**”²⁵³ was accurate. (OCG Emphasis)

Further, the OCG in its Requisition, which was dated 2009 October 23, asked Mr. Donovan Stanberry the following question:

²⁵⁰ Mr. Donovan Stanberry. Response to the OCG’s Requisition. 2009 November 19

²⁵¹ OCG Requisition to Mr. Aubyn Hill. 2010 February 4. Question #1(iii)

²⁵² Mr. Aubyn Hill. Response to the OCG’s Requisition. 2010 March 16. Question #1(iii)

²⁵³ Mr. Aubyn Hill. Response to the OCG’s Requisition. 2010 March 16

“What is/was the difference in the duties and/or roles and functions of Mr. Aubyn Hill and/or Corporate Strategies Ltd., pursuant to the contract(s) which has/have been awarded by the SCJ, MAF and/or any other Public body(ies) acting on its behalf, and those of the respective team(s,) individual(s) and/or entity(ies) who was/were/are involved in the GOJ sugar divestment process?”²⁵⁴

In his response to the OCG's Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry stated, *inter alia*, that *“In respect to Mr. Hill's two (2) contracts, Mr. Hill was responsible to carry out on a day to day basis the deliverables under his contract. The team members served principally as resource persons, who were drawn principally from public servants, who were paid in their substantive positions.”²⁵⁵*

The OCG also sought to ascertain the mechanism which was used by the MAF to monitor and evaluate Mr. Hill's contract performance. In this regard, the OCG in its Requisition, which was dated 2009 October 23, asked Mr. Donovan Stanberry the following question:

“Please detail the mechanisms, if any, which have been implemented by the SCJ, MAF and/or any other Public Body(ies) acting on its behalf to (a) monitor and (b) evaluate the performance of Mr. Aubyn Hill and/or Corporate Strategies Ltd. pursuant to the contract(s) which has/have been awarded by the SCJ, MAF and/or any other Public Body(ies) acting on its behalf.”²⁵⁶

In his response to the OCG's Requisition, Mr. Donovan Stanberry stated, *inter alia*, that *“As per the contracts, Mr. Hill provided reports on his deliverables, as well as updates in meetings with the Honourable Minister of Agriculture and the Cabinet and other reports.”²⁵⁷*

Further, the OCG sought to ascertain whether the other members of the respective teams, which were involved in the divestment process, were being compensated in a similar manner as Mr. Aubyn Hill.

In this regard, the OCG in its Follow-Up Requisition that was addressed to Mr. Donovan Stanberry, which was dated 2010 April 30, asked the following question:

“Please state whether the other members of the respective teams, which were involved in the sugar asset divestment process, were/are being paid by the MAF and/or any other Public Body(ies) acting on its behalf. Please provide documentary evidence, where possible, to substantiate your assertions/responses.”²⁵⁸

In his response to the OCG's Requisition, which was dated 2010 May 14, Mr. Donovan Stanberry stated *“No.”²⁵⁹*

Employment vs. Consultancy Contract

During the course of the OCG's Investigation there have been several conflicting material representations which were made with respect to the nature of the contracts which were awarded to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd.

In this regard, the documentary evidence which was provided to the OCG has indicated that two (2) consultancy contracts were awarded to Mr. Aubyn Hill and/or his company Corporate Strategies Ltd. by the MAF. This position was earlier substantiated by public utterances in the media, which were made by and/or attributed to the Hon. Dr. Christopher Tufton, Minister of Agriculture and Fisheries, MAF.

²⁵⁴ OCG Requisition to Mr. Donovan Stanberry. 2009 October 23

²⁵⁵ Mr. Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #18

²⁵⁶ OCG Requisition to Mr. Donovan Stanberry. 2009 October 23. Question #21

²⁵⁷ Mr. Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19

²⁵⁸ OCG Follow-Up Requisition to Mr. Donovan Stanberry. 2010 April 30. Question #3

²⁵⁹ Mr. Donovan Stanberry. Response to the OCG's Requisition. 2010 May 14. Question #3

In this regard, it was reported in a Radiojamaica article, which was entitled “OCG involved in divestment process - Tufton”, which was dated 2009 October 17, that the “Agriculture Minister Dr. Christopher **Tufton says he is unaware of any breach of Government procurement guidelines in the granting of a multi-million dollar consultancy contract to the Aubyn Hill led Corporate Strategies Limited which is leading the divestment exercise for the sugar industry.**”²⁶⁰ (OCG Emphasis)

A review, by the OCG, of the contracts which were awarded to Mr. Aubyn Hill and/or his company, Corporate Strategies Ltd. revealed, *inter alia*, the following: (NB. Copies of the referenced contracts can be found in the Appendices herein).

- (i) The contracts refer to “**the Consultant**” and do not indicate that it is one of an Employment Contract. Indeed, and has been pointed out before, the word “employment” or “employee” does not appear anywhere in any of the two contracts, whereas the term “**Consultant**” appears a grand total of thirty-eight (38) times in both documents. (OCG Emphasis)
- (ii) The contracts both state that “Cabinet, by its Decision No. 22/08 dated June 30, 2008, has approved the **appointment of the Consultant** as Head of the Sugar Privatization Implementation Team for the period July 1 to September 30, 2008.”²⁶¹ (OCG Emphasis)
- (iii) The first contract, which was dated 2008 August 18, states, *inter alia*, that “The **Consultant shall undertake the assignment throughout a period of three (3) months, from July 1 to September 30, 2008 at a remuneration of FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000.00) payable in three (3) equal installations...**”²⁶² (OCG Emphasis)
- (iv) The second contract, which was dated 2009 March 30, states, *inter alia*, that “The **Consultant shall undertake the assignment throughout a period of Four (4) months, from February 1 to May 31, 2009 at a remuneration of SEVEN MILLION THREE HUNDRED THIRTY-THREE THOUSAND THREE HUNDRED AND THIRTY-THREE DOLLARS AND THIRTY-THREE CENTS (\$7,333,333.33) payable in four (4) equal installations...**”²⁶³ (OCG Emphasis)
- (v) The contracts state that “...**the Consultant shall be provided with a fully maintained motor vehicle and driver throughout the continuance of this Agreement.**”²⁶⁴ (OCG Emphasis)
- (vi) The contracts state that “**The Consultant shall be an independent contractor and not the servant of MOA. In such capacity, the Consultant shall bear exclusive responsibility with regard to discharging all his statutory payments and deductions arising under the term hereby created.**”²⁶⁵ (OCG Emphasis)
- (vii) Both contracts were signed by Mr. Aubyn Hill and Permanent Secretary Donovan Stanberry. Mr. Hill signed in the expressed and unequivocal occupational capacity of “**Consultant**”. (OCG Emphasis).

Notwithstanding the clear documentary evidence of the existence of a consultancy contract, the OCG received conflicting statements from (a) Mr. Donovan Stanberry, Permanent Secretary, (b) Mr. Aubyn Hill and (c) Dr. Christopher Tufton, Minister of Agriculture and Fisheries, about the nature of Mr. Hill’s engagement by the MAF. In this regard, all three (3) individuals, in their sworn response to the OCG’s Requisition, asserted that an ‘employment contract’ was awarded to Mr. Aubyn Hill.

However, the OCG must note that there are basic and unmistakable distinctions between an employment contract and a consultancy contract, particularly in so far as the Procurement Rules and Laws of Jamaica are concerned.

These are, *inter alia*, as follows:

²⁶⁰ Radiojamaica website. “OCG involved in divestment process-Tufton”. 2009 October 17. <http://www.radiojamaica.com/content/view/22418/52/>

²⁶¹ MAF/Hill Contract. 2008 August 18

²⁶² MAF/Hill Contract. 2008 August 18

²⁶³ MAF/Hill Contract. 2009 March 30

²⁶⁴ MAF/Hill Contract. 2008 August 18

²⁶⁵ MAF/Hill Contract. 2008 August 18

(a) Consultancy Contracts

1. As detailed in the OCG's Media Release, which was dated 2009 October 16, prior to 2008 September 22, Sole Source consultancy contract awards in excess of \$1 Million in value would have required, among other things, the prior evaluation and endorsement of the NCC as to justification and cost competitiveness.

Further, as at 2008 September 22, Sole Source contract awards in excess of \$3 Million in value would have required, among other things, the prior evaluation and endorsement of the NCC. Further, under the 2008 November RPPH which came into force on December 10, 2008, specific provisions are stated for the tendering and awarding of contracts to consultants.

2. Prior to 2008 September, the prior approval of the Cabinet would have had to be secured if the projected value of the contract was in excess of \$15 Million. As at 2008 September 22, the prior approval of the Cabinet would have had to be secured if the projected value of the contract was in excess of \$30 Million.
3. The OCG, pursuant specifically to Section 4 (1) of the Contractor General Act, would have jurisdiction over the award of a government consultancy contract. In this regard, the OCG is mandated to ensure that GOJ consultancy contracts are awarded on merit, impartially and in circumstances which do not involve any irregularity or impropriety.
4. The NCC would have full jurisdiction over the award of contracts of this nature. It is instructive to note that the Permanent Secretary, Mr. Donovan Stanberry, in his response to the OCG's Requisition, clearly highlighted his knowledge of the nature of the contracts which were subject to the NCC's jurisdiction. In this regard, Mr. Stanberry, indicated, *inter alia*, that "...**Employment Contracts, ...do not fall within the purview of the National Contracts Committee [sic]**".²⁶⁶ (OCG Emphasis)
5. In the case of a consultancy contract, the awarding Public Body would not necessarily have responsibility for the payment of the requisite taxes and statutory deductions, that is, the NIS, NHT, Education Tax and Income Tax. This would be the sole responsibility of the Consultant.
6. In the case of a consultancy contract, the consultant would be required to submit invoices with respect of his/her claims for money owed by the awarding Public Body.

(b) Employment Contracts

1. In the case of employment contracts, taxes, namely the NIS, NHT, Education Tax and Income Tax, are deducted at source by the employer.
2. In the case of employment contracts, the employee typically receives a salary and is not required to submit an invoice to claim same.
3. In the case of Central Government Public Sector employees, it is the Public Services Commission (PSC) which has **primary** responsibility for matters such as appointments, promotions, disciplinary actions and terminations.

In support of the foregoing, it was recently reported that the Prime Minister, the Hon. Bruce Golding, in addressing the Harrison Report on the **Armadaale Juvenile Correctional Centre**, stated that "...the matter had been referred to the director of public prosecutions, the police commissioner and the Public Service Commission for action they deem appropriate...Where I have the authority to do so, appropriate action will be taken..."²⁶⁷

²⁶⁶ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #9

²⁶⁷ Daily Gleaner. "Gov't accepts 'ultimate responsibility' for Armadaale" 2010 March 3. <http://www.jamaica-gleaner.com/gleaner/20100303/lead/lead3.html>

Further, in a Daily Gleaner article, which was entitled “*Reese moved because of Armadale?*”, which was published on 2010 March 13, it was reported that the Minister of National Security, Senator Dwight Nelson stated that “*The disciplining of members of the public service is the prerogative of the **Public Service Commission** as stipulated in the Constitution.*”²⁶⁸

4. NCC and Cabinet approval is not required in respect of employment contracts.

In this regard, it is instructive to note that the OCG in its Follow-Up Requisition, which was dated 2010 April 30, that was addressed to the Cabinet Secretary, Ambassador Douglas Saunders, asked, *inter alia*, the following question:

“To the best of your knowledge, has the Cabinet ever been asked and/or required to approve an “Employment Contract” as opposed to a “Consultancy Contract”, in respect of an “Employee” at the MAF during the period of September 2007 to the present.”²⁶⁹

In his response to the OCG’s Requisition, which was dated 2010 May 12, Ambassador Douglas Saunders stated, *inter alia*, that “*To the best of my knowledge, Cabinet has **not** been asked to approve an “Employment Contract” in respect of an “Employee” at the Ministry of Agriculture & Fisheries (MAF) during the period of September, 2007 to the present. **Cabinet would not be required to approve such a contract, as such approvals fall within the remit of the Ministry of Finance and the Public Service (MFPS).***”²⁷⁰ (OCG Emphasis)

5. The OCG and the NCC would have no jurisdiction over an employment contract. This fact was clearly identified by the Permanent Secretary, Mr. Donovan Stanberry, in his response to the OCG’s Requisition, which was dated 2009 November 19, where he stated, *inter alia*, as follows:

*“As explained in number 6, the **two (2) contracts awarded to Mr. Hill are Employment Contracts, which do not fall within the purview of the National Contracts Committee [sic].***”²⁷¹ (OCG Emphasis)

In light, *inter alia*, of the foregoing, the OCG believes that it is instructive to detail below the conflicting and sworn representations which were made, to the OCG, by (a) Mr. Donovan Stanberry, Permanent Secretary, (b) Mr. Aubyn Hill and (c) Dr. Christopher Tufton, Minister of Agriculture and Fisheries, with regard to the nature of Mr. Hill’s engagement by the MAF.

(a) Mr. Donovan Stanberry- Permanent Secretary, MAF

In his response to the OCG’s Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, stated, *inter alia*, that “...the **two (2) contracts awarded to Mr. Hill are Employment Contracts...**”²⁷² (OCG Emphasis)

However, contrary to the assertions of Mr. Donovan Stanberry, the signed and written contracts, which were consummated between Mr. Aubyn Hill and the MAF (with Mr. Stanberry, himself, signing on behalf of the MAF), refers to Mr. Aubyn Hill as “*the Consultant*”.

Further, it is instructive to note that the OCG in its Requisition, which was dated 2009 October 23, that was addressed to the Permanent Secretary, Mr. Donovan Stanberry, asked, *inter alia*, about “*The method of procurement which was utilized...*” in the award of the contracts to Mr. Aubyn Hill and/or his company Corporate Strategies Ltd.

In his response to the OCG’s Requisition, which was dated 2009 November 19, Mr. Donovan Stanberry, stated, *inter alia*, that “**The sole sourcing method was employed...**”²⁷³ (OCG Emphasis)

²⁶⁸ Daily Gleaner. “Reese moved because of Armadale?” 2010 March 13. <http://www.jamaica-gleaner.com/gleaner/20100313/lead/lead2.html>

²⁶⁹ OCG Follow-Up Requisition to Ambassador Douglas Saunders. 2010 April 30. Question #4

²⁷⁰ Ambassador Douglas Saunders. Response to the OCG’s Requisition. 2010 May 12. Question #4

²⁷¹ Donovan Stanberry. Response to the OCG’s Requisition. 2009 November 19. Question #9

²⁷² Donovan Stanberry. Response to the OCG’s Requisition. 2009 November 19

Of critical import is the fact that Mr. Stanberry, in his foregoing response, acknowledged the use of a procurement methodology to award the contract to Mr. Aubyn Hill. However, the use of a procurement methodology is neither customary nor required for employment contracts.

As such, having regard to the conflicting accounts of the nature of the contracts which were awarded to Mr. Hill and/or his company Corporate Strategies Ltd., the OCG, in its Follow-Up Requisition that was addressed to Mr. Donovan Stanberry, asked, *inter alia*, the following question:

"In your response to the OCG's Requisition, which was dated November 19, 2009, you asserted that "Employment Contracts" were awarded to Mr. Aubyn Hill by the MAF.

*However, the copies of the contracts which were provided by you, to the OCG, make reference to "The Consultant". Kindly provide a comprehensive statement with regard to the discrepancy in your assertion and that which is detailed in the signed contracts, specifically as it relates to the nature of the contracts which were awarded to Mr. Aubyn Hill. Please provide documentary evidence, where possible, to substantiate your assertions/responses."*²⁷⁴

In his response to the OCG's Requisition, which was dated 2010 May 14, Mr. Donovan Stanberry stated, *inter alia*, as follows:

*"In my response to your previous requisition dated November 19, 2009, **I did, in fact, characterize Mr. Hill's contract as an Employment Contract. This was a mistake on my part, as in my mind the nature of Mr. Hill's assignment was consistent with the role of a contract employee of the Ministry. In actuality, however, Mr. Hill's contract was formatted as a contract for a Consultant, providing short term consultancy service, as against an Employment Contract, in the classic sense.** This was a genuine mistake on my part and I, therefore, withdraw all reference to "Employment Contract" in my previous letter of November 19, 2009, to be substituted with "Contract for Short Term Consultancy Services".*

*The truth is, Mr. Hill's assignment is really a hybrid one, as the contract itself was constructed as a Contract for Consultancy Services, but in terms of its execution, it was more consistent with an Employment Contract, in terms of my daily interaction with him and the nine-to-five nature of his assignment. I apologize for the confusion that this inadvertently may have caused. Additionally, in my response to another question, I stated that the said contract was approved by the Ministry's Procurement Committee. This was also a mistake, it should have read the "Ministry's Contract Committee".*²⁷⁵ (OCG Emphasis)

(b) Mr. Aubyn Hill

Mr. Aubyn Hill, in his response to the OCG's Requisition, which was dated 2010 March 16, stated, *inter alia*, that *"...**a contract of employment** was entered into between the Ministry of Agriculture and me."*²⁷⁶ (OCG Emphasis)

Having regard to the foregoing, the OCG in its Follow-Up Requisition that was addressed to Mr. Hill, which was dated 2010 April 30, asked, *inter alia*, the following question:

"You have asserted that you were awarded "Employment Contracts" by the MAF. As such, kindly state whether the applicable taxes, namely NIS, NHT, Education Tax and Income Tax, were deducted from your 'employment income' at source by the MAF.

*If not, why were the required statutory deductions, from your 'employment income', not taken at source by the MAF given that you were awarded "Employment Contracts"? Please provide documentary evidence, where possible, to substantiate your assertions/responses."*²⁷⁷

²⁷³ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19

²⁷⁴ OCG Requisition to Mr. Donovan Stanberry. 2010 April 30. Question 8

²⁷⁵ Mr. Donovan Stanberry. Response to the OCG's Requisition. 2010 May 14. Question 8

²⁷⁶ Mr. Aubyn Hill. Response to the OCG's Requisition. 2010 March 16. Question 1

In his response to the OCG's Requisition, which was dated 2010 June 3, Mr. Aubyn Hill stated "No. *This question can best be answered by my former employer the MAF.*"²⁷⁸

It is instructive to note that in the event that Mr. Hill's response to the foregoing question was "No", the OCG also asked the following question:

"If your answer to Question 4 above is 'No', kindly state how you have accounted to the GOJ with respect of your statutory obligations. In providing your answers please detail in a spreadsheet (a) the emoluments which have been received, by you, from the MAF under and pursuant to your "Employment Contract"; (b) the date(s) of your receipt of the said 'employment income'; and (c) the required NIS, NHT, Education Tax and Income Tax amounts which have been paid to the GOJ, by you, with regard to the said sums of 'employment income' which you have received pursuant to the said "employment contracts" which were awarded by the MAF. Please provide documentary evidence, where possible, to substantiate your assertions/responses."²⁷⁹

In his response to the OCG's Requisition, which was dated 2010 June 3, Mr. Aubyn Hill stated, *inter alia*, that "My company, Corporate Strategies Limited, paid the statutory amounts that were due on my behalf."²⁸⁰

It is also instructive to note that both contracts were signed by Mr. Hill. In the said documents, it was clearly stated that "**The Consultant shall be an independent contractor and not the servant of MOA.**"²⁸¹

Further, it is instructive to reiterate that there are basic and unmistakable distinctions between an employment contract and a consultancy contract. In point of fact, as was previously highlighted herein, a consultant, unlike an employee, would be required to submit invoices to facilitate payments of money which are owed by the awarding Public Body. An employee on the other hand, receives a fixed salary and is not required to submit invoices to claim the same.

Consequently, the OCG, in its Requisition, which was dated 2010 April 30, asked Mr. Aubyn Hill the following:

"Kindly provide a copy of all invoices which have been submitted to the MAF by you and/or your company, Corporate Strategies Ltd., pursuant to the contracts which have been awarded to you."²⁸² (OCG Emphasis)

In response to the OCG's foregoing request, Mr. Aubyn Hill submitted invoices for the period of 2008 August 27 to 2010 January 7. (NB. The 2010 January 7 invoice was with respect of work done in 2009 December).

Of substantial import is that each of the respective invoices stated, *inter alia*, that "In accordance with Cabinet Decision No. 22/08 dated June 30, 2008 approving "the appointment of the **Consultant**..." and provided the particulars with respect to the "**Remuneration for consultancy service**". (OCG Emphasis)

Therefore, the OCG found that for the entire contract period (i.e. 2008 August to 2009 December), Mr. Hill acknowledged, in writing, that he was in fact awarded contracts for 'consultancy services'. It is also a documented fact that Mr. Hill had duly made claims in respect of the rendering of the said 'consultancy services' on invoices which he had submitted to the MAF.

²⁷⁷ OCG Follow-up Requisition to Mr. Aubyn Hill. 2010 April 30. Question #4

²⁷⁸ Mr. Aubyn Hill. Response to the OCG's Requisition. 2010 June 3. Question #4

²⁷⁹ OCG Follow-Up Requisition to Mr. Aubyn Hill. 2010 April 30. Question 5

²⁸⁰ Mr. Aubyn Hill. Response to the OCG's Requisition. 2010 June 3. Question 5

²⁸¹ MAF/Hill Contract. 2008 August 18

²⁸² OCG Follow-Up Requisition to Mr. Aubyn Hill. 2010 April 30. Question 2

Having regard, among other things, to (a) the foregoing, (b) the academic and professional credentials which Mr. Hill had presented of himself as a Harvard Business School graduate, the former CEO of the National Bank of Oman and the former Group Managing Director of the National Commercial Bank of Jamaica Ltd., (c) the fact that Mr. Hill had appended his signature to the referenced contracts certifying that he was indeed entering into same in the occupational capacity of a “consultant” and not as an employee, and (d) the fact that Mr. Hill had consistently acknowledged in writing, on the very invoices which were submitted by him to the MAF for the period of 2008 August 27 to 2010 January 7, that he was claiming compensation for ‘consultancy services’ rendered, the OCG has now found Mr. Hill’s sworn representation of his contract as an “*employment contract*” to be nothing less than disingenuous and an affront to the lawful authority of the Commission of the Contractor General, which is a quasi-judicial independent anti-corruption Commission of the Parliament of Jamaica.

(c) Dr. Christopher Tufton- Minister of Agriculture & Fisheries, MAF

Minister the Hon. Dr. Christopher Tufton, in his response to the OCG’s Requisition, which was dated 2010 February 24, stated, *inter alia*, that “Mr. Hill was offered an **Employment Contract** by the Ministry of Agriculture...”²⁸³ (OCG Emphasis)

However, in an article which was published in the Jamaica Observer newspaper, which was entitled “*Tufton defends \$1.9m monthly fee*”, which was dated 2009 October 17, it was reported that “*Tufton, in an early morning press conference at the agriculture ministry’s Old Hope Road office, told journalists that the Jamaican taxpayer was no longer subsidising the Sugar Company of Jamaica (SCJ), and returns to Jamaica justified the former **banker’s consultancy fees**.*”²⁸⁴ (OCG Emphasis)

The article went further to report that “... the ministry did not have the required expertise, **Tufton told journalists yesterday that the alternatives to having a consultant conduct the negotiations to sell the SCJ assets** were to either close operations at the five sugar estates or continue using taxpayers’ money to fund the estates.”²⁸⁵ (OCG Emphasis)

Further, in another article which was published on the Jamaica Information Services (JIS) website on 2009 October 17, which was entitled “*Dr. Tufton Responds To Criticisms of Sugar Consultancy Fees*”, it was reported, *inter alia*, as follows:

*“Minister of Agriculture and Fisheries, Hon. Dr. Christopher Tufton, has said that the country has received “value for money” **in contracting the services of consultancy firm, Corporate Strategies Limited**, to assist with the divestment of its five sugar estates.”*²⁸⁶ (OCG Emphasis)

Having regard to the foregoing, the OCG in its Follow-Up Requisition that was addressed to Dr. Tufton, which was dated 2010 April 30, asked, *inter alia*, the following:

“In your response to the OCG’s Requisition, which was dated February 24, 2010, you asserted that “Employment Contracts” were awarded by the MAF to Mr. Aubyn Hill.

However, the copies of the contracts which were provided by you, to the OCG, make reference to “The Consultant”. Further, in a Jamaica Information Service (JIS) article, that was dated October 17, 2009, with regard to the contracts which were awarded to Mr. Hill, statements were attributed to you, in which you made reference to Mr. Hill and/or his company, Corporate Strategies Ltd. as “Consultants”.

²⁸³ Min. the Hon. Dr. Christopher Tufton. Response to the OCG’s Requisition. 2010 February 24

²⁸⁴ Jamaica Observer. “*Tufton defends \$1.9m monthly fee*”. 2009 October 17. https://www.jamaicaobserver.com/news/161953_Tufton-defends--1-9m-monthly-fee

²⁸⁵ Jamaica Observer. “*Tufton defends \$1.9m monthly fee*”. 2009 October 17. https://www.jamaicaobserver.com/news/161953_Tufton-defends--1-9m-monthly-fee

²⁸⁶ JIA Article. “Dr. Tufton Responds to Criticism of Sugar Consultancy Fees”. 2009 October 17. http://www.jis.gov.jm/minagrifish/html/20091017t010000-0500_21544_jis_dr_tufton_responds_to_criticisms_of_sugar_consultancy_fees.asp

Kindly provide a comprehensive statement with regard to the discrepancy in your assertion and that which is detailed in the signed contracts and the referenced JIS article, specifically as it relates to the nature of the contracts which were awarded to Mr. Hill and/or his company, Corporate Strategies Ltd. by the MAF. Please provide documentary evidence, where possible, to substantiate your assertions/responses.”²⁸⁷

In his response to the OCG’s Requisition, which was dated 2010 June 2, Dr. Christopher Tufton stated, *inter alia*, as follows:

*“In my previous response to you, **I did in fact refer to Mr. Hill’s contracts as “Employment Contracts”, as in preparing my answers I was so advised by the Permanent Secretary. I have since been advised by the Permanent Secretary that he made an error in so designating the contracts, and this has been communicated to you with an appropriate apology from him.** The truth is, people are employed by the Ministry either as normal employees or as Consultants. Either way, these people are accountable to the Ministry on a day to day basis for their deliverables. If indeed I referred to Mr. Hill’s engagement in my discourse with the JIS as “Consultant”, I was simply using the terms interchangeably. In actuality, I am advised that the proper designation for **Mr. Hill’s contracts is “Short-term Contract for Consultancy Services”**.”²⁸⁸ (OCG Emphasis)*

Based upon the foregoing representations the OCG found, *inter alia*, the following:

1. Both Mr. Stanberry and Dr. Tufton have retracted their initial statements, given to the OCG under the pain of criminal prosecution, in which they asserted that Mr. Hill’s consultancy contracts were employment contracts.
2. In respect of the compensation that was paid to Mr. Hill under the said consultancy contracts, Mr. Hill, himself, has conceded that his taxes and other statutory deductions were handled and paid by his company Corporate Strategies Ltd. They were not deducted at source by the MAF.
3. Mr. Aubyn Hill has also acknowledged that he was a ‘consultant’. Additionally, the documented evidence which was presented to the OCG proves that Mr. Hill had also made written claims in each of the invoices which had been submitted by him to the MAF, for the period of 2008 August to 2009 December, for **“consultancy service”** rendered.
4. The contracts which were awarded to Mr. Hill were in fact for the performance of ‘consultancy services’.
5. Mr. Donovan Stanberry, Mr. Aubyn Hill and Dr. Christopher Tufton have all provided the OCG with written and sworn statements which include materially false representations which have not and cannot be substantiated by the written and signed contracts which were consummated between Mr. Hill and the MAF, nor by the Cabinet approvals which were granted in relation to same.
6. It is also instructive to note that the written and sworn statements that were submitted to the OCG, by Mr. Donovan Stanberry, Mr. Aubyn Hill and Dr. Christopher Tufton, and in which the referenced false representations were made, were provided by them under the pain of criminal prosecution and were solemnly declared by them, before a Justice of the Peace, to be ‘complete, accurate and truthful’.

Is there a Conflict of Interest in the Award of the Contracts to Mr. Aubyn Hill &/or Corporate Strategies Ltd.?

Mr. Aubyn Hill was appointed the Chairman of the Board of Directors of the SCJ Holdings Ltd. and a member of the Board of Director of the SCJ in 2009 July. The SCJ Holdings Ltd. and the SCJ were, at all material times, the owners and/or operators of the then remaining GOJ sugar assets which were/are the subject of the referenced divestment process.

Further, Mr. Aubyn Hill, at the time of his appointment to the Board of Directors of the SCJ Holdings Ltd. and the SCJ in 2009 July, had an existing contract with the MAF, which was dated 2009 March 30.

²⁸⁷ OCG Requisition to Dr. Christopher Tufton. 2010 April 30. Question 4

²⁸⁸ Dr. Christopher Tufton. Response to the OCG’s Requisition. 2010 June 2. Question 4

The referenced contract, which was awarded to Mr. Aubyn Hill, appointed him as the Chairman of the Sugar Negotiating Team (SNT), which was mandated “...by Cabinet to identify and negotiate with investors for the divestment of the Government- owned asset of the sugar industry.”²⁸⁹

The referenced contract, which was awarded on 2009 March 30, was initially extended up to 2009 September, and the Contracts Committee of the MAF subsequently recommended a “... month to month extension for the period October to January, 2010 subject to a review of the Terms of Reference and the terms and conditions of the contract.”²⁹⁰

With regard to the roles and functions of the SCJ Holding Ltd., Mr. Donovan Stanberry, in his response to the OCG’s Requisition, which was dated 2009 November 19, informed the OCG, *inter alia*, as follows:

“SCJH which was formed for the purpose of acquiring controlling interests in the following companies and avoiding the delinquency of the inactive landholding companies:...

To date SCJH has not formally acquired the controlling interests in the foregoing sugar companies and thus SCJ and SCJH remain separate entities.

SCJH is also the Company which the Government has consented to allow all the sugar lands to be transferred to in order to allow for ease in the divestment of the Sugar Assets. The transfer of the lands to SCJH commenced in or about 2008 and is well underway.

SCJH is now the Company that pursuant to said Cabinet Decision that has been mandated to produce a minimum of Seventy Nine Thousand (79,000) tonnes of sugar for sale to Eridania Suisse. This mandate ensures that SCJH (t/a the Sugar Divestment Enterprise) will oversee and carry on the operations of the Frome, Monymusk and Bernard Lodge Estates pending the possible hand over of the remaining assets to an inventor [sic].”²⁹¹

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)...SCJ Limited ... is now in the process of being wound up.”²⁹² (OCG Emphasis)

Having regard to the foregoing, the contract, which was awarded to Mr. Aubyn Hill, in 2009 March 30, and which subsisted until 2009 December, raised several concerns as to the possible conflicts of interest that were bound to arise given the fact that Mr. Aubyn Hill was also appointed, in 2009 July, as (a) the Chairman of the Board of Directors of the SCJ Holdings Ltd. and (b) a Member of the Board of Directors of the SCJ.

Of critical import is the fact that both the SCJ and SCJ Holdings Ltd. held and/or are/were responsible for the assets which were/are being divested by the GOJ. Further, the disposal of the said assets was also the basis upon which the referenced consultancy contracts had been awarded to Mr. Aubyn Hill.

Therefore, Mr. Aubyn Hill, by all accounts, would have been representing the interests of three (3) distinct entities in the GOJ sugar divestment process. The three (3) entities being (a) the SCJ, (b) the SCJ Holdings Ltd. and (c) Corporate Strategies Ltd. and/or himself.

²⁸⁹ Memorandum from Mr. Donovan Stanberry to Mrs. Judith Maloney. 2009 September 30

²⁹⁰ Memorandum from the Contracts Committee Chairperson. 2009 November 5

²⁹¹ Donovan Stanberry. Response to the OCG’s Requisition. 2009 November 19

²⁹² SCJ. Letter to the OCG. 2010 June 3

In point of fact, in an article, which was published on the Radiojamaica website, that was entitled “*No conflict of interest - Tufton*”, which was dated 2009 October 16, it was reported, *inter alia*, that “*Agriculture Minister Dr. Christopher Tufton has admitted that the contract that engages the services of Aubyn Hill's consultancy company Corporate Strategies Limited is silent on the dual and possibly conflicting roles he plays in the sugar divestment process.*”²⁹³ (OCG Emphasis)

The article further reported that Dr. Tufton had asserted that “*We don't see a conflict of interest at all given the fact that Mr. Hill is Chairman of the company that is now running these three remaining public owned sugar factories and also contracted to conclude negotiations for divestment.* The decision to appoint him as chairman was based on the fact that we felt he complimented efforts to negotiate a final sale agreement...”²⁹⁴ (OCG Emphasis)

In the premises, the OCG sought to ascertain whether Mr. Aubyn Hill, upon his appointment to the Board of Directors of the SCJ Holdings Ltd. and the SCJ, in 2009 July, had declared his interest in a contract (namely, his consultancy contract) which existed with the MAF, with respect to his leading the divestment process for the assets which were controlled by both entities, to the other Members of the Board of Directors of the SCJ Holdings Ltd. and SCJ.

Mr. Hill's declaration of his interest in a prevailing GOJ contract would have been mandated by law pursuant to **Section 17 (2) of the Public Bodies Management Act.**

Section 17 (2) (a) and (b) of the Public Bodies Management & Accountability Act, provides as follows:

“A director who is directly or indirectly interested in any matter which is being dealt with by the board-

(a) shall disclose the nature of his interest at a board meeting;

(b) shall not take part in any deliberation of the board with respect to that matter”..

Having regard to the foregoing, the OCG in its Follow-Up Requisition that was addressed to Mr. Aubyn Hill, which was dated 2010 April 30, asked, *inter alia*, the following questions:

“Did you disclose the existence of the contracts between yourself and the MAF to the Board of Directors of the Sugar Company of Jamaica Ltd. (SCJ) and/or the SCJ Holdings Ltd.? If yes, kindly provide the following information:

- i. The date(s) on which your interest in a Government of Jamaica (GOJ) contract was declared;*
- ii. To whom and/or what entity was the declaration made?*
- iii. The manner in which your interest was disclosed.*

Please provide documentary evidence, where possible, to substantiate your assertions/responses.”²⁹⁵

In his response to the OCG's Requisition, which was dated 2010 June 3, Mr. Aubyn Hill stated “No.”²⁹⁶

It is instructive to note that the OCG was also interested in finding out what exactly constitutes a conflict of interest. Black's Law Dictionary (8th Edition) defines a ‘Conflict of Interest’ as meaning “*a real or seeming incompatibility between one's private interests and one's public and fiduciary duties*”. Additionally, the Oxford Law Student's Dictionary defines a ‘Conflict of Interest’ as a situation in which a person's own interest, conflicts with his duty to act in the best interest of his principal.²⁹⁷

²⁹³ Radiojamaica. “*No conflict of interest- Tufton*” 2009 October 16. <http://www.radiojamaica.com/content/view/22410/26/>

²⁹⁴ Radiojamaica. “*No conflict of interest- Tufton*” 2009 October 16. <http://www.radiojamaica.com/content/view/22410/26/>

²⁹⁵ OCG Follow-Up Requisition to Mr. Aubyn Hill. 2010 April 30. Question 1

²⁹⁶ Mr. Aubyn Hill. Response to the OCG's Requisition. 2010 June 3. Question 1

²⁹⁷ J.E. Penner. *The Law Student's Dictionary*. Oxford University Press. 2008

Further, according to the *Conflict of Interest Statement for Inclusion in the GPPH*, a Conflict of Interest “arises where a public officer has a private or personal interest sufficient to appear to influence or to appear to be capable of influencing, the objective exercise of his official duties.”²⁹⁸

It is noted in the referenced statement that a conflict of interest may be deemed to exist, *inter alia*, under any of the following circumstances:

1. Engagement in private activity similar to official functions;
2. Using information and/or any material gained from an official position for private gain of relatives or family members or an organization in which relatives or family members have interest;
3. Exploiting the status and privilege of one's position for private gain;
4. Conducting private business during work hours and/or on government property;
5. Engaging in transactions with relatives or family members, or an organization in which the officers' relatives or family members have interest;
6. Ownership of investment or shares in any company or undertaking.²⁹⁹

The GPPH (2001 May), further mandates that “A public officer shall not enter into or knowingly remain in a situation of a conflict of interest. A public officer who is aware or is unsure whether he is in a conflict of interest situation shall report the situation at the earliest opportunity to the Head of the Ministry, Department or other Government Agency to which he is engaged.”³⁰⁰

Having regard to the foregoing, it is clear that a conflict of interest refers to a situation in which a person has a competing professional or personal interest which prevents him/her from carrying out his/her public or fiduciary duties fairly and/or impartially.

A conflict of interest exists even if no unethical and/or improper act results from the association. However, a conflict of interest can create an appearance of impropriety which undermines confidence in the person, profession, company and/or the procurement process.

A conflict of interest can be mitigated by removing the interested party from the deliberations on matters where that party has a conflict of interest. However, notwithstanding the removal of an interested party from the deliberations, a conflict of interest may still exist.

It is also instructive to note that the OCG, during the course of its Investigation, was presented with additional documentation which have unequivocally established the manifestation of a real conflict of interest on the part of Mr. Aubyn Hill, who was party to a GOJ contract which was, in turn, directly connected to the divestment of assets which were controlled and/or held by the SCJ Holdings Ltd. and the SCJ of which he was a Board Director.

The conflict of interest, on the part of Mr. Aubyn Hill, was highlighted, in glaring terms, in five (5) documents which were entitled “**SUPPORT FOR INVOICE...:CONTRACT NO. GOJSUGAR/SERVICE/9071/2008**”, for the months of 2009 August, September, October, November and December. These documents were either signed by Mr. Hill, himself, and/or on his behalf, and were presented on the letter head of his company, Corporate Strategies Ltd.

In the referenced documents, certain reasons or justifications were provided for the invoices which were submitted by Corporate Strategies Ltd., to the MAF, in respect of the consultancy contract which was awarded to Mr. Aubyn Hill on 2009 March 30.

²⁹⁸ NCC Conflict of Interest Statement for Inclusion in the GPPH. 2006 January 23

²⁹⁹ NCC Conflict of Interest Statement for Inclusion in the GPPH. 2006 January 23

³⁰⁰ NCC Conflict of Interest Statement for Inclusion in the GPPH. 2006 January 23

Of significant import, is the fact that on all five (5) documents, reasons pertaining to Mr. Hill's role as Chairman of the Board of Directors of the SCJ Holdings Ltd. and/or as a Member of the Board of Directors of the SCJ were included among the justifications which were provided to substantiate the legitimacy of the invoices for the claims which were submitted to the MAF pursuant to Mr. Hill's consultancy contract.

The table below highlights the particulars which were detailed on the referenced five (5) documents:

DOCUMENT	JUSTIFICATION PRESENTED FOR INVOICE
SUPPORT FOR INVOICE FOR AUGUST 2009	<p>(a) <u>"As new Chairman of SCJ Holdings Limited (SCJH) and new board member of SCJ- Legacy, I spend long hours with the new SCJH General Manager working on detailed cash flows, personnel matters and farm and factory issues in order to ensure the GOJ and SCJH can keep their commitments to Eridania, Italy, to produce and ship at least 79,000 tonnes of sugar by end of crop 2010."</u>³⁰¹ (OCG Emphasis)</p> <p>(b) <i>Attended formal board meetings of SCJH and SCJ.</i></p>
SUPPORT FOR INVOICE FOR SEPTEMBER 2009	<p>(a) <u>"Attended many meetings of the Sugar Manufacturers Corporation of Jamaica (in my capacity as chairman of SCJH) to:</u></p> <ol style="list-style-type: none"> 1. <i>Decide on the policy recommendations to forward to the SIA as the policy document which will provide review and recommendations to the MOA/GOJ on the new sugar policy and the ways in which the SIA, SIRI, JCPS and other SIA- related institutions will change under the new policy.</i> 2. <i>Agree on a pooling and pricing mechanism for sugar and sugar cane for the 2009/10 crop given the GOJ/Eridania contract on the 79,000 tons of sugar...</i>
SUPPORT FOR INVOICE FOR SEPTEMBER 2009	<p>(b) <u>Attended SCJ (Legacy) board meeting</u></p> <p>(c) <u>With the GM, John Gayle, prepared for and chaired the board meeting of the SCJH."</u>³⁰² (OCG Emphasis)</p>
SUPPORT FOR INVOICE FOR OCTOBER 2009	<u>"Attended and participated in board meetings of SCJH (as Chairman), JCPS and SMCJ."</u> (OCG Emphasis)
SUPPORT FOR INVOICE FOR NOVEMBER 2009	<u>"Chaired board meeting of SCJH and attended board meeting for SCJ (Legacy)."</u> (OCG Emphasis)
SUPPORT FOR INVOICE FOR DECEMBER 2009	<p>(a) <i>"Worked with subcommittee of SCJH's board to finalize staff Productivity Based Incentive Scheme."</i></p> <p>(b) <u>"Chaired board meeting of SCJH and attended board meeting for SCJ (Legacy)."</u> (OCG Emphasis)</p>

It is also instructive to note that the OCG in its Follow-Up Requisition, which was dated 2010 April 30, asked Mr. Donovan Stanberry the following question:

*"Has Mr. Aubyn Hill been paid for his services as a Member of the Board of Directors of the Sugar Company of Jamaica (SCJ) Holdings Ltd. and the SCJ? If yes, kindly provide the particulars relating to the same and state whether this remuneration is included in the sums which have been paid pursuant to the contracts which were awarded to Mr. Aubyn Hill."*³⁰³

³⁰¹ Corporate Strategies Ltd. "SUPPORT FOR INVOICE FOR AUGUST 2009" 2009 September 16

³⁰² Corporate Strategies Ltd. "SUPPORT FOR INVOICE FOR SEPTEMBER 2009" 2009 October 26

³⁰³ OCG Follow-Up Requisition to Mr. Donovan Stanberry. 2010 April 30. Question 16

In his response to the OCG's Requisition, Mr. Donovan Stanberry stated, *inter alia*, that **"As a Member of both Boards, Mr. Hill would have been paid the normal Board Fee to which all Board Members are entitled, consistent with the Ministry of Finance and the Public Service's Circular No. 1, reference number 11358^{vi} dated January 15, 2007."**³⁰⁴ (OCG Emphasis)

In light of the foregoing, the OCG has found that the Mr. Hill was already being duly compensated for his role and functions as a Member and/or Chairman of the Board of Directors of the SCJ and the SCJ Holdings Ltd.

Further, the OCG found that, by his inclusion of the particulars with respect to his role as the Chairman of the Board of Directors of the SCJ Holdings Ltd. and/or as a Member of the Board of Directors of the SCJ, among the other justifications which were provided to substantiate the invoices for the compensation claims which he made pursuant to his consultancy contract, Mr. Hill had demonstrated a clear conflict of interest.

In point of fact, Mr. Hill was clearly unable to distinguish between his role as a Member of the Board of Directors of SCJ Holdings Ltd. and the SCJ, on the one hand, and his role as a consultant, on the other.

Consequently, the OCG has found that (a) Mr. Hill's inclusion of particulars relating to his role as a Member of the Board of Directors of the SCJ and the SCJ Holdings Ltd. in the documents which were submitted in support of his invoices for his consultancy contract, and (b) Mr. Hill's failure to disclose his interest in a prevailing GOJ contract, pursuant to Section 17 (2) (a) and (b) of the Public Bodies Management was not only highly irregular and improper but have also flagrantly contravened, *inter alia*, Sections 17 (1) and 6 of the Public Bodies Management and Accountability Act.

Section 17 (1) of the Public Bodies Management and Accountability Act provides 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 6 of the Public Bodies Management and Accountability Act provides 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".*

³⁰⁴ Mr. Donovan Stanberry. Response to the OCG's Requisition. 2010 May 14. Question 16

Timeline of Key Events

TIMELINE	OCCURRENCE	OCG OBSERVATION
2005 December – 2007 September	<p>The Sugar Enterprise Team (SET) had responsibility to oversee the divestment process and to ensure that the privatisation framework which was employed was guided by considerations of modernisation and diversification of the sugar cane industry. The Cabinet approved the appointment of the SET in 2005 December.</p> <p>The SET operated until 2007 September.</p>	Mr. Aubyn Hill was the Chairman of the SET.
2007 October – 2008 June	<p>The Sugar Cane Industry Negotiating Team (SNT) came into being in 2007 October, when the Minister of Agriculture, Dr. the Hon. Christopher Tufton, advised of Cabinet's approval of the SNT.</p> <p>The SNT was mandated to negotiate with the preferred bidder(s) and recommend a suitable proposal to Cabinet.</p> <p>The SNT operated until 2008 June.</p>	Mr. Aubyn Hill was the Chairman of the SNT.
2008 June – 2009 January	<p>On 2008 June 30, the Cabinet approved the appointment of the Sugar Cane Industry Implementation Team (SIT).</p> <p>The role of the SIT was to guide the implementation of the Heads of Agreement which was signed with Infinity Bio Energy Ltd. The SIT operated until 2009 January.</p>	Mr. Aubyn Hill was the Chairman of the SIT & was also awarded a consultancy contract to steer the divestment process.
2008 June 30	Cabinet approved the appointment of Mr. Hill as the Head of the SIT effective 2008 July 1.	The Cabinet Secretary, Ambassador Douglas Saunders, stated, <i>inter alia</i> , that “Whilst the Submission and Decision...do not speak specifically to an award of contract, they do indicate approval of Mr. Hill's appointment, and the intention of the Ministry of Agriculture to negotiate appropriate negotiation [sic] with regard thereto.” ³⁰⁵
2008 July 1	The effective date of the first consultancy contract which was awarded to Mr. Aubyn Hill.	The written contract is dated 2008 August 18, and was also signed by Mr. Hill on the said date.
2008 August 18	The first consultancy contract between the MAF and Mr. Aubyn Hill was signed.	The contract refers to Mr. Hill as “ <i>The Consultant</i> ” and clearly states that “ <i>The Consultant shall be an independent contractor and not the servant of MOA.</i> ” ³⁰⁶
2009 February	<p>A Sugar Negotiating Team (SNT) was reactivated and mandated to assess, evaluate and recommend suitable investors for the sugar industry.</p> <p>The SNT was initiated following the failure of the negotiations with Infinity Bio Energy Ltd.</p>	Mr. Aubyn Hill was appointed the Chairman of the SNT & awarded another consultancy contract to steer the divestment process.

³⁰⁵ Ambassador Douglas Saunders. Response to the OCG's Requisition. 2010 January 15.

³⁰⁶ MAF/Hill Contract. 2008 August 18

TIMELINE	OCCURRENCE	OCG OBSERVATION
2009 February 1	The effective date of the second consultancy contract which was awarded to Mr. Aubyn Hill.	This consultancy contract was not approved by the MAF Contracts Committee until 2009 April 3 and was dated 2009 March 30.
2009 March 25	The Contracts Committee of the MAF was asked to approve the contract for the reengagement of Mr. Aubyn Hill.	
2009 March 30	The second consultancy contract reengaging Mr. Aubyn Hill was signed	
2009 April 3	The Contracts Committee of the MAF approved the consultancy contract for the reengagement of Mr. Aubyn Hill.	
2009 July	Mr. Aubyn Hill was appointed to the Board of Directors of the SCJ and Chairman of the Board of Directors of the SCJ Holdings Ltd.	The consultancy contract which was dated 2009 March 30 was still in effect.
2009 October 16	The OCG issued a Media Release in which it announced the commencement of its Investigation into the consultancy contract, which was awarded to Mr. Aubyn Hill and/or his company Corporate Strategies Ltd.	The OCG clearly stated in the media release that <i>"Prior to September 22, 2008, sole source contract awards in excess of \$1 Million in value would have required, among other things, the prior evaluation and endorsement of the National Contracts Commission (NCC) as to justification and cost competitiveness."</i> ³⁰⁷
2009 October 17	An article was published in the Jamaica Observer newspaper, which was entitled <i>"Tufton defends \$1.9m monthly fee"</i> , reported that <i>"Tufton, in an early morning press conference...told journalists that the Jamaican taxpayer was no longer subsidising the Sugar Company of Jamaica (SCJ), and returns to Jamaica justified the former banker's consultancy fees... the ministry did not have the required expertise, Tufton told journalists yesterday that the alternatives to having a consultant conduct the negotiations..."</i> ³⁰⁸ (OCG Emphasis)	Notwithstanding the representations in the Media, about the award of a consultancy contract, Mr. Donovan Stanberry, Mr. Aubyn Hill and Dr. Christopher Tufton, subsequently asserted in their sworn written statements, to the OCG, that the contract which was awarded to Mr. Hill was one of an employment contract .
2009 October 17	An article, which was entitled <i>"Dr. Tufton Responds To Criticisms of Sugar Consultancy Fees"</i> , was published on the JIS website in which it was reported that <i>"Minister of Agriculture and Fisheries, Hon. Dr. Christopher Tufton, has said that the country has received 'value for money' in contracting the services of consultancy firm, Corporate Strategies Limited..."</i> ³⁰⁹	
2009 November 19	Mr. Donovan Stanberry, in his response to the OCG's Requisition stated, <i>inter alia</i> , that <i>"...the two (2) contracts awarded to Mr. Hill are Employment Contracts..."</i> ³¹⁰ (OCG Emphasis)	However, the written contracts, which were awarded to Mr. Aubyn Hill refers to Mr. Hill as <i>"The Consultant"</i> .

³⁰⁷ OCG Media Release. 2009 October 16

³⁰⁸ Jamaica Observer. *"Tufton defends \$1.9m monthly fee"*. 2009 October 17. https://www.jamaicaobserver.com/news/161953_Tufton-defends--1-9m-monthly-fee

³⁰⁹ JIA Article. *"Dr. Tufton Responds to Criticism of Sugar Consultancy Fees"*. 2009 October 17. [http://www.jis.gov.jm/minagrifish/html/20091017t010000-](http://www.jis.gov.jm/minagrifish/html/20091017t010000-0500_21544_jis_dr_tufton_responds_to_criticisms_of_sugar_consultancy_fees.asp)

³¹⁰ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19

TIMELINE	OCCURRENCE	OCG OBSERVATION
2010 February 24	Minister the Hon. Dr. Christopher Tufton, in his response to the OCG's Requisition, stated, <i>inter alia</i> , that "...Mr. Hill was offered an <u>Employment Contract</u> by the Ministry of Agriculture..." ³¹¹ (OCG Emphasis)	However, the written contracts, which were awarded to Mr. Aubyn Hill refers to Mr. Hill as " <i>The Consultant</i> ". Further, it was previously reported in several media articles that Dr. Tufton asserted that a consultancy contract was awarded to Mr. Hill.
2010 March 16	Mr. Aubyn Hill, in his response to the OCG's Requisition stated, <i>inter alia</i> , that "... <u>a contract of employment</u> was entered into between the Ministry of Agriculture and me..." ³¹² (OCG Emphasis)	The written contracts, which were awarded to Mr. Aubyn Hill, refer to " <i>The Consultant</i> ". Of import is the fact that Mr. Hill duly signed the contracts and it clearly stated that " <u>The Consultant shall be an independent contractor and not the servant of MOA.</u> " ³¹³ (OCG Emphasis)
2010 May 14	Mr. Donovan Stanberry, in his response to the OCG's Requisition stated, <i>inter alia</i> , that "... <u>I did, in fact, characterize Mr. Hill's contract as an Employment Contract. This was a mistake on my part, as in my mind the nature of Mr. Hill's assignment was consistent with the role of a contract employee of the Ministry. In actuality, however, Mr. Hill's contract was formatted as a contract for a Consultant, providing short term consultancy service, as against an Employment Contract, in the classic sense.</u> This was a genuine mistake on my part and I, therefore, withdraw all reference to "Employment Contract" in my previous letter of November 19, 2009, to be substituted with "Contract for Short Term Consultancy Services". ³¹⁴ (OCG Emphasis)	
2010 June 2	Minister the Hon. Dr. Christopher Tufton, in his response to the OCG's Requisition stated, <i>inter alia</i> , that, "... <u>I did in fact refer to Mr. Hill's contracts as "Employment Contracts", as in preparing my answers I was so advised by the Permanent Secretary. I have since been advised by the Permanent Secretary that he made an error in so designating the contracts, and this has been communicated to you with an appropriate apology from him...Mr. Hill's contracts is [sic] "Short-term Contract for Consultancy Services".</u> " ³¹⁵ (OCG Emphasis)	
2010 June 3	Mr. Aubyn Hill stated, <i>inter alia</i> , that "My company, Corporate Strategies Limited, paid the statutory amounts that were due on my behalf." ³¹⁶	Mr. Hill's response was given to the OCG in respect of questions which were posed about his payment, to the GOJ, of income tax and other statutory liabilities, having regard to his previous assertion that his contract was an " <i>Employment Contract</i> ".

³¹¹ Min. the Hon. Dr. Christopher Tufton. Response to the OCG's Requisition. 2010 February 24³¹² Mr. Aubyn Hill. Response to the OCG's Requisition. 2010 March 16. Question 1³¹³ MAF/Hill Contract. 2008 August 18³¹⁴ Mr. Donovan Stanberry. Response to the OCG's Requisition. 2010 May 14. Question 8³¹⁵ Dr. Christopher Tufton. Response to the OCG's Requisition. 2010 June 2. Question 4³¹⁶ Mr. Aubyn Hill. Response to the OCG's Requisition. 2010 June 3. Question 5

Other Key Conclusions

1. The OCG has concluded that a conflict of interest arises, among other things, when a public officer has a private or personal interest which is sufficient to appear to influence or to appear to be capable of influencing the objective exercise of his official duties.

It has also been noted that a conflict of interest may be deemed to exist under any of the following circumstances:

- (a) Engagement in private activity similar to official functions;
- (b) Using information and/or any material gained from an official position for private gain of relatives or family members or an organization in which relatives or family members have an interest; or
- (c) Exploiting the status and privilege of one's position for private gain.

Given the conceptualization of a conflict of interest, and the circumstances under which it may occur, it is the OCG's considered view that the actions of Mr. Aubyn Hill, in the matters which are the subject of this Investigation Report, could be equated to that of a perceived conflict of interest, at the very minimum.

When the instant conflict of interest is considered and juxtaposed with the principles of good governance, the OCG has been led to infer and consequently conclude the following:

- (i) Dr. Christopher Tufton, the Minister of Agriculture and Fisheries, and the State, by appointing Mr. Aubyn Hill as a Member of the Board of Directors of the SCJ and the SCJ Holdings Ltd., while Mr. Hill was, himself, a party to a GOJ contract which involved the divestment of the very assets which were being held and/or operated by the said entities of which he was a Director, created an unavoidable conflict of interest situation for Mr. Hill. The referenced conflict of interest situation served to gravely undermine the very principles of good governance which should have been upheld by Minister Tufton and the State in the administration and management of the affairs of two (2) major Public Bodies which fell within the Minister's portfolio of responsibilities.
- (ii) Consequently, the OCG has concluded that the actions of the portfolio Minister, Dr. Christopher Tufton, in sanctioning the appointment of Mr. Hill as the Chairman of the Board of Directors of the SCJ Holdings Ltd. and as a Member of the Board of Directors of the SCJ, while he, Mr. Hill, had an active contract for consultancy services which was directly related to the divestment process, exhibited, at the very minimum, either a basic lack of judgement on the part of the Minister and/or his disregard for the principles of good corporate governance in Public Sector management.
- (iii) Mr. Aubyn Hill also knowingly placed himself in a clear conflict of interest situation when he accepted the referenced appointments as (a) the Chairman of the Board of Directors of the SCJ Holding Ltd. and (b) a Member of the Board of Directors of the SCJ, the very companies which then held and/or operated the assets which were the subject of the GOJ's Sugar Divestment Process, while he, Mr. Hill, was a party to a GOJ/MAF contract which was directly linked to the divestment of the said assets.
- (iv) The above conflict of interest situation was glaringly manifested in a number of documents which were submitted by Mr. Hill, to the MAF, in support of certain invoices in which claims were made by him, under his consultancy contract, for compensation for services which were rendered in his dual capacities as Board Chairman of SCJ Holdings Ltd. and Director of SCJ.

In the referenced documents, while Mr. Hill provided a justification for his billing, pursuant to his performance of his consultancy contracts, he also included particulars which were related to his role as a Member of the Board of Directors of the SCJ and SCJ Holdings Ltd.

Of significant import is the fact that the Permanent Secretary, Mr. Donovan Stanberry has stated, *inter alia*, that **“As a Member of both Boards, Mr. Hill would have been paid the normal Board Fee to which all Board Members are entitled, consistent with the Ministry of Finance and the Public Service’s Circular No. 1, reference number 11358”³¹⁷ dated January 15, 2007.**³¹⁷ (OCG Emphasis)

Given (a) that Mr. Hill was already being paid as a Member of both Boards of Directors, and (b) that Mr. Hill’s role as a “consultant” under his consultancy contracts was distinct and separate from that of his role as a Member of both Boards of Directors, he should not have included particulars with respect to his Director’s role in the claims which he had submitted to the MAF for the payment of compensation for the performance of his consultancy contracts.

- (v) The foregoing, at a minimum, has disclosed the evident impropriety and irregularity of the situation which existed in which Mr. Hill was party to a prevailing GOJ/MAF contract while being an active Member of the Boards of Directors of the SCJ and SCJ Holdings Ltd., the very companies which then held and/or operated the assets which he was engaged under his consultancy contract to divest.

In point of fact, Mr. Hill, by his documented actions, has conclusively demonstrated that his dual roles, as the consultant and as an active Member of the Boards of Directors of the SCJ and SCJ Holdings Ltd., were so close and inextricably linked that he himself had an obvious and practical difficulty in delineating same.

2. The OCG has concluded that, in light of the existence of Mr. Hill’s consultancy contract, and the obvious conflict of interest situations which would have clearly arisen, the Minister, Dr. Christopher Tufton, should not have appointed Mr. Hill as the Chairman of the Board of Directors of the SCJ Holdings Ltd., nor as a Member of the Board of Directors of the SCJ in 2009 July.
3. The OCG has also concluded that the situation, at best, which existed as a result of Mr. Hill’s positions as (a) the Chairman of the Board of Directors of the SCJ Holding Ltd., (b) a Director of SCJ and (c) Consultant to head the SNT, is one which raises several questions and concerns regarding the issue of poor corporate governance.

The OCG is of the considered opinion that the situation could be characterized, among other things, as one in which too much power and authority was concentrated in the hands of a single individual. There was no allowance made for sufficient, appropriate or effective checks and balances, nor for transparency and accountability, within the GOJ’s sugar asset divestment process and the overall governance structures of the MAF. It is the OCG’s considered opinion that the Boards of Directors of the SCJ and SCJ Holdings Ltd. should have acted as a check and a balance and as an oversight body with respect of the divestment process, pursuant to the provisions which are contained in the Public Bodies Management and Accountability Act, and, in particular, Section 6 of the referenced Act, which mandates that a Board of Directors shall ensure good corporate governance in the operations and activities of the Public Body which it administers.

With respect to the consulting contracts which existed between the MAF and Mr. Aubyn Hill, while Mr. Donovan Stanberry stated, *inter alia*, that **“As per the contracts, Mr. Hill provided reports on his deliverables, as well as updates in meetings with the Honourable Minister of Agriculture and the Cabinet and other reports”³¹⁸**, it is also the OCG’s considered opinion that Mr. Hill would have been required to report to two (2) GOJ Public Bodies which had a pecuniary interest in the assets which he had been contracted, as a consultant, to divest.

In consequence, and as a matter of practicality, Mr. Hill, at the very minimum, would have been required to report to the Boards of Directors of the SCJ and SCJ Holdings Ltd. with respect, *inter alia*, to the asset divestments. In essence, it is, therefore, self-evident that Mr. Hill, as the Consultant, would have been reporting to **himself** in his capacity as the Chairman and/or member of both Boards of Directors.

³¹⁷ Mr. Donovan Stanberry. Response to the OCG’s Requisition. 2010 May 14. Question 16

³¹⁸ Mr. Donovan Stanberry. Response to the OCG’s Requisition. 2009 November 19. Question #21

What is even more troubling, however, is that, in an article, which was published on the Radiojamaica website, that was entitled “*No conflict of interest -Tufton*”, and which was dated 2009 October 16, it was reported, *inter alia*, that “*Agriculture Minister Dr. Christopher Tufton has admitted that **the contract that engages the services of Aubyn Hill's consultancy company Corporate Strategies Limited is silent on the dual and possibly conflicting roles he plays in the sugar divestment process.***”³¹⁹ (OCG Emphasis)

Having regard to the foregoing, critical questions must, therefore, be raised as to the following:

- (i) How did Mr. Hill, the MAF and/or the Cabinet of Jamaica guarantee that Mr. Hill's personal interest, as exercised pursuant to his performance of his consultancy contracts, would not have conflicted with the fiduciary duties and responsibilities which he owed by law to the SCJ and SCJ Holdings Ltd. as a Board Director of both Public Bodies? or
 - (ii) How did the situation as it existed (i.e. Mr. Hill in his dual role as a consultant while being an active Member of the Boards of Directors of the SCJ and SCJ Holdings Ltd.) ensure that the pursuit, by Mr. Hill, of his personal interests as the Consultant did not undermine the interests of the SCJ, the SCJ Holdings Ltd., the MAF and the GOJ?
4. The OCG has concluded that Mr. Hill has breached his fiduciary duties to the SCJ and SCJ Holdings Ltd. and has also acted in breach of Section 17 (2) of the Public Bodies Management and Accountability Act. Mr. Hill failed to comply with the requirements of the law when he failed to disclose his interest in a prevailing GOJ/MAF contract to the Board of Directors of the SCJ and the SCJ Holdings Ltd. at the time of his appointment to the respective Boards of Directors in 2009 July.

At the very least, Mr. Hill should have declared his interest in his consultancy contract in light of the fact that he had a pecuniary interest in a contract with the GOJ/MAF which had to do with a matter in which the SCJ and SCJ Holdings Ltd. also had a pecuniary interest.

It is instructive to note that Mr. Hill was also cited and formally referred by the OCG, in its 2008 October Report of Investigation, into the Lease of Properties by the Development Bank of Jamaica (DBJ) to the Hon. Mr. Michael Hylton, OJ, QC, the former Solicitor General of Jamaica, and to NationGrowth MicroFinance Ltd., a company of which Mr. Aubyn Hill, a former Director of DBJ, was then a Director.

In that instance, Mr. Hill was cited and referred for irregular and improper conduct and for abuse of office and breach of his fiduciary responsibilities in the discharge of his public functions as a Director of two (2) GOJ Public bodies, the DBJ and the Jamaica Development Bank (JDB).

5. The OCG has also concluded that Mr. Hill has (a) acted negligently in the discharge of his responsibilities as a SCJ and SCJ Holdings Ltd. Director, and/or (b) abused his authority and offices and/or (c) breached his respective duties of trust to the SCJ and SCJ Holdings Ltd. and/or (d) breached his respective fiduciary or statutory duties to SCJ and SCJ Holdings Ltd.

The foregoing conclusions are premised, *inter alia*, upon (a) Mr. Hill's inclusion of particulars relating to his role as a Member of the Board of Directors of the SCJ and the SCJ Holdings Ltd. in the documents which he submitted in support of his invoices for his consultancy contract, despite his being already compensated as a Director of both Boards; and (b) Mr. Hill's failure to disclose his interest in a prevailing GOJ contract, in direct contravention of Section 17 (2) (a) and (b) of the Public Bodies Management and Accountability Act.

In the premises, the OCG is of the considered view that the situation, at best, was not only highly irregular and improper, but was one which flagrantly contravened, *inter alia*, Sections 17 and 6 of the Public Bodies Management and Accountability Act.

³¹⁹ Radiojamaica. “*No conflict of interest - Tufton*” 2009 October 16. <http://www.radiojamaica.com/content/view/22410/26/>

6. Throughout the course of the OCG's Investigation, sworn, material and conflicting statements were made to the OCG, in writing, concerning the nature of Mr. Hill's consultancy contracts. In this regard, Mr. Donovan Stanberry, Mr. Hill and Dr. Christopher Tufton all initially provided written and sworn statements to the OCG in which they referred to Mr. Hill's contracts as 'employment contracts'.

However, contrary to their assertions, the written contracts, between Mr. Hill and the MAF, were far from being 'employment contracts'. They were both, in form, law and function, 'consultant contracts'. Both contracts were replete with multiple references to the term "Consultant". Indeed, the term "Consultant", which is a technical term, was utilized as many as thirty-eight (38) times in the two (2) contracts, whereas the word "employee" or "employment" appears nowhere in the documents. Further, both contracts had been formally signed by Mr. Donovan Stanberry and by Mr. Hill in Mr. Hill's occupational capacity as "Consultant".

Of even greater significance, however, was the fact that both contracts had recited (a) that "*Cabinet, by its Decision No. 22/08 dated June 30, 2008, has approved the appointment of the Consultant*" and (b) that "*The Consultant shall be an independent contractor and not the servant of MOA*" – meaning that the consultant shall not be considered to be an 'employee' of the MOA.

In consequence, the OCG was constrained to direct a follow-up Requisition to each of the three (3) men in an effort to resolve what was clearly a very worrying and material discrepancy in the initial sworn and written representations which they had made to the OCG under the pain of criminal prosecution.

In his answer to the OCG's follow-up Requisition, Mr. Donovan Stanberry informed the OCG that "*...I did, in fact, characterize Mr. Hill's contract as an Employment Contract. This was a mistake on my part, as in my mind the nature of Mr. Hill's assignment was consistent with the role of a contract employee of the Ministry. In actuality, however, Mr. Hill's contract was formatted as a contract for a Consultant, providing short term consultancy service, as against an Employment Contract, in the classic sense...*"

³²⁰ (OCG Emphasis)

Dr. Christopher Tufton also informed the OCG that "*...I did in fact refer to Mr. Hill's contracts as "Employment Contracts", as in preparing my answers I was so advised by the Permanent Secretary. I have since been advised by the Permanent Secretary that he made an error in so designating the contracts, and this has been communicated to you with an appropriate apology from him...*"³²¹ (OCG Emphasis)

Mr. Aubyn Hill, on the other hand, deliberately side-stepped the OCG's attempt to have him provide a clarification to the earlier sworn statements which he had given to the OCG regarding the nature of his contracts. He, instead, directed the OCG to the MAF by stating "*...This question can best be answered by my former employer the MAF.*"³²² It is the OCG's opinion that this was a disingenuous but futile attempt on the part of Mr. Hill to divest himself of culpability in the matter.

Notwithstanding Mr. Hill's questionable evasiveness, it is also instructive to note that, he, Mr. Hill, on the invoices which he had submitted to claim monies from the MAF for his performance of his two (2) contracts, had unequivocally stated that the claimed remuneration was for "*...consultancy service.*" (OCG Emphasis)

³²⁰ Mr. Donovan Stanberry. Response to the OCG's Requisition. 2010 May 14. Question 8

³²¹ Dr. Christopher Tufton. Response to the OCG's Requisition. 2010 June 2. Question 4

³²² Mr. Aubyn Hill. Response to the OCG's Requisition. 2010 June 3. Question 4

Based, among other things, upon the foregoing, and the fact that the contracts were not approved by the NCC, the OCG is constrained to question whether the earlier classifications of Mr. Hill's two (2) contracts as one of 'employment', rather than 'consultancy', was done in light of the OCG's Media Release, which was issued on 2009 October 16. In the referenced Media Release, the OCG had publicly stated that *"...sole source contract awards in excess of \$1 Million in value would **have required, among other things, the prior evaluation and endorsement of the National Contracts Commission (NCC)** as to justification and cost competitiveness."*³²³ (OCG Emphasis)

It is instructive to note also that the Permanent Secretary, Mr. Donovan Stanberry, in his response to the OCG's Requisition, which was dated 2009 November 19, stated, *inter alia*, as follows:

*"As explained in number 6, the **two (2) contracts awarded to Mr. Hill are Employment Contracts, which do not fall within the purview of the National Contracts Committee [sic]**."*³²⁴ (OCG Emphasis)

It is, therefore, evident, from the representations of Mr. Stanberry, that there was an acute awareness that the classification of Mr. Hill's contracts would have been a critical factor in the determination of issues of compliance and culpability.

7. Further, the OCG has concluded that Mr. Donovan Stanberry, on 2009 November 19, Dr. Christopher Tufton on 2010 February 24, and Mr. Aubyn Hill on 2010 March 16, provided the OCG with statements which were manifestly and materially false in that they had unequivocally asserted in the said statements, which were sworn before a Justice of the Peace to be true, accurate and complete, that 'employment contracts' were awarded by the MAF to Mr. Aubyn Hill.

However, the documentary evidence and the subsequent sworn statements which were provided to the OCG by (a) Mr. Donovan Stanberry on 2010 May 14 and (b) Dr. Christopher Tufton on 2010 June 2, have, comprehensively and unequivocally contradicted the initial responses, to the OCG's Requisitions, which were submitted by the three (3) men.

It is for this reason, as well as having regard to the numerous other considerations which are outlined in the Findings of this Report of Investigation, that the OCG has been led to the Conclusion that there is sufficient evidence which has been presented herein which would suggest that Mr. Donovan Stanberry, Dr. Christopher Tufton and Mr. Aubyn Hill have acted in contravention of Section 29 (a) of the Contractor General Act and Section 8 of the Perjury Act.

Section 29 (a) of the Contractor General Act provides, *inter alia*, as follows:

"Every person who –

- (a) willfully makes any false statement to mislead or misleads or attempts to mislead a Contractor-General or any other person in the execution of his functions under this Act;...*

shall be guilty of an offence ..."

Section 8 of the Perjury Act provides, *inter alia*, as follows:

"Every person who knowingly and willfully makes (otherwise than on oath) a statement false in a material particular and the statement is made-

- (a) in a voluntary declaration; or*

- (b) in any oral declaration or oral answer which he is required to make by, under, or in pursuance of any enactment for the time being in force,*

³²³ OCG Media Release. 2009 October 16

³²⁴ Donovan Stanberry. Response to the OCG's Requisition. 2009 November 19. Question #9

shall be guilty of a misdemeanour, and liable on conviction on indictment thereof to imprisonment with hard labour for any term not exceeding two years, or to a fine, or to both such imprisonment and fine”.

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.”³²⁵ (OCG 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 (DPP) for such further action as she may deem to be appropriate.

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 Dr. Christopher Tufton, Mr. Donovan Stanberry and Mr. Aubyn Hill wilfully attempted to mislead a Contractor General in contravention of Section 29 (a) of the Contractor General Act, and/or knowingly and wilfully made a false statement to a Contractor General in a material particular, contrary to Section 8 of the Perjury Act.

The OCG has found that (a) Dr. Christopher Tufton, in his 2010 February 24 response to the OCG's Requisition, (b) Mr. Donovan Stanberry, in his 2009 November 19 response to the OCG's Requisition and (c) Mr. Aubyn Hill, in his 2010 March 16 response to the OCG's Requisition, have all stated that the contracts under which Mr. Hill was engaged by the MAF were 'employment contracts'.

However, the documentary evidence and the subsequent sworn witness statements of (a) Mr. Donovan Stanberry, given on 2010 May 14 and (b) Dr. Christopher Tufton, given on 2010 June 2, which were provided to the OCG, have comprehensively contradicted the sworn representations which were initially made by the three (3) men to the effect that the contracts which were awarded to Mr. Aubyn Hill were 'employment contracts'.

In point of fact, and to place the matter beyond any doubt, Mr. Donovan Stanberry on 2010 May 14, and Dr. Christopher Tufton on 2010 June 2, did assert and did concede, in their subsequent sworn testimonies given to the OCG, that the contracts that were awarded to Mr. Aubyn Hill were not 'employment contracts', as they had previously testified, but were indeed 'consultancy contracts'.

Section 29 of the Contractor General Act provides, *inter alia*, as follows:

“Every person who –

- (a) wilfully makes any false statement to mislead or misleads or attempts to mislead a Contractor-General or any other person in the execution of his functions under this Act; or*
- (b) without lawful justification or excuse –*
 - (i) obstructs, hinders or resists a Contractor-General or any other person in the execution of his functions under this Act; or*

³²⁵ Contractor-General Act. 1983

(ii) *fails to comply with any lawful requirement of a Contractor- General or any other person under this Act,*

shall be guilty of an offence ...”.

Section 8 of the Perjury Act provides, *inter alia*, as follows:

“Every person who knowingly and willfully makes (otherwise than on oath) a statement false in a material particular and the statement is made-

(a) in a voluntary declaration; or

(b) in any oral declaration or oral answer which he is required to make by, under, or in pursuance of any enactment for the time being in force,

shall be guilty of a misdemeanour, and liable on conviction on indictment thereof to imprisonment with hard labour for any term not exceeding two years, or to a fine, or to both such imprisonment and fine”.

The OCG is firmly grounded and convicted in its Referral above as it considers it to be highly questionable and ludicrous that such highly qualified, educated and experienced public servants, in the face, among other things, of written contracts which have lucidly specified the unequivocal nature of Mr. Hill's consultancy engagements, could have mistakenly misconstrued same, **in sworn but separate statements**, to be that of an 'employment contract'. The very thought of the suggestion is an affront to the Commission of the Contractor General which, as has been previously emphasized, is a quasi-judicial independent anti-corruption Commission of the Parliament of Jamaica whose authority must be respected.

Given the Findings and Conclusions which are detailed in this Report of Investigation and the sworn evidence which has been adduced, inclusive of (a) the clearly suspect and/or disingenuous conduct of the three (3) men, and (b) the derisory explanations which have been rendered by them for the glaring discrepancies in the sworn statements which they gave to the OCG, the OCG is of the considered opinion that seemingly deliberate attempts were in fact made by all three (3) parties to materially mislead the Contractor General as regards the classification, import and nature of Mr. Aubyn Hill's engagement by the MAF.

The grave and serious implications, and legal consequences, of the misrepresentations which were initially made by the three (3) men, to the OCG, under the pain of criminal prosecution, should not be underestimated or trivialized. Had their sworn representations to the effect that Mr. Hill's contracts were 'employment contracts' been accepted by the OCG as factual without any further enquiry, the said representations would have served to sanitize Mr. Hill's two (2) 'consultancy contracts' by holding them to be fully above board when in fact any such OCG Finding would have been the furthest from the truth.

Once the OCG had established that the three (3) men had in fact materially misled it and that the referenced contracts were not 'employment contracts' but were in point of fact 'consultancy contracts', it became immediately evident that the Government Procurement Rules, the Government Procurement Regulations and Section 4 (1) of the Contractor General Act had been flagrantly breached by the MAF and its Permanent Secretary in the award of the said consultancy contracts to Mr. Hill. Among the material breaches which were, in consequence, uncovered, was that the MAF had awarded the referenced consultancy contracts to Mr. Hill without first securing the prior approval and endorsement of the MAF's Contracts Committee **and** the National Contracts Commission.

Had the sworn statements which had been previously given by the three men been allowed to stand as they had clearly intended for them to, then the OCG could not have possibly made such adverse Findings, at least one of which, as it will be seen, will impose criminal culpability by virtue of the applicable Regulations.

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 Learned Director of Public Prosecutions (DPP) for such further action as she may deem to be appropriate.

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 MAF and, more precisely, its lawful Accounting Officer, Mr. Donovan Stanberry, irregularly and unlawfully awarded a contract to Mr. Aubyn Hill in contravention of the tendering requirements of the RPPH and, consequently, 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 2009 March contract which was awarded to Mr. Aubyn Hill, by the MAF, was awarded in breach of Subsections S-3000 and S-3010 of the RPPH. These are the applicable provisions which govern the award of consultancy contracts and, which, given the value of Mr. Aubyn Hill's second consultancy contract, required competitive tendering, demonstrable transparency and equity, amongst other things, in the consultant's selection process.

The evidence which was provided to the OCG indicates that the MAF, instead, relied upon the Sole Source/Direct Contracting Procurement Methodologies which were inapplicable to the referenced procurement and, even then, failed to secure the necessary prior approvals of the NCC which would have been required by the Sole Source/ Direct Contracting Procurement Methodologies.

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..."

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 also hereby formally referring a copy of this Report to the Learned and Honourable Attorney General for such further action as the Attorney General may deem appropriate having regard to all of the circumstances of the case.

More particularly, however, the Report is being referred to the Attorney General for a formal determination to be made as to what civil and/or administrative sanctions may be imposed upon the Permanent Secretary in the MAF, Mr. Donovan Stanberry, for the role which he has played, in his capacity as the Accounting Officer of the MAF, in the MAF's award of the referenced consultancy contracts to Mr. Hill in breach, *inter alia*, of the Government's Procurement Rules and Regulations and Section 4 (1) of the Contractor General Act.

Secondly, the OCG is referring its Report of Investigation to the Attorney General as it 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 Mr. Aubyn Hill, the then Chairman of SCJ Holdings Ltd. and a Member of the Board of Directors of SCJ, in contravention, *inter alia*, of Sections 17(1) (a) and (b), 17 (2) and 6 of the Public Bodies Management and Accountability Act.

The foregoing is premised, *inter alia*, upon (a) Mr. Hill's inclusion of particulars relating to his role as a Member of the Board of Directors of the SCJ and the SCJ Holdings Ltd. in the documents which were submitted in support of his invoices for his consultancy contract, despite the fact that he was already being compensated as a Director of both Boards; and (b) Mr. Hill's failure to disclose, to the Members of the Board of Directors of the SCJ and the SCJ Holdings Ltd., his interest in a prevailing GOJ contract, contrary to the requirements which are mandated by Section 17 (2) (a) and (b) of the Public Bodies Management and Accountability Act.

Mr. Hill has (a) acted negligently in the discharge of his responsibilities as a SCJ and SCJ Holdings Ltd. Director, and/or (b) abused his authority and offices and/or (c) breached his respective duties of trust to the SCJ and SCJ Holdings Ltd. and/or (d) breached his respective fiduciary or statutory duties to SCJ and SCJ Holdings Ltd.

Section 17 (2) of the Public Bodies Management and Accountability Act provides that, "A *director who is directly or indirectly interested in any matter which is being dealt with by the board-* (a) **shall disclose the nature of his interest at a board meeting;** (b) **shall not take part in any deliberation of the board with respect to that matter.**" (OCG Emphasis)

Further, 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 SCJ and the SCJ Holdings Ltd. 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

Finally, the Report is also being conveyed to the Learned Attorney General for a formal determination to be made as to what sanctions, if any, may be imposed upon the Minister of Agriculture and Fisheries, Dr. Christopher Tufton, for his conduct in the matter of the sanctioning of the appointment of Mr. Aubyn Hill, in 2009 July, as the Chairman of the Board of Directors of SCJ Holdings Ltd. and as a Member of the Board of Directors of the SCJ. These actions placed Mr. Hill in a clear conflict of interest situation, viz.-a-viz. his fiduciary duties as a Director of the referenced companies and his functions as a GOJ/MAF Consultant, and thus in a situation which threatened the interests of SCJ Holdings Ltd and the SCJ.

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 considered Findings, Conclusions and Referrals that are detailed herein, the OCG now respectfully makes the following Recommendations:

1. The OCG recommends that the portfolio Permanent Secretary takes a more proactive and aggressive role in developing, implementing and enforcing effective risk management systems, checks and balances and other appropriate management systems at the MAF, in an effort to mitigate against any possibility of deviations from the RHPP by the institution’s management and procurement staff.
2. The OCG recommends that the MAF should ensure scrupulous compliance with the RHPP, particularly with respect to securing the requisite approvals from its Procurement Committee, its Accounting Officer/Head of Entity, the NCC, and the Cabinet, as applicable, in full conformance with the requirements of Sub-Section S-1020 (B) - 1, 3 and 5 and Sub-Section S-2040 (E) of the RHPP;
3. Contracts which are awarded by the MAF should be awarded in compliance with the applicable Procurement Guidelines and must be, and appear to be, awarded fairly, impartially on merit and without any form of irregularity or impropriety.
4. The OCG is recommending that Public Officers/Officials and Consultants, who are engaged by the GOJ, adhere to the strictest practices of professional ethics and conduct whilst in the employ of the GOJ.
5. The OCG also respectfully recommends that all Appointees to the Board of Directors of any Public Body are duly and fully made aware of their responsibilities and obligations under the provisions that are contained, *inter alia*, in the Public Bodies Management and Accountability Act.
6. The Cabinet should move to immediately develop and implement a comprehensive and overriding policy that is 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.
7. 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, 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.

8. The OCG hereby recommends that appropriate steps should be immediately taken to ensure that Mr. Aubyn Hill is barred from serving on the Board of Directors of any Public Body in the future.

The OCG's recommendation in the foregoing regard is premised upon the fact that Mr. Hill has been previously cited and formally referred by the OCG, in one of the OCG's anti-corruption Investigation Reports, which was dated 2008 October, for irregular and improper conduct. Mr. Hill was cited by the OCG for abuse of office and breach of his fiduciary responsibilities in the discharge of his public functions as a Director of a GOJ Public Body – conduct which is similar to the very conduct for which he has been found culpable in the instant matter.

In the OCG's 2008 October Report of Investigation into the Lease of Properties by the Development Bank of Jamaica (DBJ) to the Hon. Mr. Michael Hylton, OJ, QC, the former Solicitor General of Jamaica, and to NationGrowth MicroFinance Ltd., a company of which Mr. Aubyn Hill was then a Director, it was a formal Finding of the OCG that Mr. Hill, whilst serving as a Director of both the Jamaica Development Bank (JDB) and the DBJ, flagrantly violated his fiduciary duties to both Public Bodies when, with the irregular and improper permission of the then Chairman of the Board of Directors of the DBJ, Dr. the Hon. Carlton Davis, he was allowed to make a formal presentation, concerning two matters in which he had a personal interest, to the Board of Directors of the DBJ, in direct contravention of Section 17 (2) of the Public Bodies Management and Accountability Act and Section 4 (4) of the Jamaica Development Bank Act.

It must be recalled that Section 17 (2) of the referenced Act provides, *inter alia*, that “A director who is directly or indirectly interested in any matter which is being dealt with by the board- (a) shall disclose the nature of his interest at a board meeting; (b) **shall not take part in any deliberation of the board with respect to that matter.**” (OCG emphasis)

Section 4 (4) of the Jamaica Development Bank Act provides that “A director who is directly or indirectly interested in a contract made or proposed to be made by the Bank (a) shall disclose the nature of his interest; and (b) **shall not take part in any deliberation or decision of the Bank with respect to that contract.**” (OCG Emphasis).

The un-refutable and documented facts of the matter were that the referenced Special Board Meeting of the DBJ, which was convened, “*at short notice*”, on Friday, 2007 August 31, the final working day before the country's last General Political Elections of Monday, 2007 September 3, was convened primarily to create an opportunity for Mr. Hill to improperly bypass the management of the DBJ (a) to enable him, Mr. Hill, to make a presentation directly to the DBJ Board regarding his personal Expression of Interest to build a business partnership agreement between his own proposed company and the DBJ; and (b) for him, Mr. Hill, to make an additional presentation to the DBJ Board of Directors to secure, to his own company, a lease of a property over which the DBJ then had administering control.

The documented facts will show that the referenced Presentations, which were made by Mr. Hill and his colleague, were also made in contravention of the DBJ's own internal procedures. Additionally, the presentations were made despite the strong objections which were registered at the Board Meeting by at least one management representative of the DBJ, as well as by certain members of the Board, regarding, *inter alia*, the obvious impropriety of the actions of the Chairman of the Board and Mr. Hill.

In the referenced OCG DBJ Report of Investigation, which was formally tabled in the House of Representatives on 2008 October 31, and in the Senate on 2008 November 7, and which is posted on the OCG's website at www.ocg.gov.jm, six (6) formal Recommendations were made by the OCG.

The fifth (5th) of these Recommendations reads verbatim as follows:

"The OCG further respectfully recommends that Parliament should implement legislation to ensure that Directors of Public Body Boards who flagrantly abuse their office and/or authority and/or who fail substantially in the discharge of their fiduciary and statutory responsibilities to their Boards and, by extension, to the Taxpayers of Jamaica, are effectively barred from serving in any like capacity in the future".

It is crystal clear that, despite the foregoing Findings and Recommendations, Mr. Aubyn Hill has not been deterred from engaging in conduct which contravenes, *inter alia*, the provisions of the Public Bodies Management and Accountability Act. He has continued to display a surprising lack of respect for the referenced Law and has, by his conduct, in both the DBJ and the instant matters, demonstrated what appears to be an unsavoury and cavalier disregard for some of the most fundamental rules of good corporate governance.

It is on the foregoing bases, therefore, that the OCG's considered Recommendation herein is now being made. Having regard to the circumstances of the matter, the OCG is also obliged to repeat, herein, the formal Recommendation which was made by it, and which was numbered five (5), in the referenced DBJ Investigation Report.

9. Finally, the OCG is obliged to repeat a Recommendation which it has previously made on occasions which are now too many to count. The Recommendation is that immediate steps should be taken by the Legislature to significantly strengthen the sanctions which are currently provided for in Section 29 of the Contractor General Act, Section 40 of Public Sector Procurement Regulations and Section 15 of the Corruption Prevention Act. The OCG would respectfully propose the following:
 - (a) Increase the penalty under Section 29 of the Contractor General Act for (i) making a false statement to mislead a Contractor General, (ii) misleading a Contractor General, (iii) attempting to mislead a Contractor General, (iv) obstructing, hindering or resisting a Contractor General in the execution of his functions and/or (v) failing to comply with a lawful requirement of a Contractor General, to a mandatory minimum fine of \$3 Million or to imprisonment for a mandatory minimum term of 3 years, or both. The current penalty is a fine not exceeding \$5,000 or imprisonment for a term not exceeding 12 months, or both.
 - (b) 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. The current penalty is a fine not exceeding \$1,000 or imprisonment not exceeding three months, or both. Consideration must also be given to the imposition of civil and/or administrative sanctions, whether in addition to, or in lieu of, the recommended criminal sanctions, depending upon the nature and gravity of the breach.
 - (c) 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. If the offence is committed by 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. In addition, the Public Official's retirement and employment benefits should be forfeited to the State. In both instances, the proceeds of the corrupt act should also be forfeited to the State. The current minimum penalty for corruption offences under the Corruption Prevention Act is a fine not exceeding \$1 Million or imprisonment for a term not exceeding 2 years, or both. The maximum penalty is a fine not exceeding \$10 Million or imprisonment for a term not exceeding 10 years, or both.

Until and unless powerful sanctions are promulgated for criminal breaches of the Contractor-General Act, the Government's Procurement Regulations and the Corruption Prevention Act, and until and unless those who transgress these laws are vigorously and relentlessly investigated and prosecuted by the relevant State Agencies without regard to their social, political or economic standing, Public Officers and their Private Sector co-conspirators will obviously continue to pay scant regard to the due observance of the said Laws to the certain detriment of the Public Purse and the People and Taxpayers of Jamaica.

Special Recommendation

Having regard to the Recommendations which are contained herein, the OCG has deemed it prudent to detail, hereunder, a Special Recommendation which reiterates a formal Recommendation that was previously made by the OCG in its 2009 July Special Report of Investigation Concerning the Allegation of the Award of Contracts to be Performed in the North East St. Catherine Constituency by the National Works Agency (NWA) and Rural Agricultural Development Authority (RADA).

The OCG feels compelled to reiterate the referenced Recommendation having regard to the challenges which it has yet again faced in its attempt to clearly and unequivocally apply the rules of the RPPH and the attendant Public Sector Procurement Regulations.

In the instant case, the Rules, which would have applied to the second consultancy contract which was awarded to Mr. Aubyn Hill, under the current RPPH, stipulate, for example, that the procuring entity should invite *"appropriately qualified consultants registered with the NCC."* However, the OCG is fully aware that the NCC, at the current time, does not register or require Consultants to be registered with it. The foregoing, therefore, underscores one of the further ambiguities which the OCG has identified in the current Procurement Rules.

Consequently, it is with grave concern and with a renewed sense of urgency that the OCG must again repeat, in verbatim terms, the Recommendation which is detailed hereunder and which it has previously brought to the formal attention of the Executive and the Houses of Parliament in its above-referenced 2009 July Report of Investigation.

"The ambiguities which are referenced in this Report of Investigation have made it difficult to definitively establish breaches of the Procurement Guidelines and/or to recommend any of the applicable sanctions which are embodied in the new and interim Public Sector Procurement Regulations of 2008.

The OCG is obliged to reiterate, at this juncture, that the Ministry of Finance and the Public Service's Circular No.46, which was dated 2008 December 10, and through which the Revised Handbook of Public Sector Procurement Procedures was issued, advised specifically as follows:

"Permanent Secretaries, Chief Executive Officers and Heads of Entities are hereby advised that via Cabinet Decision No: 43 dated December 10, 2008 approval has been granted for the use of the Revised Handbook of Public Sector Procurement Procedures for an interim period pending revision by the team and final approval by the Cabinet." (OCG Emphasis)

The ambiguities, anomalies and contradictions which have been identified by the OCG in the interim Procurement Guidelines, underscore those of the OCG's prior documented representations which have been formally made to the Government of Jamaica, that the Guidelines are in a "draft, rudimentary and widely admitted gestative state" and that steps should, therefore, be urgently taken, inter alia, to:

- 1. Speedily complete the revision process.*
- 2. Make the guidelines simple in construct, easy to read and easy to interpret; and*
- 3. Ensure that the guidelines are so structured and are easily identified by chronological numeric assignment to facilitate, inter alia, their promulgation as regulations.*

The OCG believes that it is untenable, unacceptable and unjust that Procurement Guidelines which are rudimentary in nature, ambiguous in import and which have been formally classified by the State as having been put into force **“for an interim period pending revision by the team and final approval by the Cabinet”**, should constitute the basis upon which criminal sanctions can be imposed upon unsuspecting Public Officers should the said Guidelines be deemed to have been “contravened” by them.

Further, given the fact that more than seven (7) months have elapsed since the interim Guidelines have been promulgated, the OCG is now gravely concerned about the negative and adverse impact that the said ambiguities, anomalies and contradictions, which are contained in the Guidelines, could potentially pose – not just for Public Sector procurements – but for the many well meaning and well intentioned Public Servants who are called upon each day to administer the rules.

It is primarily for these reasons, therefore, that the OCG is now obliged to respectfully call upon the Cabinet, and the Parliament of Jamaica, to urgently prosecute the outstanding revisions to the Guidelines to give effect, *inter alia*, to the prior recommendations of the OCG and, by so doing, to make the Guidelines complete, lucid, intelligible, certain and more congruent with the 1983 Contractor General Act and the new 2008 Public Sector Procurement Regulations.

Finally, the OCG feels constrained to express, again, its dissatisfaction with the unbelievably paltry and relatively infinitesimal criminal sanction of **“a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding three months or to both...”**, which has been imposed by Section 40 of the new 2008 Public Sector Procurement Regulations, to deter and to criminally punish breaches of the Procurement Guidelines.

The OCG would respectfully submit that the referenced criminal sanction has made a mockery of the attempts by the State to curtail breaches of its Procurement Guidelines.

Consequently, the OCG recommends that, in completing the revision to the interim Guidelines – a process which is now long over-due, every effort should be made to ensure that the subject sanction is significantly strengthened both in terms of its provisions for the imposition of a monetary fine as well as in respect of its provisions regarding incarceration.”

OFFICE OF THE CONTRACTOR-GENERAL OF JAMAICA

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 Mr. Aubyn Hill

Date Issued: 2010 October 5

Introduction

The Office of the Contractor General (OCG) has taken note of the recent Rulings of the Office of the Director of Public Prosecutions (ODPP) which were issued in response to the Statutory Referrals which were submitted to it following the conclusion of the OCG's September 2010 Investigation into the two (2) consultancy contracts which were awarded by the Ministry of Agriculture and Fisheries (MAF) to Business Consultant, Mr. Aubyn Hill.

The OCG wishes to make it abundantly clear that it fully acknowledges, accepts and respects the lawful and independent authority of the ODPP, under the Constitution of Jamaica, to decide, as it alone sees fit, whether a criminal prosecution should be commenced in any matter which has been lawfully referred to it.

The OCG, in its Report of Investigation into the matter, had determined that there was evidence that Mr. Hill, the MAF Minister, Dr. the Hon. Christopher Tufton and the MAF Permanent Secretary, Mr. Donovan Stanberry, had each made separate, sworn and materially false statements, under the pain of criminal prosecution, with the seeming intent to mislead a Contractor General, contrary to Section 29 (a) of the Contractor General Act (CGA) and Section 8 of the Perjury Act.

The OCG continues to stand firmly and unconditionally by those of its Findings, Conclusions, Referrals and Recommendations which are set out in the referenced Report of Investigation.

The Commission of the Contractor General is a Quasi-Judicial Authority which was established under the CGA of 1983 as an Independent Anti-Corruption Commission of the Parliament of Jamaica. In conducting Investigations, pursuant to the provisions of the Act, a Contractor General is vested with the powers of a Judge of the Supreme Court of Jamaica and is expressly empowered to examine witnesses under oath, or otherwise, and to make a Quasi-Judicial determination or finding, on the basis of sworn or other evidence that has been presented to it, *"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"*.

In discharging his mandates and functions under the Act, a Contractor General is required to act independently. Section 5 (1) of the CGA expressly mandates that *"In the exercise of the powers conferred upon him by this Act, a Contractor General shall not be subject to the direction or control of any other person or authority"*.

After considering the OCG's Report, the ODPP determined that there was no basis for commencing criminal proceedings against any of the three (3) men. That is the right of the ODPP. Indeed, in referring the said matters to the ODPP, the OCG in no way directed or attempted to direct the ODPP or made any recommendation whatsoever to the ODPP but clearly expressed that the matter was being referred *"to the Learned Director of Public Prosecutions **for such further action as she may deem to be appropriate**"*.

The ODPP issued its Rulings on Tuesday, September 28, 2010. The Rulings were issued 15 days after the OCG's Report of Investigation was formally submitted, as is required by law, to eight (8) State Authorities, inclusive of the Speaker of the House of Representatives, the President of the Senate and the ODPP, and 14 days after the Report was tabled in the House of Representatives.

At the time of the ODP's Rulings, the OCG's Report of Investigation had not yet been tabled in the Senate nor has the Report been tabled in the Senate as at the date of this Statement. Consequently, the Report has not yet been formally published by the OCG pursuant to Section 28 (4) of the CGA.

The OCG's Investigation Report, the ODP's Rulings and, in particular, certain public statements which have been made by the MAF and by the three (3) MAF officials in the instant matter, have raised a number of critical questions in the public domain. These questions cannot be left unaddressed or unattended.

The OCG believes that the public interest would be best served if its positions, in respect of the above-referenced questions, are lucidly, forthrightly and dispassionately articulated. The OCG trusts that its efforts to do this will not be mischaracterized as an attempt to advance what some have branded as a "*public spat*" between the OCG and at least one other public institution.

One of the questions which has been raised is whether the OCG has "*over-reached*" in the discharge of its statutory mandates, has acted unlawfully or with indiscretion, or has failed to "*understand (the) context motives and intent*" of the matter, whatever that was intended to mean.

The OCG's position is that it has done none of these things. Indeed, the OCG is firmly fortified in its view that it has faithfully and lawfully discharged its mandate under the CGA and that it has dispassionately arrived at its positions after having conducted a thorough Investigation in the matter, inclusive of an objective assessment of the sworn evidence and all of the circumstances of the case as was presented to it.

The OCG is an organisation which strives to attain the highest levels of professionalism, integrity and ethical standards in the administration of its functions and mandates under the CGA. The OCG is prepared, without reservation, to defend its positions, in any forum, should it become necessary to do so.

The OCG is also acutely aware that it is likely to be criticised and ridiculed for taking a stand which some may regard as a stand which is not in keeping with the popular grain of public opinion. However, taking a popular stand is not what the OCG is supposed to be about, nor is it what the OCG is about. The OCG is about discharging its mandate, faithfully and dispassionately, and fairly but fearlessly, in accordance with the law and in the interests of the People of Jamaica. In the final analysis, the OCG's job must be about the search for the truth.

The OCG would respectfully encourage those commentators and interested persons who have not yet done so to read the OCG's 148 Report of Investigation, into the matter, in its entirety. The Report was published by the Houses of Parliament on September 28, 2010 and can be viewed on, or downloaded from, the Houses of Parliament's official website at www.japarliament.gov.jm/.

False But Pivotal Premise Placed in the Public Domain Regarding Alleged "Genuine Mistake"

While the OCG does not intend to rehash or revisit its Report of Investigation in this Statement, it is, however, constrained to correct a false but very pivotal and damaging premise which has been disingenuously placed in the public domain to the effect that the so alleged "*genuine mistake*", which was made by the three (3) MAF officials, was one which was voluntarily corrected or conceded by them to the OCG.

The assumption, although entirely false, has apparently given credence and flight to the now apparent and widely held notion that there was no basis for the OCG's inference of a criminal intention, on the part of the three (3) men, to mislead the Contractor General. As one newspaper editorial has put it, "*Indeed, it is widely acknowledged that Mr. Stanberry, early in the investigations, voluntarily conceded the error, genuinely made*".

The contention is not only false and mischievous, but it is a deliberate obfuscation of the sworn and incontrovertible evidence which has been entered upon the record, since there was absolutely no documentation or information which was voluntarily furnished to the OCG by any of the three (3) men throughout the entire course of the Investigation. All information or documentation which was furnished by the men was furnished in direct compliance with the formal written Statutory Requisitions which were issued to them by the OCG.

The germane facts of the matter are that Mr. Stanberry's first statement to the OCG, in which he falsely classified the contracts as '*employment contracts*', was one which was made in a sworn Declaration, dated November 19, 2009, that was given by him in answer to a formal OCG Statutory Requisition. However, it was not until six months later, on May 14, 2010, that the Permanent Secretary admitted in writing to the OCG that he had made a false statement to the OCG in his November 19, 2009 Declaration.

Mr. Stanberry's written admission was by no means voluntarily rendered. It was rendered only after the OCG, by way of a second Statutory Requisition, which was dated April 30, 2010, demanded of Mr. Stanberry, under the pain of criminal prosecution, a sworn explanation as to the discrepancy that the OCG had discovered between his earlier assertion that the contracts were '*employment contracts*' and the overwhelming fact evidence that the contracts were indeed '*consultancy contracts*'. It was only then that Mr. Stanberry stated that he had made his so called "*genuine mistake*".

This worrying development raised, for the OCG, a credible and legitimate question as to whether Mr. Stanberry had set out to deliberately deceive the OCG and had decided to confess to his alleged "*mistake*" only when he was confronted by the OCG with incontrovertible facts which he could not deny.

Likewise, it was in response to the OCG's second Statutory Requisition, which was directed to Mr. Tufton on April 30, 2010, that he, Mr. Tufton, on June 2, 2010, conceded that he had mischaracterized Mr. Hill's contracts as '*employment contracts*'. There was absolutely nothing that was volunteered to the OCG by the Hon. Minister. The Hon. Minister provided an admission of his "*error*" – shifting the blame to the Permanent Secretary – only after he was compelled, by the OCG, on the pain of criminal prosecution, to explain the discrepancy which had existed between his own earlier sworn statement vs. the fact of the contracts being '*consultancy contracts*'.

So too, in the case of Mr. Hill, absolutely nothing was volunteered by him, to the OCG, to remedy his sworn Declaration, dated March 16, 2010, in which he had falsely asserted to the OCG that the contracts which he held were '*employment contracts*'. When the OCG, via a second Statutory Requisition, sought an explanation regarding the discrepancy from Mr. Hill, he side-stepped the question entirely by stating thus: "... *This question can best be answered by my former employer MAF*".

Mr. Hill's answer was clearly puzzling to the OCG, particularly since he, Mr. Hill, was also being asked to explain a discrepancy in a sworn statement that he himself had previously and independently given to the OCG under the pain of criminal prosecution.

Issue of determination of '*employment*' vs. '*consultancy*' contracts not a trivial one

It must also be clearly understood that there is nothing which was *de minimis* or trivial about the false classification, by the three (3) men, of Mr. Hill's consultancy contracts as '*employment contracts*'. Indeed, the very substratum of the OCG's Investigation centered around the determination as to whether or not Mr. Hill's two (2) contracts were to be classified as "*employment contracts*" or as "*consultancy contracts*".

If the contracts were accepted as '*employment contracts*', that would have been the very end of the OCG's Investigation, since '*employment contracts*' are not subjected to the strictures or regimentation of the Government's Procurement Regulations, nor are they scrutinized by the National Contracts Commission (NCC), nor are they subject to the Statutory monitoring or investigation jurisdiction of the OCG.

If, on the other hand, however, the contracts were deemed to be “*consultancy contracts*”, as the three (3) men subsequently conceded that they were, then, as the saying goes, that would be a *‘horse of a different colour’*. ‘*Consultancy contracts*’, unlike ‘*employment contracts*’, must, by law, be subjected to the regulatory rigours of the Government’s Procurement Regulations and the Contractor General Act, as well as to the scrutiny and prior endorsement of the National Contracts Commission (NCC) before they can be lawfully awarded.

Having said that, it is critically instructive to note that the sworn evidence which was adduced to the OCG, by the MAF Permanent Secretary, himself, in response to the first of two (2) OCG Statutory Requisitions that had been directed to him, unequivocally established that he was fully cognizant of the preceding facts when he falsely swore to the OCG, under the pain of criminal prosecution, that Mr. Hill’s contracts were in the nature of an ‘*employment contract*’.

Consequently, consideration had to be given to the prospect that the Permanent Secretary may have set out to cover his tracks, particularly when the evidence disclosed that the two (2) consultancy contracts had in fact been unlawfully awarded to Mr. Hill in flagrant violation of the Government’s Procurement Rules, the Public Sector Procurement Regulations and the Contractor General Act.

Indeed, the evidence on the record has conclusively established that the MAF Permanent Secretary had bypassed the NCC in the award of the first consultancy contract to Mr. Hill and had failed to subject the second consultancy contract to a competitive tendering process. The latter act, it must be noted, amounted to the commission of a criminal offence, on his part, under the December 2008 Public Sector Procurement Regulations. Accordingly, the question of a motive could not, in the circumstances, be ignored.

Questions which inevitably arise

A number of critical questions have, therefore, come to the fore.

One is this: If the three (3) men had indeed made a “*genuine mistake*” as they claim that they did, why then did they not confess to same on their own volition instead of waiting until they were challenged by the OCG, by way of a second Statutory Requisition that was issued some six (6) to seven (7) months after the first of the three (3) false representations were made, to concede to facts which they could no longer deny and thus strengthening the inference, which was otherwise raised by the preponderance of the evidence, that there was a clear probability of a deliberate intent to deceive?

A second question must also be asked. If an inadvertent or “*genuine mistake*” was indeed made by the men, how then did Mr. Hill, at the very outset, come to be persuaded by the MAF that his contract should be characterized to the OCG as an ‘*employment contract*’ and not as a ‘*consultant contract*’?

By Mr. Hill’s own account, this occurred after what he, Mr. Hill, described as a “*long discussion*” on the subject had taken place between himself and the MAF Permanent Secretary. Mr. Hill stated that he was persuaded to take the Permanent Secretary’s “*advice*” despite the fact that he, Mr. Hill, had had no “*doubt what I was, as a Consultant, (before) going to the (meeting at the) Ministry*” (Ref. **Statements made by Mr. Hill to Garfield Burford on CVM TV ‘Direct’ on September 15, 2010**).

Is it not evident, therefore, that contrary to what the MAF has suggested, there were extensive prior deliberations and consultations on exactly how the men should have answered the OCG’s Requisitions and, in particular, how they should characterize Mr. Hill’s contracts to the OCG?

And is this not, therefore, evidence of collusion between the parties and proof that there was indeed a concerted and pre-meditated plan of action to characterize the contracts as ‘*employment contracts*’?

And, finally, does this not then make suspect the men’s contention that a “*genuine mistake*” was made by them when they failed to accurately characterize the contracts as ‘*consultancy contracts*’?

Significance of making false sworn statements whilst under caution for criminal prosecution

The foregoing matters, among the many other adverse evidentiary considerations which have been recorded in the OCG's Report of Investigation, are extremely grave and critical in import. They have raised issues of questionable motives, gross negligence, dereliction of duty, the undermining of the procurement process by a State Accounting Officer, and/or flagrant breaches of good governance and accountability standards, in the MAF's award of the subject consultancy contracts to Mr. Hill.

Curiously and regrettably, however, and to the certain detriment of the People and Taxpayers of Jamaica, these issues have been wholly overlooked or ignored by most commentators who have expressed an adverse opinion on the matter, and who seem to believe that the three (3) MAF public officials who were involved have done no wrong or, worse yet, have been unjustifiably wronged or brought into disrepute by the OCG.

The inexplicable contention that has been bandied about that the OCG is somehow responsible for the men's plight becomes glaringly ludicrous, if not preposterous, when one considers the fact that each man, independently of each other, had made a material and manifestly false statement to a Quasi-Judicial Authority, during the course of a Statutory Investigation. This was done after each of them had been **extensively cautioned in writing** that should they "*fail to provide a complete, accurate and truthful response to any of the (OCG's) requisitions*", they would "*become liable, inter alia, to criminal prosecution under Section 29 of the Contractor General Act.*"

To further compound the issue of the men's obvious culpability and the responsibility which they should accept for their own actions, each of them was required to, and did in fact, willingly and knowingly execute a formal Statutory Voluntary Declaration, before a Justice of the Peace, swearing, upon the pain of criminal prosecution under the Perjury Act, to the veracity of the false statements which they provided to the OCG.

It is not unlikely that, in the foregoing circumstances, in certain other jurisdictions, all three (3) men could have easily found themselves in prison for their actions or, at a minimum, be compelled to defend their conduct, before a Criminal Court of Law, for admittedly lying in sworn testimony or under 'oath' to a Quasi-Judicial State Authority.

OCG's Response to Public Recommendations Made by the MAF

The OCG's Investigation Report, the ODPP's Rulings and the consequential positions which have been publicly advocated by the MAF in the instant matter, have also raised other critical issues in the public domain. Some of the referenced issues are based upon a fundamental misunderstanding of the provisions of the Contractor-General Act. Accordingly, they cannot be left unattended if the public interest is to be served.

One of the tangential issues which has surfaced in the foregoing regard is that the MAF has, among other things, publicly recommended that persons who are adversely affected by Investigations of the OCG should be given an opportunity to comment upon the Findings of the OCG **before** the relevant Report of Investigation is sent to the Parliament or to any other State Authority.

Other suggestions have also been advanced as to the manner in which OCG Investigations or Reports of Investigation should be handled. One of these is that the OCG should conduct its Statutory Investigations in the same or similar manner as the Office of the Auditor General conducts its audits into the accounting or financial management practices of public bodies.

There are, however, certain fundamental misconceptions and misunderstandings which have informed these views and it is critical that they are brought to light as a matter of urgency.

MAF recommendations cannot be lawfully adopted by the OCG or practically legislated

As a matter of law, the MAF's recommendations are not only entirely impossible to implement under the CGA – the very Statute which has established the Commission of the Contractor General and by which a Contractor General is circumscribed in terms of what he can and cannot lawfully do in the discharge of his Statutory mandates – but should any attempt be made to implement the recommendations, via legislative amendment, and on a piecemeal basis, the entire construct of the CGA, as it was conceived to exist, will have to be abandoned.

A cursory review of the essential elements of the platform on which the Commission of the Contractor General was constructed will bear credence to the foregoing positions of the OCG. They are as follows:

- (a) The Commission of the Contractor General was established in 1983, under the CGA, as an Independent Anti-Corruption Commission of the Parliament of Jamaica. It is vested with the exclusive authority, under the law, to monitor and to investigate the award of Government contracts and the issue of Government licences to ensure, *inter alia*, that they are awarded and issued impartially and on merit, and in circumstances which do not involve impropriety or irregularity. (See Sections 3, 4, 15 and 16 of the CGA).
- (b) The Commission is required by law to discharge its mandates and functions independently of any other person or authority. In this regard, Section 5 (1) of the CGA expressly mandates that *"In the exercise of the powers conferred upon him by this Act, a Contractor General shall not be subject to the direction or control of any other person or authority"*.

This provision, alone, would render useless the MAF's Recommendation, since there would be no point in the Commission consulting with a person who is found to be adversely affected by an Investigation of the Commission since that person would be in no position to direct or to influence the considered Quasi-Judicial findings of the Commission, particularly in circumstances in which the person, during the course of the Investigation, was already afforded with the opportunity to answer specific questions and to provide any other information which he felt necessary to provide to the Commission to aid it in its Investigation.

As a matter of record, it should be noted that all three (3) MAF officials, in the subject Investigation, were each afforded two (2) separate and distinct opportunities, during the course of the Investigation, to provide information, via sworn testimony, to the OCG.

- (c) The Commission possesses almost unfettered and unrestricted powers of enquiry, subpoena, discovery and search to facilitate its lawful access to any person, place, document, record, information or thing. So extensive are these powers that not even the Official Secrets Act or any other legislation or rule of law (save for the exceptions that are noted below) can be held up as a bar to the Commission in response to the Commission's Requisitions for the provision of information or documentation from any public officer or other person. (See Sections 4 and 18 of the CGA).

Indeed, Section 18 (4) of the CGA provides that *"Any obligation to maintain secrecy or any restriction on the disclosure of information or the production of any document or paper or thing imposed on any person and by or under the Official Secrets Act, 1911 to 1939 of the United Kingdom (or any Act of the Parliament of Jamaica replacing the same in its application to Jamaica) or, subject to the provisions of this Act, by any law (including a rule of law) shall not apply in relation to the disclosure of information or the production of any document or thing by that person to a Contractor General for the purpose of an investigation ..."*.

The only exceptions to the foregoing provisions are those which are contained in Sections 15 (2) and 19 of the CGA regarding national security matters, and Section 18 (5) of the Act, regarding the rule against self-incrimination.

- (d) In order to place an effective and enforceable check on the obviously extensive powers which have been accorded to the Commission to gather sensitive and confidential information, and in an effort to secure the secrecy, confidentiality and the unauthorized disclosure of any such information or documentation that comes within the possession of the Commission, a Contractor General and every employee of the Commission is bound, among other things, by a solemn oath of secrecy which, if violated, will lead to criminal prosecution under Section 29 (c) of the CGA. (See Sections 14, 24 and 29 and the Second Schedule of the CGA).

It is clearly evident that this provision, alone, would also prohibit the premature or unauthorized disclosure to a person, by the Commission, of the particulars of, or reasons for, any finding or intended referral of the Commission which the Commission deems may be adverse to that person.

- (e) The Commission, in the conduct of its Investigations under the Act, is also en clothed with the powers of a Judge of the Supreme Court of Jamaica. It is empowered to examine witnesses under oath (or otherwise) and, upon the completion of its Investigations, to issue Recommendations and/or to make a Quasi-Judicial determination or finding, on the basis of the sworn or other evidence that has been presented to it *“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”*. (See Section 21 of the CGA).
- (f) In its conduct of Investigations under the CGA, the Commission is also entitled, at its own discretion, to adopt whatever procedure it considers appropriate to the circumstances of a particular case and to obtain information from any person and to do so in such manner as it alone may deem fit. (See Section 17.1 of the CGA).
- (g) The Commission, in its conduct of its Investigations, if it so deems fit, is empowered not *“to hold any hearing”*. Indeed, it is critical to note that the CGA expressly provides that *“... no person shall be entitled as of right to comment on any allegations or to be heard by a Contractor General”*. This provision of the CGA clearly establishes that it was the intent of Parliament to permit the conduct and completion of Investigations under the CGA without the subject of the Investigation even being made aware of same, much less being afforded with the opportunity to be heard. (See Section 17.2 of the CGA).
- (h) Where an independent finding is made by the Commission *“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”*, the Commission is mandated, as a matter of law, to *“... 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 (of a public body) **and in all such cases shall lay a special report before Parliament**”*, thus automatically rendering the Commission’s findings and referrals public. (See Sections 21 and 28.3 of the CGA).

Legislative obligations and constraints imposed upon the OCG on completion of an Investigation

Upon conclusion of the conduct of an Investigation, pursuant to Sections 15 (1) and 16 of the CGA, a Contractor General is required to be guided in his actions by the expressed provisions of the CGA. Some of these provisions, such as Section 21 of the CGA, have already been addressed.

A close review, however, of all of the relevant and germane provisions of the CGA will disclose that a person who is or who will be adversely affected by a Report of Investigation of the Commission is entitled only to be *“inform(ed) ... of the substance of the report”* and to be so informed only *“after”*, and not before, the Commission *“concludes an investigation under this Act”*.

Of critical note is that the person who is to be so informed must be informed either after or contemporaneously with the other State Authorities who are required to be informed by the Commission. The Commission has no discretion in the matter.

It must also be clearly understood that the Secrecy provisions of the CGA, as has been indicated above, will otherwise prohibit any pre-mature disclosures or consultations by or between the Commission and any unauthorised person, inclusive of a person who is adversely impacted by a Report of Investigation of the Commission.

The critical provisions of the CGA, which guides what the Commission can and cannot lawfully do upon the conclusion of any of its Investigations, are as follows:

Section 15 (2):

*“A Contractor General **shall** not, without the prior approval of the Secretary to the Cabinet acting at the direction of the Cabinet, investigate any government contract or any matters concerning any such contract entered into for purposes of defence or for the supply of equipment to the Security Forces ... and any report or comment thereon by the Contractor General **shall** be made only to the Cabinet”.*

Section 20 (1):

*“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”.*

Section 20 (2):

*“If any report of a Contractor General reflects adversely upon any person the Contractor General **shall**, so far as practicable, inform that person of the substance of the report”.*

Section 21:

*“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”.*

Section 28 (2):

“A Contractor General ... may at any time submit a report relating to any particular matter or matters investigated, or being investigated, by him, which, in his opinion, require the special attention of Parliament”.

Section 28 (3):

*“Reports under this section **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”.*

Section 28 (4):

“A Contractor General may, in the public interest, from time to time, publish in such manner as he thinks fit, reports relating to such matters as are mentioned in sub-section (2) and any case which is the subject of a special report under Section 21, but no such report shall be published until after it has been laid pursuant to subsection (3)”.

Breach of CGA or oath by OCG could constitute a criminal offence and/or misbehaviour in office

The OCG is compelled to lucidly state, so that it is clearly understood, that a Contractor General, and all of the members of staff of the OCG, have been required, by law, to swear to a solemn Statutory oath to discharge the mandates and functions of the Commission of the Contractor General, on behalf of Parliament, and to do so in strict accordance with the expressed provisions of the Contractor-General Act. (See Section 14 and the Second Schedule of the CGA).

A breach or violation of this solemn oath could result in an offending Contractor General or OCG employee becoming liable for criminal prosecution, under Sections 24 and 29 (c) of the CGA, in any instance in which the secrecy or confidentiality provisions of the CGA are violated. It could also result in an offending Contractor General being removed from office, under the provisions of Section 7 of the CGA, for “misbehaviour”.

It should, therefore, be clear to all concerned that unless a Contractor General or the officers of the OCG are prepared to break the law and to suffer the consequences, the recommendations which have been advanced by the MAF in this matter cannot be lawfully accommodated under the CGA, nor can they be practically accommodated via a piecemeal revision of the CGA, without altering the very construct of the Commission of the Contractor General and the overall manner or way in which it was conceived or intended to operate.

The OCG cannot be likened to the Office of the Auditor General

The suggestion that the OCG could or should operate as the Office of the Auditor General does in its conduct of public body audits is one which, with respect, does not require much of an inspired response. Both Authorities are totally different in nature and construct, and were established to do and to accomplish two (2) entirely different things.

A Statutory Investigation which is conducted by a Quasi-Judicial Authority which (a) has extensive powers to secure confidential, secret and sensitive information from a wide variety of sources and not just from the public body or public officer concerned, (b) is vested with the powers of a Judge of the Supreme Court of Jamaica, (c) is empowered to subpoena and to question witnesses under oath in circumstances in which such proceedings shall be deemed to be a “judicial proceeding within the meaning of Section 4 of the Perjury Act”, and (d) which is empowered under the law to make a Quasi-Judicial determination that their is evidence “of a criminal offence on the part of an officer or member of a public body”, cannot, by any stretch of the imagination, be likened to a confined audit of the accounting or financial management practices of a public body.

The CGA was purposefully crafted, framed and developed by Senior Jamaican Public Servants

It may come as a surprise to many that the CGA is the product of the considered and extensive deliberations of a distinguished **Committee of Senior Jamaican Public Servants** which was established on January 27, 1981, by the Most Hon. Edward Seaga, the then Prime Minister of Jamaica, to develop and to make recommendations for the establishment of a Commission of the Contractor General.

The Committee, which was chaired by the then Minister of Construction and current Prime Minister of Jamaica, the Hon. Bruce Golding, completed and presented its Report in March 1982. This was done after intensive deliberations were undertaken by the Committee for more than one (1) year. It was that Report, which was entitled ‘The Report of the Committee Appointed to Recommend Legislation for the Establishment of the Office of the Contractor General’, which gave birth to what is known today as the 1983 CGA, the Commission of the Contractor General and the OCG.

Among the Committee's members were the Hon. Douglas Vaz, Minister of Industry and Commerce, Mr. Horace Barber, Financial Secretary, Mr. A. B. Edwards, Senior Assistant Attorney General, Dr. Allan Kirton, Permanent Secretary in the Office of the Prime Minister, Mrs. Gloria Knight, General Manager, Urban Development Corporation, Mrs. Shirley Miller, Director of Legal Reform, Mr. Adrian Strachan, Auditor General, Mr. Gordon Wells, Permanent Secretary in the Ministry of the Public Service (who was subsequently appointed Jamaica's second Contractor General), and the Permanent Secretaries in the Ministries of Education and Local Government.

Among the Recommendations which are embodied in the Report and which, if carefully examined, will reveal the nature of the intended construct of the Commission and, in particular, how it was designed to operate, is the following enlightening Recommendation which can be found on page 25 of the Report at paragraph 3.32:

*"In view of the foregoing, it is felt that the Contractor General's means of exerting pressure on an Agency of Government regarding a contract which was exhibiting irregularities and/or impropriety, either in the award or in performance, should be to launch an investigation and make recommendations for rectification to the Agency concerned, **his ultimate weapon being exposure by means of a Special or Annual Report to Parliament, the forum of the people**".*

Closing remarks

With the greatest of respect, it is, therefore, for the foregoing reasons, among many others, that the OCG would urge extreme caution with the Recommendations which have been advanced by the MAF.

Furthermore, the OCG is **very** concerned that the Recommendations that the MAF have advanced will serve only to undermine and/or to dilute the powers of the Commission of the Contractor General under the CGA and will interfere with the integrity of a Quasi-Judicial regulatory framework and regime which was established more than twenty-seven (27) years ago to root out corruption, impropriety and irregularity from the Government contracting process – a process which, last year, was responsible for the expenditure of approximately \$90 Billion of taxpayers funds or literally all of the discretionary spending that was available to the Government of Jamaica.

The Government and Legislature of Jamaica should be mindful of tampering with the CGA and the Commission of the Contractor General, especially at a time when Jamaica has been consistently slipping on Transparency International's Corruption Perception Index, as well as on local corruption perception surveys.

With the deepest of respect, the efforts of the State, at this time, should be concentrated upon strengthening Jamaica's anti-corruption institutional and legislative frameworks and insulating same from arbitrary interference, as opposed to giving countenance to questionable measures which will, as a matter of certainty, weaken the State's existing anti-corruption regulatory and good-governance structures.

The foregoing consideration, namely the risk of arbitrary interference with the Commission of the Contractor General, continues to represent one of the most fundamental reasons why the OCG and the National Integrity Action Forum (NIAF) have long lobbied for the entrenchment of the Commission of the Contractor General in the Constitution – a position which has been publicly supported and accepted by the Hon. Bruce Golding, Prime Minister of Jamaica.

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APPENDIX II - CONSTRUCTION CONTRACTS PRE AND POST MONITORING ACTIVITIES

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	1
MINISTRY	Ministry of Agriculture and Fisheries
PUBLIC BODY/ AGENCY	National Irrigation Commission Limited (NIC)
PROJECT NAME	Well Drilling Plumwood Lane & New Forrest
PROJECT DESCRIPTION	The Works involve the Construction Development and Pump Testing of three (3) Productions Wells
PROJECT LOCATION	Manchester
CONTRACTOR	Jamaica Wells & Service Ltd.
CONSULTANT	Sydney Beckford - Hydro -Geologist
SOURCE OF FUNDING	Government of Jamaica (GOJ) / National Irrigation Commission Limited

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-06-05	J\$ 72,613,625.00	2008-09-22	Yes	Yes	2008-10-15	2008-11-17	2008-12-08

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on April 20, 2008. The Selective Tender Procurement Methodology was utilised to invite qualified Contractors registered with the National Contracts Commission (NCC) in the Category of Well Drilling at Grade 1, to submit tenders. Tenders were to be submitted by, June 5, 2008 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

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 as set out in the Tender Document. Subsequently, the lower evaluated tender, in the sum of \$65,063,066.72, which was submitted by Jamaica Wells & Services Limited, was recommended for the award of contract.

The NCC endorsed the recommendation on October 15, 2008.

The Cabinet granted approval on November 17, 2008.

The Contract was signed on December 8, 2008.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 65,063,006.72	2008-12-08	2009-01-02	6 months	2009-06-02	2010-01-05	0 days	6 months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 76,545,019.73	J\$ 11,481,953.01	J\$ 0.00	J\$ 0.00	\$ 11,481,953.01	J\$ 76,545,019.73	J\$ 0.00	180 days
STATUS	Final 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 scope of works involved the supply, mobilisation and use of all machinery, tools, equipment, personnel and appropriate techniques for the drilling, construction development and yield testing of three (3) wells at the New Forrest/Duff House area of South West Manchester.

Records indicated that the Contractor was unable to complete the project in the scheduled time as a result of the following:

1. The Entity's failure to:
 - a) Conduct the requisite exploratory boring holes to determine the geologic formation; and
 - b) Adequately describe the Works to be executed in the Tender Document
2. Absence of water at the prescribed depth;
3. Changes in geologic formation;
4. Pilfering of tyres on the drilling unit, which prevented the operation of the drilling unit;
5. Removal of an iron bar in one of the wells during excavation; and
6. Disposal of wastewater during the well development.

This resulted in an increase in the project cost and duration. The project was given practical completion on January 5, 2010.



Well Capping at Plumwood Lane



Well Capping at New Forrest

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	2
MINISTRY	Ministry of Education
PUBLIC BODY/ AGENCY	Ministry of Education
PROJECT NAME	Renovation of Nain Basic School
PROJECT DESCRIPTION	Extension & Renovation of Nain Basic School & St. Elizabeth Resource Centre
PROJECT LOCATION	Saint Elizabeth
CONTRACTOR	A 1 Construction
CONSULTANT	Michael Robinson Associates
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-12-30	J\$ 84,170,000.00	0000-00-00	Yes	Yes	2009-03-18	2009-08-24	2009-10-26

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised in December 2008. 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, to submit tenders. Tenders were to be submitted by December 30, 2008 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:30 p.m.

Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequent to preliminary checks, three (3) tenders were deemed non-responsive and rejected.

A detailed evaluation of the remaining two (2) tenders was conducted in accordance with the established evaluation criteria as specified in the Tender Document. Subsequently, the lower evaluated bid in the sum of J\$72,596,470.00, which was submitted by A 1 Construction Limited, was recommended for award of contract.

Details of the Head of Entity's Approval were not evidenced for the subject contract award.

The NCC endorsed the recommendation on March 18, 2009.

The Cabinet granted approval on August 24, 2009.

The Contract was signed on October 26, 2009.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 72,596,470.00	2009-11-30	2009-11-30	6 Months	2010-05-31	2010-07-20	46 Days	81days
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 67,801,352.99	J\$ 0.00	6 months
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)

Over the period under review, reports indicated that the project commenced whilst modifications were still being done to some of the requisite project drawings.

In general, the Work progress by the Contractor was intermittent and the quality of work to some trades was unsatisfactory. The Contractor received 46 days extension of time and the scheduled Completion Date of May 31, 2010 was extended to June 15, 2010.

Notwithstanding this, the Contractor's request in May and June 2010, for Practical Completion inspection was not accommodated by the Entity, as remedial works as instructed by the Clerk of Works and Architect, were not completed.

Practical Completion was received on July 20, 2010. As at December 31, 2010, the project is in its Defects Liability period.



Front View of the Basic School as at December 31, 2010



View of the Project Sign as at December 31, 2010.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		3						
MINISTRY		Ministry of Education (MOE)						
PUBLIC BODY/ AGENCY		Ministry of Education						
PROJECT NAME		Proposed Construction of Steer Town High School (Education Transformation Project)						
PROJECT DESCRIPTION		Construction of five (5) classroom blocks, two (2) toilet blocks, other ancillary building and associated services & external works.						
PROJECT LOCATION		Saint Ann						
CONTRACTOR		Jatlin Construction & Associates Limited						
CONSULTANT		Apec Consultants Limited						
SOURCE OF FUNDING		Government of Jamaica (GoJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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>An Invitation to Pre-qualify was advertised on October 29, 2006. The Open Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 1, to submit tenders. Prequalification documents were to be submitted by November 10, 2006 at 12:00 p.m. Seven (7) Contractors submitted documents, of which, all were shortlisted.</p> <p>The shortlisted Contractors were invited to submit tenders by October 12, 2007 at 12:00 p.m. The submission deadline was extended to October 19, 2007 at 12:00 p.m. and 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. One (1) tender was returned unopened, as the bidder failed to submit the required valid Tax Compliance Certificate.</p> <p>A detailed evaluation was conducted, in accordance with the evaluation criteria, specified in the Tender Document. Subsequently, the lowest evaluated tender, in the sum of \$484,204,401.49, which was submitted by Jatlin Construction & Associates Limited, was recommended for the award of contract.</p> <p>The NCC endorsed the recommendation for award on November 21, 2007.</p> <p>The Cabinet granted approval on May 26, 2008.</p> <p>The Contract was signed on October 9, 2008.</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 Months	2009-10-16	0000-00-00	154 days	12 months	
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\$ 55,220,470.45	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 311,244,026.17	J\$ 0.00	6 Months	
STATUS		Project 65% 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 2009 reporting period, the project did not proceed in a diligent manner and was 42% complete and significantly behind schedule.

As a result of an extension of time, the Completion Date was extended to January 10, 2010 from the original scheduled completion date of October 16, 2009. The OCG observed that the Contractor was experiencing financial constraints over the said period.

The referenced revised Completion Date was not achieved over the period under review; the Contractor continued to proceed in a less than diligent manner with the project. Further, as a consequence of its inability to meet scheduled critical targets in accordance with Work Programme, was put on Notice by the Entity for "failure to proceed regularly and diligently with the works."

On November 24, 2010, the NCC reviewed and endorsed a variation request from the Ministry, in the amount of J\$55,220,970.45. The sum represented an approximate 11.4% increase of the original contract sum. The submission from the Entity to the NCC outlined the following justifications for the variation,:

- a) *The original designs and quantities were based on presumptions, following an examination of the surface of the site and review of geotechnical information available. The existing conditions were not consistent with the findings that the site consists of solid rock.*
- b) *The actual nature of the sub-soil conditions have made it necessary to re-design storm water drainage, retaining structures as well as other external works.*
- c) *Given the steep slopes on the existing site and recognising the importance of sporting activities, the Ministry was able to acquire lands across the main road to provide a full-sized playing field and the opportunity was taken to relocate the sewage treatment plant there in order to reduce the cost of construction at the original location, where the surface is steeply sloped.*

As a result of the variation and other variables, the Completion Date of the Project was extended to January 2011.

As at end of the reporting period, the project was approximately 65% complete. However, based upon financial constraints and other challenges which were experienced by the Contractor, it is not likely that the project will be completed by the revised Completion Date.

The OCG will continue to monitor the project.



Progress of works as at September 2009



Progress of works as at November 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		4						
MINISTRY		Ministry of Energy and Mining (MEM)						
PUBLIC BODY/ AGENCY		Petrojam Limited						
PROJECT NAME		Repairs to HFO Storage Tank No. 112						
PROJECT DESCRIPTION		Supply supervision, manpower, equipment and transportation to replace floor and roof plates, top shell course tank, execute non-destructive testing and sandblast, prime and paint tank.						
PROJECT LOCATION		Kingston						
CONTRACTOR		N/A						
CONSULTANT		In-house						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-06-01	J\$ 145,000,000.00	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>An Invitation to Tender was advertised on April 18, 2010. The Open Tender Procurement Methodology was utilised for the procurement opportunity. Tenders were to be submitted by May 18, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) Addenda were issued and the date of the Tender Closing was extended to June 1, 2010, followed by a Tender Opening Ceremony at 2:00 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. One (1) tender was deemed non-responsive and rejected.</p> <p>A detailed evaluation was conducted in accordance with the evaluation criteria as set out in the Tender Document. Subsequently, the tender which was submitted by Supreme Mechanical Company Limited, in the sum of \$137,372,215.00, was recommended for the award of contract.</p> <p>The National Contracts Commission (NCC), at its meeting which was held on December 22, 2010, rejected the recommendation for the award of contract and consequently recommended that the Entity abort the process, re-tender and that the results of the tender process be submitted to the NCC, through the appropriate Sector Committee.</p> <p>The Office of the Contractor General will continue to monitor 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\$ 0.00	0000-00-00	0000-00-00	N/A	0000-00-00	0000-00-00	N/A	N/A	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	N/A	
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.



Storage tank No 112 as at October 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	5
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petrojam Limited
PROJECT NAME	Well Construction Project - Refinery Upgrade
PROJECT DESCRIPTION	The expansion of the existing water utilities by drilling and constructing new water wells.
PROJECT LOCATION	Kingston
CONTRACTOR	Jamaica Wells and Services Co. Ltd.
CONSULTANT	In-house
SOURCE OF FUNDING	Government of Jamaica

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-11-14	J\$ 32,000,000.00	2009-06-09	Yes	Yes	2009-07-08	0000-00-00	2009-11-23

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on November 28, 2008. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with the National Contracts Commission (NCC) to submit tenders. Tenders were to be submitted by November 7, 2008 at 2:30 p.m. The deadline for submission was extended to November 14, 2008, to be 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.

A detailed evaluation was conducted in accordance with the established evaluation criteria as specified in the Tender Document. Subsequently, the lower evaluated bid in the sum of \$24,673,501.03, which was submitted by Jamaica Wells & Services Limited, was recommended for the award of contract.

The NCC endorsed the recommendation on July 8, 2009.

The Contract was signed on November 23, 2009.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 24,673,501.02	2010-02-15	2010-02-15	4 Months	2010-06-04	2010-08-12	N/A	2 Months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 29,199,122.84	J\$ 787,624.23	J\$ 2,573,400.00	J\$ 1,164,587.58	J\$ 4,525,611.81	J\$ 25,296,588.98	J\$ 0.00	3 Months
STATUS	Project 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)

Over the period under review, reports indicated that subsequent to the signing of the contract, Petrojam Limited submitted applications to drill three (3) wells to the Water Resources Authority (WRA) and was granted drilling permits on January 5, 2010. The works commenced on February 15, 2010 with a scheduled Completion Date of June 4, 2010.

Reports further indicated that the project encountered several delays which effectively extended the Completion Date to July 30, 2010.

The delays were reportedly due to, *inter alia*, the following:

1. Additional time required for well development due to the unpredictable conditions of the soil and aquifer;
2. Installation of protective bollards around Wells #2 and #3;
3. Construction of an Underground Chamber for Well #4, due to the conflicting proximity of the proposed location of future Laboratory and Parking Lot;
4. Unforeseen underground obstruction associated with Works on Well # 4, including a concrete foundation under the top asphalt layer and the presence of boulders;
5. The requisite period to assess the situation and obtain adequate review and approval in instances where changes or additional works were required;
6. Shipping and customs clearance of the imported materials; and
7. Interruption of the works due to the civil unrest during May 2010.

Practical Completion was received on September 6, 2010.

Defects Liability period was completed on October 6, 2010.

As at the end of the reporting period, all Works associated with the contract were completed.



View of Well No. 2 completed as at December 31, 2010



View of Well No. 3 completed as at December 31, 2010.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	6
MINISTRY	Ministry of Health and Environment
PUBLIC BODY/ AGENCY	Southern Regional Health Authority (SRHA)
PROJECT NAME	Milk River Health Centre
PROJECT DESCRIPTION	Hurricane Damage Repairs to Milk River Health Centre
PROJECT LOCATION	Clarendon
CONTRACTOR	All Aces Enterprise Limited
CONSULTANT	Apec Consultants
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-06-05	J\$ 10,497,992.73	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	2009-07-30

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on May 17, 2009. The Selective Tender 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, to submit tenders. Tenders were to be submitted by June 5, 2009 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony at 2:45 p.m.

Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Three (3) tenders were rejected due to non-compliance to the 'Instruction to Tenderers'.

A detailed evaluation was conducted in accordance with the established evaluation criteria as specified in the Tender Document. Subsequently, the lowest evaluated bid which was submitted by All Ace Enterprise Limited, in the sum of \$9,054,990.00, was recommended for the award of contract.

Details of the Head of Entity Approval Date were not evidenced for the subject contract award.

The Contract was signed on July 30, 2009.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 9,054,990.00	2009-08-25	2009-08-25	3 Months	2009-11-25	2010-06-24	1 Month	7 Months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 9,602,433.63	J\$ 547,443.63	J\$ 0.00	J\$ 0.00	J\$ 547,443.63	J\$ 9,490,151.48	J\$ 0.00	N/A
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)

Over the period under review, reports indicated that the project which was scheduled to be completed in three (3) months, experienced delays due to inclement weather, additional works and late instructions by the Consultants and consequently was not completed on time.

An extension of time to December 7, 2009, was granted by the Entity.

Further delays occurred as a result of the Government Electrical Inspector (GEI) unavailability to carry out the inspection of the electrical installation, in a timely manner, due to the workload of its Inspectorate.

The GEI approval was granted on June 15, 2010. Practical Completion was received on June 24, 2010



Front View of Building



Interior View of Building

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		7						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		Ministry of Transport and Works						
PROJECT NAME		Construction of a Permanent Truck Scale Facility						
PROJECT DESCRIPTION		The Construction of boundary walls and fence, concrete foundations for scales, operations building, parking areas, concrete access road and installation of a Stand-By Generator, lighting and power supply to buildings including supply of all materials required.						
PROJECT LOCATION		Kingston						
CONTRACTOR		Tank Weld Construction Company Limited						
CONSULTANT		Wallace Evans Jamaica Limited						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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>An Invitation to Tender was advertised on October 22, 2008 by way of the Selective Tender Procurement Methodology. 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>The tenders were evaluated in accordance with the evaluation criteria outlined in the Tender Document. Based upon the results of the evaluation, Tankweld Construction Company Limited was recommended for the award of contract, in the amount of \$100,110,425.00.</p> <p>The recommendation was subsequently endorsed by the National Contracts Commission (NCC) on July 15, 2009.</p> <p>The Cabinet granted approval on October 12, 2009.</p> <p>The Contract was signed on February 26, 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\$ 100,110,425.00	2010-03-17	2010-03-22	6 Months	2010-10-06	0000-00-00	3 Months	2 Months	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 98,112,282.52	(J\$ 7,285,520.25)	J\$ 3,903,639.95	J\$ 1,383,737.82	J\$ 0.00	J\$ 65,129,790.24	J\$ 0.00	6 Months	
STATUS		Project is 78% 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 Contractor was authorised to commence Works on March 22, 2010. However, the Works did not commence until April 6, 2010, as upon an inspection of the site by the Contractor, it was noted that the site was being occupied by individuals who were conducting illegal mining activities.

Over the reporting period, work progressed at an average rate of 13% monthly, which was below the average rate of 17% required for the project to be completed within the scheduled period. Consequently, as at December 31, 2010, the project was not completed.

The project experienced delays as a result of the following:

1. Illegal mining activities which were conducted on the site. This resulted in an alteration of the following:
 - a) The levels of the site;
 - b) The design for the tile field; and
 - c) The associated drainage work.
2. Issues relating to the design and communication of the following:
 - a. Re-design of the drains to extrude to the sea, resulting from NWC acquisition of the adjacent property for the construction of a sewage treatment plant;
 - b. Design for the tile field;
 - c. 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; and
 - d. Omission of quantities for wind braces for the structural steel building, from the BQ.
3. Honoring of Payment Certificates and approval of the requisite variations in a timely manner; and
4. Inclement weather conditions, specifically, Tropical Storm Nicole.

The Contractor submitted an application for an extension of time totaling three (3) months. However, the requested extension of time was rejected as a result of issues which related to the Revised Programme of Works and the Contractor's failure to indicate the corresponding time for the delays.

The Office of the Contractor-General will continue to monitor the project.



View of project site during construction



View of a Section of the project site with newly constructed buildings as at December 31, 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		8						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		National Road Operating and Construction Company Limited (NROCC)						
PROJECT NAME		Mount Rosser to Moneague Bypass						
PROJECT DESCRIPTION		1. To Design and Construct the Roadway from Linstead Bypass to Moneague, which is approximately 24 Km of roadway. 2. Construction of the Toll Plaza and Maintenance Buildings. 3. Supply and Installation of all equipment for the Toll Plaza.						
PROJECT LOCATION		Saint Catherine						
CONTRACTOR		Trans-Jamaican Highway / Bouygues Travaux Publics Jamaica (BYTPJ)						
CONSULTANT		Pell Frischman , Halcrow						
SOURCE OF FUNDING		Venezuela Loans /Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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\$ 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 Cabinet, via Decision 22/01 which was dated June 18, 2001, approved Trans-Jamaican Highway (TJH), as the preferred bidder, to design, finance, build, operate and maintain Phase 1 of Highway 2000. Subsequently, on November 21, 2001, NROCC and 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 Cost, the Cabinet, by way of a 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 its presentation on January 10, 2007, wrote to the 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 National Contracts Commission (NCC) endorsed the recommended variation on April 25, 2007.to provide the design and build construction for Mount Rosser bypass to Moneague, in the sum of US\$99,500,000.00.</p> <p>The Cabinet further approved the recommendation 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 months	2011-01-31	0000-00-00	14 Months	0 months	
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	US\$ 0.00	US\$ 0.00	US\$ 12,983,976.00	US\$ 112,483,976.00	US\$ 0.00	12 months	
STATUS	Project is 92% 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 2009 reporting period, the project was 67% complete and progressed in accordance with the scheduled Completion Date of January 31, 2011.

Over the period under review, the project continued to progress as per schedule. However, in February 2010 the Contractor advised that soil conditions within Zone 2, between chainage 7+360 - 7+800 (approximately 500m) would require further investigations.

Subsequently, by way of a letter which was dated June 22, 2010, the Contractor wrote NROCC stating that, *"Those unforeseen ground conditions render impossible the implementation of the works on the basis of the original Outline Design and Core Requirements in accordance with good industry practice and without severely threatening the safety on the Site and of the Public."* The Contractor further stated that works within the affected area would be suspended and requested instructions from NROCC, within 5 days, on how to proceed.

NROCC provided the OCG with a draft Cabinet Note on September 15, 2010, which was unsigned and dated July 16, 2010, which stated, *inter alia*, that *"The latest letter from the Contractor dated August 3, 2010, accepts that any claim will now be made under the Concession Agreement (previously the Contractor was claiming under the Design and Construction) essentially restates the Contractor's position, using Clauses from the Concession Agreement. The letter requests a meeting with NROCC experts with the aim of providing a mutually acceptable design. The Contractor refutes NROCC's contention that it is breach of contract, by suspending the works in the affected area, by saying that investigative work is still continuing but also saying that the implementation of any revised designs would be subjected to a mutually satisfactory commercial agreement."*

As a consequence of the Contractor's proposed claim for costs associated with the *"unforeseeable ground conditions,"* NROCC sought advice from the following:

- Local Attorneys;
- Solicitor General; and
- NROCC's technical expert and final legal assessment in the United Kingdom (UK).

The referenced draft Cabinet Note, provided a summary of the Opinions, as follows:

1. The Developer has liability for the ground conditions;
2. NROCC should strongly refute the ground conditions claim;
3. The developer should propose a design solution and should present this as a Developer Variation to the Outline Design and the Core Requirements;
4. Resolution of the ground conditions claim would consist of negotiation, followed by Expert determination and, ultimately arbitration;
5. NROCC should advise the Developer reserving its rights to deduct liquidated damages for delayed completion; and
6. Should the Developer cease work or unreasonably prolong the development of the design solution, NROCC may be entitled to terminate the Concession Agreement.

The referenced draft Cabinet Note further indicated that since February 2010, the Contractor suspended works in the area affected by the problems identified (Chainage 7+ 000 – 8 + 500). The Contractor has over the period been carrying out further investigations and designs. The Contractor's final Outline Design option was submitted to NROCC on July 30, 2010. It was also indicated that NROCC rejected the Outline Design on the basis that the Contractor had not properly demonstrated the acceptability of his geological model or its analysis and that more site investigations, laboratory testing and interpretation were required. This was noted as being accepted by the Contractor.

Notwithstanding the challenges in Zone 2, the Contractor continued to work in the other Zones (Zones 1, 3 & 4). These works include:

1. Completion of the Toll Plaza;
2. Drainage Works;
3. Installation of barriers and fibre optic duct; and
4. Road Works to include sub-base and binder course.

At the end of the reporting period, work in the affected area was suspended by the Contractor until a suitable design was agreed to by NROCC and the Contractor. Further, the matter was brought to the attention of the Cabinet, for a possible solution.

The OCG will continue to monitor the project.



Construction Activities in Zone 2 (Chainage 4+700 - 9+700)



Ongoing Construction of Mount Rosser to Charlemount Bypass Toll Plaza

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		9						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		Fifth Road (Washington Boulevard Improvement) Project						
PROJECT DESCRIPTION		The widening of 2.75km of existing two (2) lanes to six lanes along Washington Boulevard and Dunrobin Avenue between Molyne's Road Intersection and Constant Spring Road Intersection						
PROJECT LOCATION		Saint Andrew						
CONTRACTOR		Surrey Paving and Aggregates Company Limited						
CONSULTANT		Mott MacDonald						
SOURCE OF FUNDING		Caribbean Development Bank (CDB)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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 received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the evaluation criteria specified in the Tender Document. Subsequently, the tender submitted by Surrey Paving & Aggregates Limited, in the sum of J\$1,176,184,636.05, was recommended for the award of contract.</p> <p>The National Contracts Commission (NCC) endorsed the recommendation on April 14, 2009.</p> <p>The Cabinet granted approval on June 23, 2009.</p> <p>The Contract was signed on October 9, 2009.</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 Months	2011-05-03	0000-00-00	0 Days	0 Days	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 735,693,453.08	J\$ 0.00	12 Months	
STATUS		Project is 48% 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 involves the reconstruction of 2.75km of main road which includes the widening of the lanes to six (6) lanes on the Washington Boulevard; construction of nine (9) structures and drainage facilities, installation of 1.6km of water transmission pipeline; relocation of utilities, installation of traffic signals and safety devices and environmental mitigation works. The structures for the project include two (2) new bridges, two (2) water main trusses, modification/extensions to two (2) existing bridges, a new box culvert and retaining structures. Three (3) new bridges were previously constructed along the road to carry the westbound carriage way of Washington Boulevard but are not presently being used. The project will also include the demolition of three (3) existing structures.

On December 4, 2009, the Contractor was given the Order of Commencement with the project commencing on January 4, 2010. During the implementation of the project the Contractor's expected average monthly work output is 6.25% and expenditure of J\$73,511,539.75.

Over the period under review, the Contractor completed approximately 48% of the Works, whilst 75% of the project time had elapsed.

Delays have been attributed to the following:

1. Inclement weather conditions, including the effects of Tropical Storm Nicole;
2. Inadequate supply of sub-base course material, attributed to:
 - Effects of item #1 above; and
 - Mechanical equipment failure, at the respective approved quarries.
3. The relocation of utilities by the respective Utility companies; and
4. Conflicting design details.

Additionally, Variation Orders were issued for the following:

- a. The removal of the installation of the 600mm ductile iron pipe;
- b. Installation of 400mm water pipe diversion at Red Hills Road Bridge;
- c. Asphalt patching of potential detour routes;
- d. Additional laboratory equipment;
- e. Remedial works beneath existing bridge approach slab; and
- f. Additional gravity sewer line.

With 52% of construction activities remaining to be completed by May 5, 2011, and with the contractor average monthly work output at approximately 4.8%, it is the view of the OCG that the Contractor will be unable to complete the works by the scheduled Completion Date.

The Office of the Contractor General will continue to monitor the project.



Section along Washington Boulevard, five (5) months after commencement of the works



Section along Washington Boulevard as at December 31, 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		10						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		Palisadoes Shoreline Protection and Rehabilitation Works						
PROJECT DESCRIPTION		Construction of Boulder Revetment and road rehabilitation to include: drainage, earthworks and paving works						
PROJECT LOCATION		Kingston						
CONTRACTOR		China Harbour Engineering Company Limited (CHEC)						
CONSULTANT		Civil Environmental and Costal (CEAC) Solutions Company Limited						
SOURCE OF FUNDING		China Exim Bank / Loan						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	0000-00-00	US\$ 61,817,093.55	0000-00-00	N/A	N/A	2009-12-19	2009-08-03	2009-07-22

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

Genesis of Project & China Harbour Engineering Company Limited (CHEC)

Design Stage

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 in a critical stretch and dune rehabilitation by beach nourishment in 6,583 metres of the Peninsula. The designs for the Works was 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 Ministry of Transport and Works, 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 study of the Palisadoes design that was done by Gamma S.A. This design was finalised by the NWA and CEAC Solutions Company Limited (CEAC) in 2009 and differs as follows:

- 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 been 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,
- Inclusion of revetment protection along the Harbour Side.

China Harbour Engineering Company Limited (CHEC) Proposal

CHEC, through the Chinese Embassy in Kingston, submitted an unsolicited proposal to the MTW addressing how they could assist in the financing of projects. This led to a Preliminary Cooperation Agreement between MTW and CHEC, which was signed on February 12, 2009, regarding the following projects:

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 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) and the Ministry of Finance and the Public Service (MoF&PS) and the Ministry of, Foreign Affairs and Foreign Trade (MFAFT), an Addendum to the Agreement for the incorporation of the Palisadoes Shoreline Protection Works as Project 3, was issued.

Following the execution of the Preliminary Cooperation Agreement, both the Cuban Study and the NWA design were made available to CHEC. Subsequently, in April 2009, CHEC submitted a proposal to 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 Decision No. 21/09, which was dated August 3, 2009, the Cabinet granted approval for the GOJ to seek financing from the China Exim Bank for the Design and Construction of the Palisadoes Shoreline Protection and Rehabilitation Works.

Under the Preferential Buyer's Credit Facility of China Exim Bank, a Chinese Contractor had to be used. In this regard, the Cabinet instructed 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 a letter which was dated December 17, 2009, offered no objection for the use of the Sole Sourcing 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 Months	2012-09-03	0000-00-00	0 Days	0 Days
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 8,750,100.63	US\$ 0.00	12 Months
STATUS	Contract is 6.3% 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 September 2, 2010 and is scheduled to be completed in twenty-four (24) months. At the end of the reporting period, the work progressed at an average rate of 2% monthly, which is below the average 4% monthly rate that is required to ensure that the project remains on scheduled and is completed on time.

The delays experienced were due to the following:

1. The Entity's untimely honouring of payments due to the Contractor.
2. The Contractor's delay in submitting an approved Revised Programme of Works (at the time of this report the Revised Programme of Works was not submitted. This has affected the Entity's ability to accurately track and plan the progress of the project).
3. Submission of details regarding:
 - a) Relocation of JPSCo. utilities underground; and
 - b) Construction of a Boardwalk
4. Insufficient equipment/resources on site.
5. Inadequate delivery of the requisite material to the site.

The OCG is of the view that the Entity and Contractor urgently need to resolve the issues that have resulted in the project being behind schedule, as if this is not done expeditiously, the scheduled Completion Date will not be achieved.

The OCG will continue to monitor the project.



Section of Main Road as at November 2010



Section of the Main Road as at December 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	11
MINISTRY	Ministry of Transport and Works (MTW)
PUBLIC BODY/ AGENCY	National Works Agency (NWA)
PROJECT NAME	Construction of Dry River Bridge at Harbour View
PROJECT DESCRIPTION	Design and construction of a Bridge and the reconstruction of a section of the roadway from two (2) to four (4) lanes.
PROJECT LOCATION	Kingston
CONTRACTOR	KEIR Construction Limited
CONSULTANT	-

SOURCE OF FUNDING		Inter -American Development Bank, Loan No. 202						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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.).

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.

Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Two (2) bids were rejected for non-compliance.

A detailed evaluation was conducted in accordance with the established evaluation criteria as specified in the Tender Document. Subsequently the lowest evaluated bid which was submitted by KEIR Construction Limited, in the sum of US\$8,897,474.00, was recommended for the award of contract.

The NCC endorsed the recommendation for the award of contract on December 2, 2009.

The Cabinet granted approval on January 18, 2010.

The Contract was signed on March 19, 2010.

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 Days	2011-09-24	0000-00-00	4 Days	0 Days
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
US\$ 9,217,089.75	US\$ 320,115.75	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 4,219,753.41	US\$ 0.00	365 Days
STATUS	Project is approximately 31% 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 is scheduled to be completed on September 24, 2011.

At the end of the reporting period, the project was approximately 31% complete and approximately 2% behind schedule. This was attributed to delays which resulted from the following:

1. Issues relating to the assembly of the piling rig, which affected the commencement of piling activities;
2. Inclusion of design associated with the slip road for the entrance of the Truck Scale Facility; and
3. Flooding resulting from the passage of Tropical Storm Nicole, which rendered the roadway impassable for two (2) days.

Variations totaling US\$ 320,115.75, have been issued for the following:

- a) Relocation of JPSCo. lines adjacent to the bridge - US\$88,078.19;
- b) Relocation of LIME cables on the bridge - US\$3,706.16;
- c) Reimbursement of stamp duty on Performance and Retention Bonds - US\$53,391.07
- d) Road Surfacing Works on detour road - US\$2,054.50;
- e) Relocation of JPSCo. lines along roadway - US\$24,211.90; and
- f) Relocation of LIME cable/poles along roadway - US\$29,294.89;
- g) Force Majeure related to Tropical Storm Nicole - US\$118,879.04

Additional variations may also be required for the following:

- i. The inclusion of the Slip road from the Truck Scale project, and
- ii. The installation of LED lights instead of Sodium lights.

The OCG is of the view that notwithstanding the minimal delays, if the Contractor continues at the current pace and carries out the necessary corrective measures, the project should be completed within the scheduled time.

The OCG will continue to monitor the project.



Existing structure during the design phase of the project



Construction area as at December 31, 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	12
MINISTRY	Ministry of Transport and Works (MTW)
PUBLIC BODY/ AGENCY	National Works Agency (NWA)
PROJECT NAME	Northern Coastal Highway Improvement Project Segment 1A, Bogue Road Improvement Project
PROJECT DESCRIPTION	The Construction of a 5km Roadway, extending from Long Hill Intersection (Reading) to Fairfield
PROJECT LOCATION	Saint James
CONTRACTOR	Surrey Paving and Aggregates Company Limited
CONSULTANT	Stanley Consultants Inc.
SOURCE OF FUNDING	The OPEC Fund for International Development

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-05-26	J\$ 1,279,504,055.03	2008-08-15	Yes	Yes	2008-08-20	2008-10-13	2008-11-13

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Pre-qualify was advertised on October 28, 2007. The Selective Tender Procurement Methodology was utilised to invite Contractors, which were registered with the National Contracts Commission (NCC), in the category of General Road Works, Grade 1. The pre-qualification submissions were to be returned to the Entity by 12:00 p.m. on Wednesday, December 12, 2007. However, the closing date was extended to January 3, 2008, as a result of addenda which were issued. Four (4) Companies submitted prequalification questionnaires which were received, opened and verified in accordance with the requirements of the pre-qualification document.

A detailed evaluation of the pre-qualification questionnaires was conducted in accordance with the established evaluation criteria, as specified in the Pre-qualification Document. Two (2) of the companies that had failed to meet the minimum pre-qualifying criteria were rejected. The two (2) remaining companies, Jose Cartellone CCSA and Surrey Paving and Aggregate Company Limited, were shortlisted and invited to submit tenders.

By way of letter dated February 15, 2008, Jose Cartellone CCSA and Surrey Paving and Aggregate Company Limited were invited to submit tenders by 12:00 p.m. on March 17, 2008. The tender closing date was subsequently extended to May 26, 2008, as a result of the issuance of addenda by the Entity.

One (1) tender was received, opened and verified in accordance with the Tender Document.

A detailed evaluation of the sole tender was conducted in accordance with the established evaluation criteria, as specified in the Tender Document. The Ministry of Transport and Works (MTW) recommended the award of the contract to Surrey Paving & Aggregate Co. Ltd., in the sum of \$1,399,901,787.90.

The recommendation for the award of contract was endorsed by the NCC on August 20, 2008.

The Cabinet granted approval on October 13, 2008.

The contract was signed on November 13, 2008.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 1,399,901,787.90	2009-03-25	2009-04-25	12 Months	2010-03-24	2010-11-01	206 Days	7 Months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 2,097,829,664.02	J\$ 697,627,876.12	J\$ 169,675,956.93	J\$ 85,100,001.03	J\$ 697,627,876.12	J\$ 1,903,233,389.39	J\$ 0.00	12 Months
STATUS	Substantial 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)

At the end of the 2009 reporting period, the project was fifty percent (50%) complete and twenty-five percent (25%) behind schedule.

Over the reporting period, the works continued to progress below the average required rate for a timely completion. The following are issues which have contributed to the overall delays in completion of the project:

1. Contractor's tardy performance.
2. Abnormal weather conditions, as the rains of August 29, 2010 and Tropical Storm Nicole on September 29, 2010 damaged a completed section of the corridor in the vicinity of Reading which resulted in flooding along other sections of the corridor specifically Pye River and Fairfield intersections.
3. Issues relating to the supply of base course and dust material, which were as a result of the suppliers' inability to produce the requisite amount for the project, due to: a) production stoppages as a result of rain; b) reduced production due to equipment failure at the major supplier; and c) sales to other customers, other than the Contractor.
4. The restriction of paving operations, due to abnormal weather conditions.

Additionally, Variations Orders, totalling J\$697,627,876.12, were issued as a result of the following:

- (a) Changes in the scope of works;
- (b) Fluctuations to Labour, Cement, Material;
- (c) Costs associated with extension of time; and
- (d) Contractor's claims.

The abovementioned have contributed to the project incurring a cost of J\$ 697,627,876.12 and time overrun of seven (7) months.

At the end of reporting period, the project was given Substantial Completion and the Contractor was in the process of executing Remedial Works to the defects identified, during the Defects Liability Period.



Section of completed Alice Eldemire Intersection as at December 2010



Section of completed Gordon's Crossing Intersection as at December 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	13							
MINISTRY	Ministry of Water and Housing (MWH)							
PUBLIC BODY/ AGENCY	Housing Agency of Jamaica Limited (HAJL)							
PROJECT NAME	Infrastructure Works and Housing Development, Luana Phase 3							
PROJECT DESCRIPTION	Road works, water supply, sewage collection system and the construction of a septic tank and tile field. The works also include the construction of forty-nine (49) Housing Units and seven (7) Service Lots.							
PROJECT LOCATION	Saint Elizabeth							
CONTRACTOR	Solid Engineering Company Limited							
CONSULTANT	HAJL							
SOURCE OF FUNDING	Government of Jamaica							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-09-11	J\$ 84,647,783.80	2009-01-22	Yes	Yes	2009-02-04	2009-06-23	2009-07-14

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on August 17, 2008. The Selective Tender Procurement Methodology was utilised to invite qualified Contractors registered with the National Contracts Commission (NCC), in the category of Civil Engineering and Building Construction, at minimum Grade 1, to submit tenders. Tenders were to be submitted by September 2, 2008 at 12:00 p.m. An Addendum was issued and the deadline for the submission of tenders was extended to September 11, 2008 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

Four (4) 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 as specified in the Tender Document. Subsequently, the lowest evaluated tender which was submitted by Solid Engineering Company Limited, in the sum of \$87,142,955.00, was recommended for the award of contract.

The recommendation was subsequently approved by the MWH on January 22, 2009.

The NCC endorsed the recommendation on February 4, 2009.

The Cabinet granted its approval on June 23, 2009.

The Contract was signed on July 14, 2009.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 87,142,955.00	2009-07-16	2009-08-04	12 Months	2010-08-05	2010-11-22	0 days	3 months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 94,679,686.00	J\$ 7,536,731.00	J\$ 0.00	J\$ 0.00	J \$1,267,400.25	J\$ 88,410, 355.25	0 days	6 months
STATUS	Contract is 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 year 2009, the project was 28% complete and, notwithstanding inclement weather, had progressed at a steady pace.

During the reporting period, records indicated that the project progressed steadily from January to August 2010, and was reportedly 93% complete.

The remaining activities were however, not completed on schedule due to the following:

1. The Entity's failure to make payments to the Contractor in a timely manner;
2. Fragmented payments of certificates (this was subsequently resolve);
3. Delay in making advance payments;
4. Re-design of alignment for roads;
5. Changes in the scope of works for the Housing Units; and
6. Inclement weather.

This resulted in an increase in cost which totalled J\$ 7,536,731.00 and an extended three (3) months duration.

On July 26, 2010, the Contractor requested an extension of time of 90 days, to complete the works. It was however, not accommodated by the Entity, which stated that the request for extension of time was not properly formulated.

Practical Completion was received on November 22, 2010.

As at December 31, 2010, the project is in its Defects Liability period.



Completed Housing Units as at December 2010



Installed JPS Poles and paved roadway

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	14							
MINISTRY	Ministry of Water and Housing (MWH)							
PUBLIC BODY/ AGENCY	Housing Agency of Jamaica Limited (HAJL)							
PROJECT NAME	Portmore Villas 2B Infrastructure Works							
PROJECT DESCRIPTION	The works involve the construction of roadways, sidewalks, water supply and sewage disposal facilities along with storm water drains							
PROJECT LOCATION	Saint Catherine							
CONTRACTOR	Build-Rite Construction Company Limited							
CONSULTANT	Burrowes and Wallace							
SOURCE OF FUNDING	HAJL							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-04-22	J\$ 135,866,450.00	2008-09-22	Yes	Yes	2008-11-19	2009-02-16	2009-06-30

PRE-CONTRACT COMMENTS: 'Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on April 6, 2008. The Selective Tender Procurement Methodology was utilised to invite qualified Contractors registered with the National Contracts Commission (NCC) in the category of Civil Engineering Grade 1. Tenders were to be submitted by 12:00 p.m. on April 22, 2008, followed by a Tender Opening Ceremony at 12:15 p.m.

Four (4) tenders were received, opened and verified in accordance with the eligibility requirements outlined in the Tender Document.

A detailed evaluation was conducted in accordance with the evaluation criteria, as specified in the Tender Document. Subsequently, the lowest evaluated tender, which was submitted by Build-Rite Construction Company Limited, in the sum of \$109,123,748, was recommended for the award of contract.

The NCC endorsed the recommendation on November 19, 2008.

The Cabinet granted its approval on February 16, 2009.

The contract was signed on June 30, 2009.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 109,123,748.00	2009-07-22	2009-07-22	12 Months	2010-07-22	2010-12-03	0 Days	5 Months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 6,309,662.98	J\$ 9,303,187.98	J\$ 0.00	J\$ 102,373,306.56	J\$ 0.00	6 Months
STATUS	Project is 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)

As at the end of 2009, the project was 35% complete.

During the reporting period, the Contractor completed the project within the prescribed time, notwithstanding issues relating to the re-designing of the Sewage Disposal System and the addition of the construction of a Lift Station. However, as a result of conflicting schedules between the respective stakeholders which were further exacerbated by the passage of Tropical Storm Nicole, the Practical Completion inspection was delayed. Practical Completion was received on December 3, 2010.

As at December 31, 2010, the project is in its Defects Liability period.



Progress at the end of December 2009



Completed road as at December 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		15						
MINISTRY		Ministry of Water and Housing (MWH)						
PUBLIC BODY/ AGENCY		Housing Agency of Jamaica Limited (HAJL)						
PROJECT NAME		Construction of 132 No. Two (2) Bedroom houses and attendant Infrastructure Works at Westmeade						
PROJECT DESCRIPTION		Construction of 132 No. Two (2) Bedroom Houses and the associated Infrastructure works to include: Construction of roadways, installation of water supply and storm water drainage system and sewerage.						
PROJECT LOCATION		Saint Catherine						
CONTRACTOR		Y. P Seaton and Associates Company Limited						
CONSULTANT		HAJL						
SOURCE OF FUNDING		Government of Jamaica						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2010-01-22	J\$ 690,215,759.00	2010-02-23	Yes	Yes	2010-03-31	2010-07-12	2010-07-27
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The National Contracts Commission (NCC) on July 28, 2009 endorsed the Entity's request to utilise the Limited Tender Procurement Methodology for the procurement opportunity.</p> <p>Subsequently, the HAJL invited seven (7) contractors in the Category of Civil Engineering and Building Construction, Grade 1, who were previously pre-qualified by the Ministry of Water & Housing's , under the National Housing Programme for the financial year 2009-2010, to submit tender.</p> <p>Five (5) contractors returned eight (8) tenders, five (5) Base tenders and three (3) Alternative tenders, which were received, opened and verified in accordance with the eligibility requirements outlined in the Tender Document. Two (2) of the tenders were deemed non-responsive as their Bid Securities were invalid.</p> <p>A detailed evaluation was conducted in accordance with the evaluation criteria, as specified in the Tender Document. Subsequently, the lowest evaluated tender, which was submitted by Y.P. Seaton and Associates Company Limited, in the sum of \$690,215,759.00, was recommended for the award of contract.</p> <p>The NCC endorsed the recommendation on March 31, 2010.</p> <p>The Cabinet granted its approval on July 12, 2010.</p> <p>The contract was signed on July 27, 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\$ 663,867,750.00	2010-07-28	2010-08-10	18 Months	2012-01-24	0000-00-00	0 Days	0 Days	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 100,947,142.44	J\$ 0.00	6 Months	
STATUS		Contract is 6% 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 initial scope of works consisted of the construction of one hundred and thirty-two (132) two (2) Bedroom Houses and the associated infrastructure works.

However, records indicated that the Entity reduced the number of units to be constructed from one hundred and thirty-two (132) to one hundred and twenty-five (125).

Over the reporting period, the work progressed at an average rate of 1.25% monthly, which was below the average rate of approximately 5.6% which is required to attain the scheduled completion.

As at December 31, 2010, the project was 6% complete with 22% of the project time being elapsed.

The delays have been attributed to the following:

1. Tropical Storm Nicole and Hurricane Tomas and other inclement weather which resulted in the flooding of the site and the back flow of water unto the site, from an existing adjacent earth drain.
2. Delays from the Entity in providing clarification with respect to road levels and fill material for trenches and details relating to the Sewage Treatment Plant.

The Entity will have to ensure that all outstanding information for the Contractor is submitted in a timely manner. This will facilitate the preparation of a Revised Work Programme, which should indicate measures to put the project back on schedule or to be completed within a justified time.

The OCG will continue to monitor the project.



Setting out of pad foundation for Model Unit



Excavated trench to receive sewage pipes

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	16
MINISTRY	Ministry of Water and Housing (MWH)
PUBLIC BODY/ AGENCY	Housing Agency of Jamaica Limited (HAJL)
PROJECT NAME	Infrastructure Works - Eden Park
PROJECT DESCRIPTION	Construction of roadways, water supply and drainage systems for the development of 160 Service Lots
PROJECT LOCATION	Saint Mary
CONTRACTOR	General Paving Company Limited
CONSULTANT	HAJL
SOURCE OF FUNDING	HAJL

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-07-03	J\$ 71,031,839.79	2009-08-31	Yes	Yes	2009-11-18	2009-12-14	2009-12-16

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on May31, 2009. The Selective 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 Grade 2, to submit tenders. Tenders were to be submitted by July 3, 2009 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.

Eleven (11) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequently, one (1) of the bidder requested that his tender be withdrawn and Bid Security and Letters from a Financial institution be returned. After due deliberations, the bidder's request was granted by the Entity.

Subsequently, an evaluation was undertaken and the Entity recommended the second lowest tender for the award of contract. This recommendation was however rejected by the National Contracts Commission (NCC) on the basis that, the Entity failed to justify the recommendation.

Consequently, the HAJL re-submitted the recommendation for award of contract to the lowest evaluated bidder, General Paving Company Limited, in the amount of J\$50,175,173.46.

The NCC endorsed the recommendation on November 18, 2009

The Cabinet granted its approval of the recommendation on December 14, 2009.

The Contract was signed on December 16, 2009.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 50,175,173.46	2010-01-14	2010-01-14	6 Months	2010-07-14	2010-10-14	0 Days	3 Months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 61,338,537.06	J\$ 6,962,283.00	J\$ 447,059.39	J\$ 3,754,021.21	J\$ 11,163,363.60	J\$ 61,338,436.76	J\$ 0.00	5 Months
STATUS	Project is 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)

During the initial stages of implementation of the Works, the Contractor was able to progress in accordance with the Programme of Works that was submitted.

The project was, however, not completed within the scheduled time, due to the following:

1. Abnormal weather conditions;
2. Delays relating to the testing of existing water supply system;
3. Discrepancies between the working drawings and that which existed on ground also some of the quantities that is in the Bills of Quantities and actual quantities that was realised upon completion of the corresponding activity;
4. Delays with the issuance and site instructions; and
5. The issuance of several change orders.

The project was granted Practical Completion on October 14, 2010.

As at December 31, 2010, the project is in its Defects Liability period.



Works in progress on Road No. 4



Completed Road No.4

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	17							
MINISTRY	Ministry of Water and Housing (MWH)							
PUBLIC BODY/ AGENCY	Housing Agency of Jamaica Limited (HAJL)							
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	Saint Catherine							
CONTRACTOR	Build-Rite Construction Company Limited							
CONSULTANT	In-House							
SOURCE OF FUNDING	HAJL							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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.).

A pre-qualification opening was held on October 17, 2008. Five (5) Pre-qualification Questionnaires were received, opened and verified in accordance with the eligibility requirements. Three (3) companies were shortlisted and were invited to submit Request for Proposals (RFP) for the proposed Works by January 16, 2009.

Three (3) tenders were received opened and verified in accordance with the eligibility requirements which were outlined in the RFP.

A detailed evaluation was conducted in accordance with the established evaluation criteria, as specified in the RFP. Subsequently, the lowest evaluated 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.

The National Contracts Commission (NCC) endorsed the recommendation on June 17, 2009.

Subsequently, a decision was taken by the 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, thereby decreasing the proposed contract sum from \$1,177,306,000.00 to \$230,000,000.00, and thereby requested permission from the NCC to negotiate with the recommended bidder.

The NCC on August 19, 2009, advised the HAJL, to utilise the Direct Contracting Procurement Methodology to negotiate a contract with Build-Rite Construction Limited and submit details of the negotiation to the NCC. Consequently, the initial tender process was cancelled and the HAJL began negotiations with Build-Rite Construction Company Limited.

Following the negotiations, details of same were submitted to the NCC. The NCC on January 20, 2010, endorsed the recommendation for the award of contract to Build-Rite Construction Company Limited, in the sum of J\$157,338,000.00.

The Cabinet granted its approval on March 22, 2010.

The Contract was signed on April 15, 2010.

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 Months	2011-03-05	0000-00-00	0 Days	0 Days
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 160,765,567.00	J\$ 3,413,567.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 130,790,237.84	J\$ 0.00	12 Months
STATUS	Project is 80% 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 contract period, the estimated monthly average work output was approximately ten percent (10%) to achieve the scheduled completion.

Since the project's implementation, the Contractor has exceeded the average monthly work output. As at December 31, 2010, the project was approximately 80% complete, with fifteen (15) units completed and the remaining 85 units were reportedly at various stages of completion.

The OCG is of the view that If the project progresses at its current rate it should be completed within the scheduled Completion Date. Further, the OCG is satisfied with the management and execution of the project by the HAJL and the Contractor.

The Office of the Contractor-General (OCG) will continue to monitor the project.



External view of completed unit, as at December 31, 2010



Interior of completed unit, as at December 31, 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		18						
MINISTRY		Ministry of Water and Housing (MWH)						
PUBLIC BODY/ AGENCY		Housing Agency of Jamaica Limited (HAJL)						
PROJECT NAME		Rehabilitation of Infrastructure Works, Lilliput						
PROJECT DESCRIPTION		Construction of roadways and drainage system to existing infrastructure works						
PROJECT LOCATION		Saint James						
CONTRACTOR		Construction Solutions Limited						
CONSULTANT		HAJL						
SOURCE OF FUNDING		Tourism Enhancement Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-11-18	J\$ 27,800,280.00	2009-12-15	Yes	Yes	2010-01-20	0000-00-00	2010-01-27
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>An Invitation to Tender was advertised on October 21, 2009. The Selective 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 at a minimum of Grade 2, to submit tenders. Tenders were to be submitted by November 18, 2009 at 12:00 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 established evaluation criteria, as specified in the Tender Document. Subsequently, the lowest evaluated bid which was submitted by Construction Solutions Limited, in the sum of J\$ 23,843,640.00, was recommended for the award of contract.</p> <p>The NCC endorsed the recommendation on January 20, 2010.</p> <p>The Contract was signed on January 27, 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\$ 23,843,640.00	2010-01-29	2010-02-19	120 Days	2010-08-10	0000-00-00	0 Days	4 Months	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 32,720,233.42	J\$ 6,587,400.00	J\$ 974,510.43	J\$ 1,314,682.99	J\$ 8,876,593.42	J\$ 29,792,342.42	J\$ 0.00	6 Months	
STATUS	Project is 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)

Over the reporting period, the scheduled Completion Date was not achieved due to intermittent, slow or non-existence of onsite activities which occurred as a result of the following:

1. Disagreements between the Contractor and the sub-contractor in relation to payments for work executed and the adequacy in the supply of material for the project's completion;
2. Work stoppages as a result of labour disputes between Equipment Operators and the Contractor;
3. Poor workmanship by the sub-contractor which resulted in the main Contractor having to make good defects;
4. Discrepancies between the Bills of Quantities and the drawings in relation to the quantity of fill material and the omission of 600mm x 600mm U-drain; and
5. Delays in the issuance of instructions by the HAJL in relation to the required roads finishes.

Having regard to the foregoing, the project has incurred a time overrun of four (4) months and a cost overrun of J\$8,876,593.42.

At the end of the reporting period, the project was awaiting Practical Completion inspection.

The Office of the Contractor General (OCG) will continue to monitor the project.



Section of roadway under construction



Section of completed roadway

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	19							
MINISTRY	Ministry of Water and Housing (MWH)							
PUBLIC BODY/ AGENCY	Ministry of Water and Housing							
PROJECT NAME	Construction of forty- eight (48) Dwelling Houses in Albion							
PROJECT DESCRIPTION	Demolition of existing structures, Construction of forty-eight (48) Housing Units, Construction of Roadway and Parking Area, Construction of Walkways and Implementation of Water Supply and Sewage Distribution Systems.							
PROJECT LOCATION	Saint James							
CONTRACTOR	Seal Investment Company Limited							
CONSULTANT	In-house							
SOURCE OF FUNDING	Government of Jamaica (GOJ)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-05-11	J\$ 83,457,925.69	0000-00-00	Yes	Yes	2010-03-10	2010-05-25	2010-08-10

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on April 29, 2009. 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, to submit tenders. Tenders were to be submitted by May 11, 2009 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:30 p.m.

One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

During the evaluation process, it was recognised that the Entity inadvertently omitted several pages from the Bills of Quantity of the document that was purchased and as such the document could not be properly evaluated. Consequently, the procurement process was aborted.

The Entity sought permission from the NCC to enter into negotiations with Seal Construction Company Limited, on the following basis:

1. The Contractor is local and Montego Bay based;
2. The Contractor had carried a significant amount of work in the Montego Bay area;
3. The Contractor had legal access to the property adjoining the site which would be of benefit to the orderly development, as it would provide a temporary relocation area for the persons occupying the site, during the construction process; and
4. The Contractor had expressed willingness to participate in the National Housing Programme.



Subsequent to the negotiations, Seal Construction Company Limited was recommended for the award of contract, in the sum of J\$89,444,112.88.

The NCC endorsed the recommendation on March 10, 2010.

The Cabinet granted its approval on May 25, 2010.

The Contract was signed on August 10, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 89,444,112.88	2010-08-10	2010-08-10	12 Months	2011-08-09	0000-00-00	N/a	N/a
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 10,522,811.18	J\$ 0.00	N/a

STATUS	Project is 30 % 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>Over the period under review, the records indicated that initially the project incurred delays as a result of the following:</p> <ol style="list-style-type: none"> 1. Clearing of site; 2. Difference in elevations on drawings compared to that on site; 3. Excessive rocks encountered during excavation in some areas; and 4. Inclement weather. <p>Upon resolving the issues which occurred as a result of Nos. (1) and (2) above, the project progressed at a satisfactory pace notwithstanding disruptions by inclement weather.</p> <p>As at December 31, 2010, the works were approximately 30% complete.</p>	
	
View of Existing Tenement	View of New Housing Units under construction

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		20						
MINISTRY		Ministry of Water and Housing (MWH)						
PUBLIC BODY/ AGENCY		National Water Commission (NWC)						
PROJECT NAME		Montego Bay Sewerage and Sewage Treatment Project - The Construction of the North Gully (at King Street) to Cornwall Courts STW Sanitary Sewers						
PROJECT DESCRIPTION		The construction of approximately 2.4 Km of 525 mm (21) nominal diameter sewer on the alignment of the North Gully plus 2.7 Km of 525 mm (21) nominal diameter to be constructed in trenches, from North Gully, Montego Bay, St. James.						
PROJECT LOCATION		Saint James						
CONTRACTOR		Tankweld Limited						
CONSULTANT		National Water Commission						
SOURCE OF FUNDING		Government of Jamaica/ National Housing Trust						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-08-20	J\$ 212,472,357.30	2008-09-26	Yes	Yes	2008-11-19	2009-01-19	2009-02-23
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>An Invitation to Tender was advertised on June 23, 2008. The Selective Tender Procurement Methodology was utilised to invite qualified Contractors registered with the National Contracts Commission (NCC), in the Category of Pipe Laying and Civil Engineering at Grade 1, to submit tenders. Tenders were to be submitted by July 30, 2008 at 11:00 a.m. However, at the close of tender, an Addendum was issued and the deadline for the submission of tenders was extended to August 20, 2008 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, as set out in the Tender Document. Subsequently, the lowest evaluated tender which was submitted by Tankweld Limited, in the sum of \$231,872,593.70, was recommended for the award of contract.</p> <p>Approval was received from the Head of Entity on September 26, 2008. This was subsequently approved by the MWH on October 29, 2008.</p> <p>The NCC endorsed the recommendation on November 19, 2008.</p> <p>The Cabinet granted its approval on January 19, 2009.</p> <p>The Contract was signed on February 23, 2009.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$ 231,872,593.70	2009-09-11	2009-10-02	18 months	2011-04-02	2010-09-17	0 days	0 days	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 231,872,593.70	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 193,350,662.15	J\$ 0.00	12 months	
STATUS		Project 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 2009, the project was 7.25% complete and progressed steadily as scheduled. However, the desired pace was affected by certain difficulties which arose from excessive rocks and the rerouting of some pipelines, which were encountered during excavation.

In 2010, the project progressed ahead of schedule with minor delays which occurred as a result of the following:-

1. Rain;
2. Location of potable water pipes;
3. Violent occurrences in some communities where the pipes are routed;
4. Laying of additional pipes; and
5. Splintered payments of certificate claims (subsequently resolved).

The Contractor, however, worked diligently, maintained safety and quality control throughout the project, notwithstanding the challenges.

Variations to the existing contract occurred as a result of additional pipes which were required. However, as at the end of the reporting period, the Entity did not finalise the accounts relating to the referenced variations.

The records indicated that connection to the live Sewerage Feed occurred on July 29, 2010. The Contractor was granted Practical Completion on September 17, 2010 which was approximately seven (7) months ahead of the scheduled Completion Date.

As at December 31, 2010, the project was in its maintenance period which expires in July 2011.



Excavation of trench



Pipes laid in the North Gully and Installation of form work for casing to protect the pipes.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		21						
MINISTRY		Ministry of Water and Housing (MWH)						
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 11 km of 300mm (12") Nominal Diameter Ductile Iron Potable Water Transmission Pipelines						
PROJECT LOCATION		Saint Elizabeth						
CONTRACTOR		Bacchus Engineering Works Limited						
CONSULTANT		NWC Engineering Department						
SOURCE OF FUNDING		Government of Jamaica National Water Commission						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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.).

An 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, to submit tenders. Tenders were to be submitted by April 16, 2008 at 11:00 a.m., followed by a Tender Opening Ceremony at 11:15 a.m.

Ten (10) 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, as specified in the Tender Document. Subsequently, the lowest evaluated bid which was submitted by Bacchus Engineering Works Limited, in the sum of J\$67,882,400.70, was recommended for the award of contract.

The NCC endorsed the recommendation on August 20, 2008.

The Cabinet granted its approval on November 3, 2008.

The Contract was signed on December 29, 2008.

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 months	2010-08-12	0000-00-00	2 months	4 months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 56,032,310.68	J\$ 0.00	12 months
STATUS		Contract is 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)

Within the first three (3) months of construction, the records indicated that Works on the project progressed steadily with approximately 30% of pipeline being laid.

In July 2010, the Contractor submitted a request for extension of time as a result of the following:

1. Delays in excavation, due to excessive rocky condition;
2. Failure by the Entity to provide materials for the works, in a timely manner;
3. Vandalism of Contractor's equipment;
4. Labour disputes; and
5. Timely payments of certificate claims.

Having regard to the foregoing, the Contractor was granted forty (40) days extension of time which extended the Completion Date to December 31, 2010. Subsequently, the project experienced damages caused by the rains from Tropical Storm Nicole at the end of September 2010, which further extended the revised Completion Date.

At the end of the reporting period, 90% of the repairs which were required as a result of the damages caused by Tropical Storm Nicole were completed. Temporary reinstatement to 60% the Works corridor was also completed.

The OCG will continue to monitor the project.



Scouring of Installed Pipe lines due Tropical Storm Nicola



Scouring of Installed Pipe lines Tropical Storm Nicola

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER		22						
MINISTRY		Office of the Prime Minister (OPM)						
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 with Sanitary and Kitchen Facilities, Administrative Area, all necessary Sewer and Drainage System and the Construction of a Perimeter Fence and Retaining Wall.						
PROJECT LOCATION		Saint James						
CONTRACTOR		Marshall Construction Company Limited						
CONSULTANT		Centreline Project Solution Limited						
SOURCE OF FUNDING		The European Union (EU) / Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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>An 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, to submit tenders. Tenders were to be submitted by April 9, 2010 at 12:00 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>A detailed evaluation was conducted in accordance with the evaluation criteria, as specified in the Tender Document. Subsequently, the sole bid which was submitted by Marshall Construction Company Limited, in the sum of J\$29,737,735.00, was recommended for the award of contract.</p> <p>The NCC endorsed the recommendation on May 26, 2010.</p> <p>The Contract was signed on July 21, 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\$ 29,737,735.00	2010-08-23	2010-08-23	4 months	2010-12-23	0000-00-00	46 days	8 days	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 10,845,623.25	J\$ 0.00	0000-00-00	
STATUS	As at December 31, 2010 the project was reported as being 70% 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)

Reports have indicated that during the interim stages of the project an Environmental Management Plan was recommended for implementation in an effort to ensure the safety of all users of the environment, specifically the children in the existing Basic School which was located in close proximity to the site. Concerns were therefore raised, when the hoarding of the site was delayed. This was however, later addressed.

Other issues of concerns during the implementation of the project included, *inter alia*, the following:

1. Items in the Bill of Quantities were not reflected on the Working Drawings;
2. The location of the Absorption Pit;
3. The Construction of the Retaining Wall; and
4. Frequent delays in the construction programme, as it was reported, in the eighth week of construction, that the project was four (4) weeks behind schedule.

As at December 31, 2010, the project was reported as being 70% complete. The scheduled Completion Date of December 23, 2010, was therefore extended and forty-six (46) days of extension was granted.

The Office of the Contractor-General (OCG) will continue to monitor the project.



Project as at December 9, 2010



Progress as at December 31, 2010

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER		23						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Bucknor Community Centre Construction (#71617)						
PROJECT DESCRIPTION		The construction of a Community Centre, Multi-purpose Area, Bathrooms and Shops.						
PROJECT LOCATION		Clarendon						
CONTRACTOR		KSA Engineering Consultants Limited						
CONSULTANT		Quantity Surveying Consultants Limited						
SOURCE OF FUNDING		The Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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	2010-04-08	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>An Invitation to Tender was advertised on December 5, 2007. The Selective Tender Procurement Methodology was utilised to invite qualified Contractors registered with the National Contracts Commission (NCC), in the category of Building Construction at Grade 2, to submit tenders. Tenders were 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, specified in the Tender Document. Subsequently, the sole tender which was submitted by KSA Engineering Consultants Limited, in the amount of J\$52,028,039.31, was recommended for the award of contract.</p> <p>The recommendation was endorsed by the NCC on May 28, 2008.</p> <p>The Cabinet granted its approval on October 13, 2008.</p> <p>The Contract was signed on January 16, 2009.</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	52 weeks	2010-06-29	0000-00-00	2011-05-31	11 months	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$57,028,039.31	J\$ 5,000,000.00	N/A	N/A	N/A	J\$ 32,455,758.00	N/A	N/A	
STATUS	Project is approximately 53% 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 2009, the project was 11% complete. It was reported that the project had experienced delays and as such progressed slowly, specifically with respect to (a) rocky soil conditions on site; (b) the Entity having to re-design the foundations, (c) the duration for the approval of the re-designs from the Parish Council; and (d) financial difficulties which were experienced by the Contractor.

In 2010, reports further indicated that the project continued to progress at an extremely slow pace, as a result of the following:

1. Inadequate supply of material on site;
2. Financial difficulties being experienced by the Contractor;
3. Problems with delivered material to site; and
4. Community related social issues.

As at December 31, 2010, the project was approximately 53% complete.

The Office of the Contractor General will continue to monitor the project.



Front View



Side View

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	24							
MINISTRY	Office of the Prime Minister (OPM)							
PUBLIC BODY/ AGENCY	Jamaica Social Investment Fund (JSIF)							
PROJECT NAME	Islington Early Childhood Institution Completion (#71833)							
PROJECT DESCRIPTION	The works include the construction of a Sick Bay, four (4) New Classrooms, Principal's Office, Teachers' Rest Area, Store Room, Sanitary Facilities, Enclosed Play Area, Multi-purpose Room and Gazebo.							
PROJECT LOCATION	Saint Mary							
CONTRACTOR	Howard Construction Company Limited							
CONSULTANT	Quantity Surveying Consultants Limited							
SOURCE OF FUNDING	The Government of Jamaica (GOJ)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2009-03-30	J\$ 59,932,013.60	2009-04-16	Yes	Yes	2009-06-10	0000-00-00	2010-02-24

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Jamaica Social Investment Fund (JSIF) under cover of letter which was dated March 16, 2009, utilised the Limited Tender Procurement Methodology to invite Contractors registered with National Contracts Commission (NCC), in the category of Building Construction Grade 2 or higher, to submit tenders. Tenders were to be submitted by March 30, 2009 at 12:00 p.m. followed by a scheduled Tender Opening Ceremony at 12:05 p.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 established evaluation criteria, as specified in the Tender Document.

Subsequent negotiations with the sole bidder, Howard Construction Company Limited, resulted in a sum of \$62,006,000.00, being recommended for award of contract.

The NCC endorsed the recommendation on June 10, 2009.

The Cabinet Approval was not evidenced for the subject contract award.

The Contract was signed on February 24, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 62,006,000.00	2010-02-24	2010-03-01	21 weeks	2010-08-01	2010-06-16	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	N/A	N/A	N/A	N/A	J\$ 55,927,384.71	N/A	Six (6) Months
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)

Over the period under review, reports indicated that as a result of a diligent approach to the Works by the Contractor, the project was expedited and completed approximately six (6) weeks prior to the scheduled Completion Date.

The project was granted Practical Completion on June 16, 2010.

As at December 31, 2010, the project is in its Defects Liability Period.



Front View During Construction



Front View Completed

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER		25						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		Jamaica Social Investment Fund (JSIF)						
PROJECT NAME		Knollis Community Centre Construction - (#071616)						
PROJECT DESCRIPTION		The Works involve construction of the Knollis Community Centre which includes the construction of Bathrooms, Shops and a Multi-purpose Area.						
PROJECT LOCATION		Saint Catherine						
CONTRACTOR		KSA Engineering Consultants Limited						
CONSULTANT		Quantity Surveying Consultants Limited						
SOURCE OF FUNDING		The Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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	N/A	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.).

Tenders were invited by way of the Selective Tender Procurement Methodology, on August 19, 2007. Tenders were to be submitted by September 21, 2007 at 12:00 p.m. followed by a scheduled Tender Opening Ceremony at 12.05 p.m.

Four (4) 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, as set out in the Tender Document. Subsequently, the lowest evaluated tender which was submitted by KSA Engineering Consultants Limited, in the sum of \$57,727,498.30, was recommended for the award of contract.

The National Contracts Commission (NCC) endorsed the recommendation for the award of contract on March 26, 2008.

The Cabinet granted its approval on August 11, 2008.

The Contract was signed on October 8, 2008.

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 months	2010-03-04	0000-00-00	3 months	9 months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 62,727,498.30	J\$ 5,000,000.00	N/A	N/A	N/A	J\$ 54,926,933.12	N/A	N/A

STATUS Project is approximately 65% 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 2009, the project was 42% complete and was significantly behind schedule as a result of community related issues and a less than diligent performance by the Contractor.

In 2010, the record indicated that notwithstanding the Contractor applying for an extension of time where an additional eighty-two (82) working days was granted, with revised Completion Date of June 30, 2010, the project continued to progress in a less than diligent manner.

As at the end of the reporting period, the project was approximately 65% complete.



Front View



Side View

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	26							
MINISTRY	Office of the Prime Minister (OPM)							
PUBLIC BODY/ AGENCY	National Housing Trust (NHT)							
PROJECT NAME	2A Mark Way Construction of Townhouses & Infrastructure Works							
PROJECT DESCRIPTION	Construction of six (6) three (3) bedroom Townhouses and associated Infrastructure Works							
PROJECT LOCATION	Saint Andrew							
CONTRACTOR	N/A							
CONSULTANT	Architects-Howard Ferguson, Quantity Surveyors- Berkeley & Spence, Engineers- Hue Lyew Chin Eng. Limited Hardie & Kossally							
SOURCE OF FUNDING	Government of Jamaica (GOJ)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-04-08	J\$ 146,791,835.59	0000-00-00	N/A	N/A	2010-06-02	0000-00-00	0000-00-00

PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An 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, at a minimum of Grade 1 and or Grade 3 or higher in Civil Engineering Works. Tenders were to be submitted by April 8, 2010 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.

A detailed evaluation was conducted in accordance with the established evaluation criteria, as specified in the Tender Document. Subsequently, the lowest evaluated bid which was submitted by Prime Development Company Limited, in the sum of J\$141,709,450.40, was recommended for the award of contract.

The NCC endorsed the recommendation for the award of contract on June 2, 2010.

As at the end of the reporting period, the tender was submitted to the Cabinet for approval.

The OCG will continue to monitor the project.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 0.00	0000-00-00	0000-00-00	N/A	0000-00-00	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	N/A
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 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	27							
MINISTRY	Office of the Prime Minister (OPM)							
PUBLIC BODY/ AGENCY	National Housing Trust (NHT)							
PROJECT NAME	Construction of Townhouses							
PROJECT DESCRIPTION	The construction of five (5) Townhouses							
PROJECT LOCATION	Saint Andrew							
CONTRACTOR	Elegant Estates Limited / N.F. Barnes Construction & Equipment Company Limited							
CONSULTANT	Howard Ferguson							
SOURCE OF FUNDING	Government of Jamaica (GOJ)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2007-12-07	J\$ 81,265,307.00	0000-00-00	Yes	Yes	2009-02-11	2009-05-18	2009-07-20
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>An Invitation to Tender was advertised on October 24, 2007. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with National Contracts Commission (NCC), in the category of Building Construction, at a minimum of Grade 1, to submit tenders. Tenders were to be submitted by December 7, 2007 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>Upon completion of the evaluation process, the bid submitted by Elegant Estates Limited/ N.F. Barnes Construction & Equipment Company Limited, was recommended for the award of contract.</p> <p>Head of Entity Approval was not evidenced for the subject contract award.</p> <p>The NCC endorsed the recommendation for the award of contract on February 11, 2009.</p> <p>The Cabinet granted its approval on May 18, 2009.</p> <p>The Contract was signed on July 20, 2009.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$ 78,884,902.70	2009-07-17	2009-07-20	9 Months	2010-04-19	2010-11-25	3 Months	7 Months	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 117,840,452.00	J\$ 38,955,549.30	J\$ 0.00	J\$ 0.00	J\$ 38,955,549.30	J\$ 117,840,452.80	J\$ 0.00	N/A	
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)

At the end of 2009, the project was 62% complete and marginally behind schedule, due to the following:

1. Issues concerning re-designing and the approval process for structural design of the basement for Unit 5; and
2. Financial constraints experienced by the Contractor.

At the end of the period under review, the records indicated that the Contractor continued to experience financial constraints which contributed to reduced output of activities on site. The Contractor was granted an extension of time from the scheduled completion date of April 19, 2010 to July 30, 2010, which was further extended to September 7, 2010, a period of approximately five (5) months, to complete the works. This extension was due largely to changes to the scope of works.

The revised Completion Date was however, not achieved due to the extensive defects and outstanding works which were identified after a Taking Over Inspection, which was undertaken by representatives from the NHT, subsequent to a request by the Contractor.

The Contractor by way of letter dated September 20, 2010, from the Consulting Architect, was reminded of damages to the Employer for the default and the respective applicable **Clauses**, in the event that works were not completed within a stipulated time.

The Works were reported to have been completed on November 25, 2010.

As at December 31, 2010, the project is in its Defects Liability Period.



Front View of Unit 5



Side View of Unit 1

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	28							
MINISTRY	Office of the Prime Minister (OPM)							
PUBLIC BODY/ AGENCY	National Housing Trust (NHT)							
PROJECT NAME	Salisbury Avenue Housing Development							
PROJECT DESCRIPTION	The construction of nine (9) Townhouses							
PROJECT LOCATION	Saint Andrew							
CONTRACTOR	M & M Jamaica Limited							
CONSULTANT	Howard Ferguson							
SOURCE OF FUNDING	Government of Jamaica (GOJ)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-06-01	J\$ 156,095,793.00	0000-00-00	Yes	Yes	2009-10-14	2009-12-14	2010-01-26
PRE-CONTRACT COMMENTS: 'Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>An Invitation to Tender was advertised on April 26, 2009. The Selective Tender Procurement Methodology was utilised to invite Contractors registered with National Contracts Commission (NCC), in the category of Building Construction, at a minimum of Grade 1 to submit tenders. Tenders were to be submitted by June 1, 2009 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 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, as specified in the Tender Document. Subsequently, the lowest evaluated bid which was submitted by M & M Jamaica Limited, in the sum of J\$ 167,296,792.37, was recommended for the award of contract.</p> <p>Head of Entity Approval was not evidenced for the subject contract award.</p> <p>The NCC endorsed the recommendation for the award of contract on October 14, 2009.</p> <p>The Cabinet granted its approval on December 14, 2009.</p> <p>The Contract was signed on January 26, 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\$ 167,296,792.37	2010-02-09	2010-02-09	9 Months	2010-11-10	0000-00-00	N/a	1 Month	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 192,584,330.96	J\$ 25,069,788.31	J\$ 0.00	J\$ 0.00	J\$ 25,287,538.59	J\$ 192,584,330.96	J\$ 0.00	N/A	
STATUS	Contract is 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)

Over the period under review, reports indicated that the project experienced delays due to inclement weather. Notwithstanding this, the Contractor's diligent approach resulted in the project, on average, being either on schedule or marginally ahead of the scheduled Work Programme, during its implementation.

On August 11, 2010, the NCC endorsed a recommendation for a Variation, in the sum of J\$25,069,788.31, to carry out the installation of a Sewer Trunk Main, to facilitate Sewage Disposal from the complex. This variation occurred as a result of the National Water Commission's inability to complete construction in a timely manner to facilitate the accelerated pace of the Works on the project.

As at December 31, 2010, the project did not achieve Practical Completion and was one (1) month behind its scheduled completion date.



Front View of Townhouses under Construction



Side View of completed Townhouses

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER		29						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		National Housing Trust (NHT)						
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		Clarendon						
CONTRACTOR		Ashtrom Building System Limited						
CONSULTANT		Neville A Mills - Quantity Surveyors						
SOURCE OF FUNDING		Government of Jamaica (GOJ) / NHT						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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 Inner-City Housing Programme Framework Agreement (ICHP) between the National Housing Trust (NHT) and Ashtrom Building Systems Limited (Ashtrom), in which Ashtrom 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, including infrastructure works at Bushy Park.</p> <p>Ashtrom by way of a letter which was dated July 22, 2009, to the NHT stated, <i>inter alia</i>, that; "Enclosed please find our priced proposal for Bushy Park Phase 2 for the construction of sixty-seven (67) units. This offer takes in 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.</p> <p>The Cabinet granted its approval on November 9, 2009.</p> <p>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	2010-04-06	2010-04-06	10 months	2011-02-28	0000-00-00	0 days	0 days	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 248,438,812.78	J\$ 0.00	J\$ 8,265,657.68	J\$ 10,923,155.10	J\$ 0.00	J\$ 131,977,113.53	J\$ 0.00	9 months	
STATUS	Project is 82% 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 scope of works involves the construction of;

1. Ten (10) Two- Bedroom units;
2. Fifty- two (52) one-bedroom units;
3. Five (5) studio units; and
4. Infrastructure on each residential lot, to include site grading, plumbing drainage, etc.

In addition, the 67 housing units were to be constructed with associated finishes, at the factory located at Central Village, Spanish Town.

Over the period under review, records indicated that activities commenced at the Contractor's factory on April 6, 2010 and progressed steadily. There were however, concerns regarding Quality Control of the cast products, and consequently, the Agency requested a greater scrutiny of Cube Tests Results which were presented by the Contractor and the Consultants.

The records further indicated that in excess of forty (40) units were erected on the site but the Contractor was experiencing continuous problems with the installation of marl pads, due to the presence of rocks at the proposed locations.

At the end of the reporting period, the Contractor submitted a claim for an extension of time for seven (7) weeks.

The OCG will continue to monitor the project.



Construction of Marl Pads and Associated Infrastructure for Housing Units



Completed Housing Units with Associated Meter Poles.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		30						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		National Housing Trust (NHT)						
PROJECT NAME		Longville Housing Development Phase 3						
PROJECT DESCRIPTION		The Longville Housing Development involves the development of 80.9 Hectares (200) acres of lands to include the construction of 320, two (2)-bedrooms, 180, one-bedroom Houses, 100 studios and 234 serviced lots.						
PROJECT LOCATION		Clarendon						
CONTRACTOR		M&M Jamaica Limited						
CONSULTANT		Jentech Consultants Limited						
SOURCE OF FUNDING		Government of Jamaica (GOJ) / NHT						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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>An 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 Engineering and Building Construction Works Grade 1, to submit tenders. Tenders were to be submitted by July 31, 2009 at 12:00 p.m. followed by a scheduled Tender Opening Ceremony at 2:15 p.m. Addenda were issued which extended the date of the Tender Opening Ceremony to August 28, 2009 at 12:00 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 established evaluation criteria, as specified in the Tender Document. Subsequently, the lowest evaluated bid 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 NCC endorsed the recommendation for the award of contract on November 5, 2009.</p> <p>The Cabinet granted its approval on January 25, 2010.</p> <p>The Contract was signed on February 10, 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\$ 2,702,468,232.16	2010-03-10	2010-04-12	18 months	2011-10-11	0000-00-00	0 days	0 days	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 2,693,904,863.00	(J\$ 8,563,369.00)	J\$ 41,039,457.23	J\$ 45,088,534.21	J\$ 0.00	J\$ 11,342,518,321.00	J\$ 0.00	12 months	
STATUS		Project is 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)

Construction activities on site commenced on April 12, 2010. The records indicated that during the execution of the project, the Contractor progressed behind schedule, as a result of the following:

1. Blasting and Setting out issues;
2. Inclement weather; and
3. Slow pace of the construction of the Housing Units.

Having regard to the foregoing, the project did not progress at the desired rate. At the end of the reporting period, the project was 36% complete with 47% time elapsed and two (2) weeks behind schedule. The Contractor has signaled an intention to have the project back on schedule by the end of February 2011.

The OCG will continue to monitor the project.



Partially Complete Housing Units



Housing Units under Construction

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER		31						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		National Housing Trust (NHT)						
PROJECT NAME		Perth Housing Development - Phase 1						
PROJECT DESCRIPTION		The construction of infrastructure works for the development of two hundred and fifty-nine (259) Service Lots, nine (9) Cluster Sites, two (2) Commercial Lots and the associated infrastructure.						
PROJECT LOCATION		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	COMPARATIVE 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>An 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, to submit tenders. Tenders were to be submitted by September 8, 2009 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>As a result of Addenda and clarifications that were issued, the return and Opening of Tender date was extended to September 15, 2009 at 12:00 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 established evaluation criteria as specified in the Tender Document. Subsequently, the lowest evaluated bid was recommended to the NCC for endorsement. The NCC rejected the recommendation sighting that the "Correction of Errors Clause" in the Tender Document was not in keeping with the provisions of the GOJ Public Sector Procurement Procedures Handbook (November 2008).</p> <p>The NCC at its meeting held on November 18, 2009, further recommended that the NHT reject all bids and negotiate with Build Rite Construction Company Limited (Build Rite), which would have been the preferred tenderer if the correct method of correcting arithmetical errors was used. Subsequent negotiations with Build Rite, resulted in a 2.6% reduction on the corrected tender sum of J\$623,077,060.00, and a final sum of J\$606,807,345.00 which was recommended to the NCC for endorsement.</p> <p>The NCC endorsed the recommendation for the award of contract on January 27, 2010.</p> <p>The Cabinet granted its approval on April 6, 2010.</p> <p>The Contract was signed on June 17, 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\$ 606,807,345.00	2010-06-24	2010-06-24	18 months	2011-12-21	0000-00-00	0 days	0 days	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 245,052,862.44	J\$ 0.00	12 months	
STATUS		Project is 30% 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 site commenced on June 24, 2010, approximately five (5) days after the signing of contract.

Over the first three (3) months of the project, progress was as per scheduled, with regards to the setting out of the Works and site clearance activities. This progress however decreased due to rain falls and the resulting saturated soil conditions that affected filling operations.

Subsequently, on September 20, 2010, the Contractor submitted a Notice to Claim requesting a 15 day extension of time.

At the end of the reporting period, the referenced request for extension was being finalised by the Project Engineer. The project was reportedly 30% complete.

The OCG will continue to monitor the project.



Entrance road under construction



Storm water drainage under construction

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		32						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		National Housing Trust (NHT)						
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 Works.						
PROJECT LOCATION		Saint Catherine						
CONTRACTOR		Ashtrom Building Systems Limited						
CONSULTANT		Quantity Surveyor: Henry Rose and Associates; Architect: Pyramid Design Consultant; Mechanical & Electrical Engineer: Pro-Tech						
SOURCE OF FUNDING		Government of Jamaica (GOJ) \ NHT						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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 the Inner-City Housing Programme Framework Agreement (ICHP) between the National Housing Trust (NHT) and Ashtrom Building Systems Limited (Ashtrom), in which Ashtrom is to construct 3000 Housing Units over a three (3) 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's (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\$2,100,357,738.17</p> <p>The NCC endorsed the recommendation on September 23, 2009.</p> <p>The Cabinet granted its approval on November 9, 2009.</p> <p>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\$ 2,100,357,738.17	2010-04-26	2010-04-26	540 days	2011-10-26	0000-00-00	0 days	0 days	
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD	
		LABOUR	MATERIAL					
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 41,772,607.76	J\$ 0.00	J\$ 1,012,574,839.00	J\$ 0.00	365 days	
STATUS		Contract is 46% 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 Scope of Works involves the construction of 357 Housing Units (165 townhouses and 192 apartments) and the associated Infrastructure Works. Activities on site commenced on April 26, 2010.

Over the period under review, the records indicated that works progressed steadily with major emphasis being placed on Quality Control of cast concrete slabs and marl being used for filling. This was aided by the project Quality Assurance Plan.

At the end of the reporting period, the project was reported to be one (1) week behind schedule.

The OCG will continue to monitor the project.



Townhouse Units under construction.



Apartment Units under construction

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	33							
MINISTRY	Ministry of Transport and Works							
PUBLIC BODY/ AGENCY	Port Authority of Jamaica (PAJ)							
PROJECT NAME	Falmouth Cruise Ship Pier Development Project							
PROJECT DESCRIPTION	Falmouth Cruise Ship Terminal Development							
PROJECT LOCATION	Trelawny							
CONTRACTOR	Royal Caribbean Cruise Line (RCCL)							
CONSULTANT	Mott McDonald							
SOURCE OF FUNDING	Government of Jamaica (GOJ) /and Royal Caribbean International (RCI)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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.).

The PAJ invited suitably National Contracts Commission (NCC) qualified engineering firms to submit proposals for conducting a feasibility study, in an effort to provide the PAJ with sufficient data and guidance, to facilitate sustainable development. In an effort to achieve this, the PAJ placed an advertisement in the Daily Gleaner, the Jamaica Observer and the company's website on June 18 & 21, 2006. It was requested that engineering firms indicate an "Expression of Interest, " in conducting a feasibility study for the Ocho Rios Cruise Terminal Development. This was subsequently revised, and an amended advertisement was placed in national Newspapers on June 25 & 28, 2006. Five (5) companies returned tenders by the stipulated date of July 21, 2006.

A detailed evaluation was conducted on the five (5) bids, and the firm Mott MacDonald was considered the most responsive bid, which received the highest overall ranking, thereby scoring in excess of the minimum points that were required.

It was recommended that Mott Macdonald Limited be awarded both phases of the project, which are:

- Phase 1 - to conduct a feasibility study to determine capacity for Reynolds Pier Ocho Rios valuing US\$59,500.00; and
- 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.

The PAJ, by way of letter dated December 18, 2006, informed the NCC of their decision to engage Mott MacDonald. The NCC offered no objections to the PAJ negotiating the terms with Mott MacDonald Limited, to conduct a feasibility study on the Falmouth harbour in Trelawny. This was on the condition that, upon completion of the negotiations, the appropriate recommendations are submitted through the Sector Committee.

This recommendation was outlined in a Tender Report dated March 2007; the contract was awarded to Mott MacDonald Limited, in the sum of US\$ 248,150.00.

Based on an evaluation which was completed by the consultant Mott MacDonald Limited (MML), it was recommended that the following companies be invited to submit bids:

- Vinci Construction/Saipen A.S.
- Besix/Dredging International
- E. Pihl & Son A.S.
- Kier International in association with Van Oord

The PAJ subsequently conducted negotiations with the two (2) most technically compliant bidders, E. Phil & Son and Vinci Group. The negotiations proved futile, as the lower offer of US\$156,657,300.00, submitted by Vinci Group, was still above the comparable viability analysis estimate of US\$125,000,000.00.

The PAJ by way of letter, which was dated September 10, 2008, requested the NCC's permission to annul the tender process and utilise the *Sole Source Methodology* of Procurement to negotiate a contract with Royal Caribbean Cruise Line (RCCL), to develop the Cruise Ship Terminal. The NCC in a letter dated September 11, 2008, offered no objection, and advised the PAJ that based on the value of the proposed development; the Cabinet's approval was to be sought.

A letter dated November 14, 2008, from the Ministry of Transport and Works confirmed that; Cabinet's approval was granted by way of Decision No. 38/08, at a meeting which was held on November 10, 2008.

On November 7, 2008, a contract valued at US\$224,000,000.00, was signed between the Port Authority of Jamaica 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, including shops and attractions.

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 Months	2011-05-10	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	US\$ 100,000,000.00	J\$ 0.00	12 Month
STATUS	Contract is 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 2009 reporting period this project was approximately 27% complete, and marginally behind Schedule.

Over the period under review it was observed during a site visits on January 14, 2010, that the project was proceeding steadily. Notwithstanding, that due to the failure of the dredging equipment, the Contractor had to source and utilise the services of numerous haulage contractors with dump trucks, to remove the dredged material. This was to ensure that the referenced activity did not fall behind schedule. The contractor reported that the use of the dump trucks had proven to be effective as it resulted in the activity being ahead of schedule.

The OCG noted that the approved Programme Schedule had not yet been finalised, as PAJ had noted several omissions which were required to be included in the overall project. The finalisation of this Programme Schedule has been ongoing from August 2009.

On April 29, 2010, the project was still progressing steadily as dredging and dumping exercise was assiduously being done. The major works to the sheet piles and anchor walls were being completed and works to the concrete capping to the seawalls were being cast in sections. As at May 27, 2010, the status of the project was reported to be approximately forty-eight (48%) complete and the expended amount was US\$ 67,175,000.00.

During Site Meeting of July 15, 2010, the OCG noted that the Programme Schedule was still not finalised, as the programme provided by the sub-contractor (E. Pihl and Son Limited) did not reflect the revised elements within the project, a critical path or a final completion date, for the project. A meeting was scheduled with representatives PAJ, RCCL and E. Pihl & Son A.S. (Pihl) to resolve this issue. However, based on the Site Meeting Minutes of August 11, 2010, no agreement was reached. During the referenced meeting, PAJ, reiterated that a revised completion date was required to be established, as there could be no validity of claims relating to time based activities without the agreement of a baseline programme.

On September 16, 2010, the OCG sought clarification from PAJ regarding the issues with the Programme Schedule. PAJ advised that the Contract Agreement was actually signed between RCCL and PAJ. The Sub-Contractor (Pihl) has an Agreement with RCCL and the referenced issue will have to be resolved, as any losses incurred would affect both RCCL and PAJ.

At the site meeting of November 3, 2010, the baseline Programme Schedule was completed by Pihl and submitted to RCCL in the week of October 25-29, 2010. PAJ acknowledged receiving the schedule, however stated that at first glance the schedule did not reflect the revised completion deadline date of June 2011.

Due to the delays in the completion of the berth, the first cruise ship scheduled to dock in November 2010, had to be redirected. In early December 2010 the PAJ observed that the progress of the marine works had slowed and advised RCCL accordingly by way of a letter which was dated December 22, 2010.

As at December 31, 2010, the project was reported by PAJ to be approximately ninety (90%) percent complete.

The OCG will continue to monitor the referenced project.



View of Falmouth Pier in January 2009



View of Falmouth Pier in December 2010

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	34
MINISTRY	Ministry of Education
PUBLIC BODY/ AGENCY	Ministry of Education (MoE)
PROJECT NAME	Construction of a New Two-Storey concrete building with amenities for Fruitful Vale All Age School. (PESP)
PROJECT DESCRIPTION	Construct of a two-storey reinforcement concrete school building with all amenities.
PROJECT LOCATION	Portland
CONTRACTOR	HDB Construction Company Ltd.
CONSULTANT	Blankson and Associates
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2007-08-17	J\$ 108,170,241.91	0000-00-00	Yes	Yes	2007-12-12	2008-05-12	2008-06-19

PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

Invitation to Pre-qualify was advertised on October 26, 2006. The Open Tender Procurement Methodology was utilised to invite Caribbean Development Bank (CDB) member countries and/or Contractors registered with the National Contracts Commission (NCC) in the category of Building Construction Grade 1 to submit tender. Prequalification Questionnaires were to be submitted by July 20, 2007.

Two (2) bidders satisfied the pre-qualification requirements and were invited to bid. Tenders were to be returned by 2:00 p. m. on August 17, 2007, and publicly opened at 2:09 p.m.

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 established evaluation criteria, as specified in the Tender Document. Subsequently, the lower evaluated bid which was submitted by HDB Construction Company Limited, in the sum of \$137,757,474.62.

was recommended for the award of contract.

The NCC endorsed the recommendation for the award of contract on December 12, 2007.

The Cabinet granted approval via Decision No.16/0833 (3) dated, May 12, 2008.

The Contract was signed on June 19, 2008.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 137,757,474.62	2008-07-28	2008-07-28	16 Months	2009-11-27	2010-05-17	152 days	6 Months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 181,073,606.77	J\$ 43,316,132.15	J\$ 9,554,824.67	J\$ 13,952,097.00	J\$ 43,316,132.25	J\$ 111,390,664.23	J\$ 0.00	6 Months
STATUS	Contract is 100% 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 the 2009 reporting period, this project was approximately 84% complete, whilst 94% of the time had elapsed.

Over the period under review the project continued to progress at a less than desirable pace and on May 4, 2010, a site meeting and walkthrough was done to determine whether the project (which was approximately 95% complete) could receive practical completion. However, based on the number of items on the defects list which were still outstanding, the Ministry determined that practical completion could not be issued as the building was not ready to be occupied or utilised by the Ministry.

The Ministry's Project Manager sought to get a date for actual completion of the outstanding works and the contractor's representative gave a commitment to have all outstanding works completed by May 14, 2010. The Contractor's Representative also stated that landscaping would be completed and grass seeding for the Courtyard was scheduled to commence on May 5, 2010 and completed by May 10, 2010.

The Ministry had granted the contractor an additional extension of time of eighty (80) calendar days which expired on April 30, 2010. The Ministry's Project Manager confirmed that liquidated damages costs had been applied as at May 1, 2010, in accordance with Clause 3.19.1 of the Contract Agreement.

The meeting concluded with an agreed date of May 17, 2010, for the completion and walkthrough of project.

The school was officially opened on July 2010.



Construction of Block 'A' in July 2009.



Block 'A' practically completed in May 2010

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APPENDIX III - NON-CONSTRUCTION CONTRACTS PRE AND POST MONITORING ACTIVITIES

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	1
MINISTRY	Ministry of Agriculture and Fisheries (MoAF)
PUBLIC BODY/ AGENCY	National Irrigation Commission Limited (NIC)
PROJECT NAME	The Supply of Irrigation Pipes & Supplies for New Forest/Duff House, Manchester (NIDP-W003A)
PROJECT DESCRIPTION	The supply, clearing and delivery of pipes and fittings for the New Forest/Duff House Irrigation System
PROJECT LOCATION	Manchester
CONTRACTOR	Jamaica Drip Irrigation Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica and Inter-American Development Bank (IADB)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-07-30	J\$ 108,168,080.00	2010-09-27	Yes	Yes	2010-11-10	2010-12-06	2010-12-14

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The subject procurement opportunity, which falls under the National Irrigation Development Programme (NIDP), was advertised on June 20, 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.

Four (4) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria which were outlined in the Tender Document.

Two (2) tenders were rejected for non-compliance to the eligibility requirements.

During the evaluation process, the National Irrigation Commission (NIC) wrote to the two (2) responsive bidders, requesting an extension of the Tender Validity period for an additional ninety (90) days which extended the date to December 30, 2010. Both Entities responded in the affirmative.

In accordance with the evaluation criteria which were outlined in the Tender Document, and subsequent to the evaluation of bids, Jamaica Drip Irrigation Limited, was deemed the lowest responsive bidder, and was recommended for the award of contract.

The recommendation was approved by the Head of Entity on September 27, 2010.

The NCC endorsed the recommendation on November 10, 2010.

The Cabinet's approval was granted on December 6, 2010.

The Contract was signed on December 14, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 100,067,416.48	0000-00-00	2010-12-14	3 Months	2011-03-14	0000-00-00	0000-00-00	0000-00-00

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	N/A
STATUS	The contract was being executed.						
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)							
Delivery of the procured items commenced on December 20, 2010. No payments had yet been made.							
The OCG will continue to monitor the execution of the contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	2
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Electoral Office of Jamaica (EOJ)
PROJECT NAME	Security Services
PROJECT DESCRIPTION	The Provision of Security Services
PROJECT LOCATION	Kingston
CONTRACTOR	N/A
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-10-08	J\$ 24,500,000.00	2010-11-08	Yes	Yes	2010-12-01	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 procurement opportunity was initially advertised in May 2010, and was subsequently withdrawn.

An Invitation to Tender was advertised on June 18, 2010. Tenders were to be submitted by July 9, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. An evaluation was undertaken and a recommendation was made to the MOE Sector Committee. Subsequently, the Sector Committee recommended to the National Contracts Commission (NCC), that the procurement opportunity be re-tendered, as a result of discrepancies which were identified in the evaluation process.

The recommendation of the Sector Committee was supported by the NCC at its meeting of September 15, 2010.

The procurement opportunity was re-advertised on September 26, 2010. Tenders were to be submitted by October 8, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

Five (5) bids were received, opened and verified in accordance with the eligibility criteria which were outlined in the Tender Document. One (1) bid was ineligible as a valid Tax Compliance Certificate (TCC) was not submitted.

A detailed evaluation was undertaken and the bidder with the highest evaluated score was recommended for the award of contract.

The recommendation was subsequently approved by the Head of Entity on November 8, 2010.

The NCC endorsed the recommendation on December 1, 2010.

As at December 31, 2010, the Contract was not yet signed.

The OCG will continue to monitor the procurement opportunity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 0.00	0000-00-00	0000-00-00	0 Days	0000-00-00	0000-00-00	N/A	N/A

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	N/A
STATUS	The Contract was 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							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	3
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	HEART Trust/NTA
PROJECT NAME	Procurement of fifteen (15) Departmental Servers
PROJECT DESCRIPTION	Procurement of fifteen (15) Departmental Servers
PROJECT LOCATION	All Island
CONTRACTOR	Management Control Systems
CONSULTANT	N/A
SOURCE OF FUNDING	HEART Trust/NTA

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-02-04	J\$ 0.00	2010-03-25	Yes	Yes	0000-00-00	0000-00-00	2010-05-28

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 January 24, 2010. Tenders were to be submitted by February 4, 2010 at 9:00 a.m., followed by a scheduled Tender Opening Ceremony at 9:15 a.m.

Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

A detailed evaluation was undertaken in accordance with the evaluation criteria which were outlined in the Tender Document. The lowest evaluated bidder, Management Control Systems, in the amount of J\$4,635,513.90, was recommended for the award of contract.

The Procurement Committee approval was received on March 23, 2010.

The Executive Director approved the recommendation on March 25, 2010.

The Board of Directors approved the recommendation for the award of contract on April 28, 2010.

A Purchase Order, which was dated May 21, 2010, and signed on May 28, 2010, was issued by the Procuring Entity.

It was noted that there was no Contractual Agreement or Comparable Estimate for this procurement opportunity. A Status Report submitted to the OCG by HEART Trust/NTA stated, *inter alia*, that; "...no comparable estimates were required/executed. In these instances, there were no requirements for contracts as the procurements related solely to the purchase of goods."

Having regard to the foregoing statement, there is a clear misunderstanding of the Government of Jamaica Public Sector Procurement Procedures (November 2008) in relation to the procurement of goods. The OCG communicated the referenced breach to the Public Body.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 4,635,513.90	0000-00-00	2010-05-28	2 Months	0000-00-00	2010-07-29	0000-00-00	0

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 4,635,514.02	J\$ 0.00	0 Days
STATUS	Procured items were delivered and the Contractor paid in full.						
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 procured items were delivered on July 29, 2010.							
As at December 31, 2010, all items were delivered and full payment made to the Contractor.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		4						
MINISTRY		Ministry of Education (MOE)						
PUBLIC BODY/ AGENCY		HEART Trust/NTA						
PROJECT NAME		Procurement of two (2) Tape Libraries						
PROJECT DESCRIPTION		Procurement of two (2) Tape Libraries						
PROJECT LOCATION		Kingston						
CONTRACTOR		IBM World Trade Corporation						
CONSULTANT		N/A						
SOURCE OF FUNDING		HEART Trust/NTA						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-02-04	J\$ 0.00	2010-03-25	Yes	Yes	0000-00-00	0000-00-00	2010-06-14
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 24, 2010. Tenders were to be submitted by February 4, 2010 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>One (1) bidder was deemed non-responsive and was disqualified. Subsequent to evaluation, the lowest priced tender which was submitted by IBM World Trade Corporation; in the amount of J\$5,261,113.50 was recommended for the award of contract.</p> <p>The Procurement Committee approval was received on March 23, 2010.</p> <p>The Executive Director approved the recommendation on March 25, 2010.</p> <p>The Board of Directors approved the recommendation for the award of contract on April 28, 2010.</p> <p>A Purchase Order, which was dated May 21, 2010, and signed on June 14, 2010, was issued by the Procuring Entity.</p> <p>It was noted that there was no Contractual Agreement or Comparable Estimate for this procurement opportunity. A Status Report submitted to the OCG by HEART Trust/NTA stated, <i>inter alia</i>, that; "...no comparable estimates were required/executed. In these instances, there were no requirements for contracts as the procurements related solely to the purchase of goods."</p> <p>Having regard to the foregoing statement, there is a clear misunderstanding of the Government of Jamaica Public Sector Procurement Procedures (November 2008) in relation to the procurement of goods. The OCG communicated the referenced breach to the Public Body.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$ 5,261,113.50	0000-00-00	2010-06-14	0000-00-00	0000-00-00	2010-07-13	0 Days	0 Days	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 5,070,598.33	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 5,070,598.33	J\$ 0.00	0 Days
STATUS	Procured items were delivered and the Contractor paid in full.						
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 procured items were delivered on July 13, 2010.							
With regard to the variance between the contract sum and the expenditure, documentation provided to the OCG, indicated that at the time of the contract award, the exchange rate was J\$89.75 toUS\$1. The Contractor had submitted a bid of US\$58,619.65. At the time of delivery however, the exchange rate was J\$86.50 to US\$1.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	5
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	National Textbook Rental Scheme 2010-2011
PROJECT DESCRIPTION	Procurement and Distribution of Textbooks to All-Age, Primary, Junior High and Secondary Schools (Lots 5, 10, 11, 12, 15 and 16)
PROJECT LOCATION	All Island
CONTRACTOR	Kingston Bookshop Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-07-05	J\$ 300,082,594.81	2010-07-08	Yes	Yes	2010-07-21	2010-08-30	2010-09-27

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

By way of an advertisement which was dated February 28, 2010, the Ministry invited Companies registered with the National Contracts Commission (NCC), in the category of "*Books and Stationery Supplies*", to pre-qualify for the captioned procurement opportunity. The deadline for submission was March 19, 2010 at 12:00 p.m.

Five (5) companies submitted pre-qualification proposals within the stipulated deadline.

As stipulated in the pre-qualification document, Companies were assessed on the qualification and experience of assigned staff, value of contracts handled, timely management of contract, financial capabilities, availability of warehouse space and vehicles, and years of experience. The Companies were required to score a minimum of 60% to be eligible for the invitation to Tender.

An evaluation was conducted and all five (5) Companies exceeded the required score. By way of letters which were dated June 11, 2010, the Companies were informed that they had pre-qualified and were invited to a meeting which was organised by the Ministry, to introduce and issue the Bidding Document.

The deadline for submission was on July 5, 2010 at 12:00 p.m., followed by a Tender Opening Ceremony at 12:15 p.m. Companies were able to bid on one, all or any of the seventeen (17) Lots which were outlined in the Tender Document.

Tenders were received from the five (5) pre-qualified companies. The tenders were opened and verified in accordance with the requirements which were outlined in the Tender Document.

The Evaluation Committee recommended that the lowest priced bid be accepted for each Lot.

Kingston Bookshop was recommended and approved for the award of Lots 5, 10, 11, 12, 15 and 16, for the contract sum of J\$246,241,792.76.

The Head of Entity approved the recommendation on July 8, 2010.

The NCC endorsed the recommendation for the award of contract on July 21, 2010.

The Cabinet granted its approval on August 30, 2010.

The Contract, which was dated September 17, 2010, was signed by the Ministry on September 27, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 246,241,792.76	0000-00-00	2010-09-17	150 days	2011-02-16	2010-11-18	0	0

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 254,330,340.37	J\$ 0.00	42 days
STATUS	Contract was 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)							
Regarding the expenditure, which was in excess of the contract price, the OCG has noted Clause 13.2 of the Contract which states that; “The unit price arrived at in foreign currency will be converted back to JA\$ using the Bank of Jamaica ten day moving average rate published the day preceding the date of the invoice. This new price will be applied to the quantities supplied to determine the amount due and the Contract price will be adjusted accordingly.” The OCG was advised by the Ministry that delivery was completed on November 18, 2010.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	6
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	National Textbook Rental Scheme 2010-2011
PROJECT DESCRIPTION	Procurement and Distribution of textbooks to All-Age, Primary, Junior High and Secondary Schools (Lots 8 and 13)
PROJECT LOCATION	All Island
CONTRACTOR	Sangster's Book Stores Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-07-05	J\$ 14,566,939.39	2010-07-08	Yes	Yes	2010-07-21	0000-00-00	2010-09-27

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

By way of an advertisement which was dated February 28, 2010, the Ministry invited Companies registered with the National Contracts Commission (NCC), in the category "*Books and Stationery Supplies*" to pre-qualify for the captioned procurement opportunity. The deadline for submission was on March 19, 2010 at 12:00 p.m.

Five (5) Companies submitted pre-qualification proposals within the stipulated deadline.

As stipulated in the pre-qualification document, Companies were assessed on the qualification and experience of assigned staff, value of contracts handled, timely management of contract, financial capabilities, availability of warehouse space and vehicles, and years of experience. The Companies were required to score a minimum of 60% to be eligible for the Invitation to Tender.

An evaluation was conducted and all five (5) Companies exceeded the required score. By way of letters which were dated June 11, 2010, the Companies were informed that they had pre-qualified and were invited to a meeting which was organised by the Ministry to introduce and issue the Bidding Document.

The deadline for submission was July 5, 2010 at 12:00 p.m. followed by a Tender Opening Ceremony at 12: 15 p.m. Companies were able to bid on one, all or any of seventeen (17) Lots which were outlined in the Tender Document.

Tenders were received from the five (5) pre-qualified Companies. The tenders were opened and verified in accordance with the requirements which were outlined in the Tender Document.

The Evaluation Committee recommended that the lowest priced bid be accepted for each Lot.

Sangster's Book Stores Limited was recommended and approved for the award of Lots 8 and 13, for the contract sum of J\$16,889,963.94.

The Head of Entity approved the recommendation on July 8, 2010.

The NCC endorsed the recommendation for the award of contract on July 21, 2010.

The Cabinet granted its approval on August 30, 2010.

The Contract, which was dated September 17, 2010, was signed by the Ministry on September 27, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 16,889,963.94	0000-00-00	2010-09-17	150 days	2011-02-16	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 7,379,553.35	J\$ 0.00	42 days
STATUS	Contract was being 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, 2010, a total of J\$7,379,553.35 was paid to the Contractor.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	7
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	National Textbook Rental Scheme 2010-2011
PROJECT DESCRIPTION	Procurement and Distribution of textbooks to All-Age, Primary, Junior High and Secondary Schools (Lots 2, 4 and 17)
PROJECT LOCATION	All Island
CONTRACTOR	Book Wizard Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-07-05	J\$ 135,742,032.28	2010-07-08	Yes	Yes	2010-07-21	2010-08-30	2010-09-27

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

By way of an advertisement which was dated February 28, 2010, the Ministry invited companies registered with the National Contracts Commission (NCC), in the category of "*Books and Stationery Supplies*", to pre-qualify for the captioned procurement opportunity. The deadline for submission was March 19, 2010 at 12:00 p.m.

Five (5) companies submitted pre-qualification proposals within the stipulated deadline.

As stipulated in the pre-qualification document, companies were assessed on the qualification and experience of assigned staff, value of contracts handled, timely management of contract, financial capabilities, availability of warehouse space and vehicles, and years of experience. The Companies were required to score a minimum of 60% to be eligible for the Invitation to Tender.

An evaluation was conducted and all five (5) companies exceeded the required score. By way of letters which were dated June 11, 2010, the companies were informed that they had pre-qualified and were invited to a meeting which was organised by the Ministry, to introduce and issue the Bidding Document.

The deadline for submission was on July 5, 2010 at 12:00 p.m. followed by a Tender Opening Ceremony at 12: 15 p.m. Companies were able to bid on one, all or any of seventeen (17) Lots which were outlined in the Tender Document.

Tenders were received from the five (5) pre-qualified companies. The tenders were opened and verified in accordance with the requirements which were outlined in the Tender Document.

The Evaluation Committee recommended that the lowest priced bid be accepted for each Lot.

Book Wizard Limited was recommended and approved for the award of Lots 2, 4 and 17, for the contract sum of J\$123,614,459.80

The Head of Entity approved the recommendation on July 8, 2010.

The NCC endorsed the recommendation for the award of contract on July 21, 2010.

The Cabinet granted its approval on August 30, 2010.

The Contract, which was dated September 17, 2010, was signed by the Ministry on September 27, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 123,614,459.80	0000-00-00	2010-09-17	150 days	2011-02-16	2010-11-03	0	0

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 123,136,146.62	J\$ 0.00	42 days
STATUS	Contract was 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)							
The OCG was advised by the Ministry that delivery was completed on November 3, 2010. As at December 31, 2010, a total of J\$123,136,146.62.00 was paid to the Contractor.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	8
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	MOE
PROJECT NAME	National Textbook Rental Scheme 2010-2011
PROJECT DESCRIPTION	Procurement and Distribution of textbooks to All-Age, Primary, Junior High and Secondary Schools (Lots 1, 6 and 14)
PROJECT LOCATION	All Island
CONTRACTOR	Meto Corporation Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-07-05	J\$ 44,017,342.85	2010-07-08	Yes	Yes	2010-07-21	2010-08-30	2010-09-27

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

By way of an advertisement which was dated February 28, 2010, the Ministry invited companies registered with the National Contracts Commission (NCC), in the category of "*Books and Stationery Supplies*", to pre-qualify for the captioned procurement opportunity. The deadline for submission was March 19, 2010 at 12:00 p.m.

Five (5) companies submitted pre-qualification proposals within the stipulated deadline.

As stipulated in the pre-qualification document, companies were assessed on the qualification and experience of assigned staff, value of contracts handled, timely management of contract, financial capabilities, availability of warehouse space and vehicles, and years of experience. The Companies were required to score a minimum of 60% to be eligible for the Invitation to Tender.

An evaluation was conducted and all five (5) companies exceeded the required score. By way of letters which were dated June 11, 2010, the companies were informed that they had pre-qualified and were invited to a meeting which was organised by the Ministry, to introduce and issue the Bidding Document.

The deadline for submission was on July 5, 2010 at 12:00 p.m. followed by a Tender Opening Ceremony at 12:15 p.m. Companies were able to bid on one, all or any of seventeen (17) Lots which were outlined in the Tender Document.

Tenders were received from the five (5) pre-qualified companies. The tenders were opened and verified in accordance with the requirements which were outlined in the Tender Document.

The Evaluation Committee recommended that the lowest priced bid be accepted for each Lot.

Meto Corporation Limited was recommended and approved for the award of Lots 1, 6 and 14, for the contract sum of J\$31,370,062.00.

The Head of Entity approved the recommendation on July 8, 2010.

The NCC endorsed the recommendation for the award of contract on July 21, 2010.

The Cabinet granted its approval on August 30, 2010.

The Contract, which was dated September 17, 2010, was signed by the Ministry on September 27, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 31,370,062.00	0000-00-00	2010-09-17	150 days	2011-02-16	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 30,543,631.20	J\$ 0.00	42
STATUS	Contract was being 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, 2010, a total J\$30,543,631,20.00 was paid to the Contractor.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	9
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	National Textbook Rental Scheme 2010-2011
PROJECT DESCRIPTION	Procurement and Distribution of textbooks to All-Age, Primary, Junior High, and Secondary Schools (Lots 3, 7 and 9)
PROJECT LOCATION	All Island
CONTRACTOR	Carlong Publishers (Caribbean) Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-07-05	J\$ 237,302,319.35	2010-07-08	Yes	Yes	2010-07-21	2010-08-30	2010-09-27

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

By way of an advertisement which was dated February 28, 2010, the Ministry invited companies registered with the National Contracts Commission (NCC), in the category of "*Books and Stationery Supplies*", to pre-qualify for the captioned procurement opportunity. The deadline for submission was March 19, 2010 at 12:00 p.m.

Five (5) companies submitted pre-qualification proposals within the stipulated deadline.

As stipulated in the pre-qualification document, companies were assessed on the qualification and experience of assigned staff, value of contracts handled, timely management of contract, financial capabilities, availability of warehouse space and vehicles, and years of experience. The Companies were required to score a minimum of 60% to be eligible for the Invitation to Tender.

An evaluation was conducted and all five (5) companies exceeded the required score. By way of letters which were dated June 11, 2010, the companies were informed that they had pre-qualified and were invited to a meeting which was organised by the Ministry, to introduce and issue the Bidding Document.

The deadline for submission was on July 5, 2010 at 12:00 p.m. followed by a Tender Opening Ceremony at 12: 15 p.m. Companies were able to bid on one, all or any of seventeen (17) Lots which were outlined in the Tender Document.

Tenders were received from the five (5) pre-qualified companies. The tenders were opened and verified in accordance with the requirements which were outlined in the Tender Document.

The Evaluation Committee recommended that the lowest priced bid be accepted for each Lot.

Carlong Publishers (Caribbean) Limited was recommended and approved for the award of Lots 3, 7 and 9, for the contract sum of J\$219,853,524.25.

The Head of Entity approved the recommendation on July 8, 2010.

The NCC endorsed the recommendation for the award of contract on July 21, 2010.

The Cabinet granted its approval on August 30, 2010.

The Contract which was dated September 17, 2010 was signed by the Ministry on September 27, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 219,853,524.25	0000-00-00	2010-09-17	150 days	2011-02-16	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 121,853,386.05	J\$ 0.00	42 days
STATUS	Contract was being 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, 2010, a total of J\$121, 853, 386.05 was paid to the Contractor.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	10
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	Procurement for School Feeding Programme - 2010 September School Term
PROJECT DESCRIPTION	Package 3 - (4000 Bags Cornmeal)
PROJECT LOCATION	All Island
CONTRACTOR	Industrial Sales/ Seprod Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-03	J\$ 6,300,000.00	2010-09-08	Yes	Yes	0000-00-00	0000-00-00	2010-09-08

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 May 13, 2010. Tenders were to be submitted by June 3, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

Potential bidders were given the option of submitting a tender on one, all or any of the six (6) Packages which were outlined in the Tender Document.

The Procuring Entity convened a meeting on May 20, 2010, with the potential bidders, to clarify the new requirements and respond to queries. In the referenced meeting, the draft Contract and the Special Conditions of Contract were distributed to the potential bidders, as the referenced sections were inadvertently omitted from the Tender Document.

Three (3) tenders for Package 3 were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

A detailed evaluation was undertaken in accordance with the evaluation criteria which were outlined in the Tender Document. Subsequent to the evaluation of the tenders, the bidder who submitted the lowest priced bid was recommended for the award of contract.

A Letter of Notification, under the signature of the Director, School Feeding Unit, was issued to the successful Contractor on August 19, 2010. The letter indicated, that; "*deliveries...should commence no later than 2010 August 30.*"

The Contract, which had a start date of August 30, 2010, was signed by the Ministry's Permanent Secretary on September 8, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 5,936,000.00	0000-00-00	2010-08-30	47 Days	2010-10-15	2010-10-20	N/A	5 days

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 5,934,516.00	J\$ 0.00	N/A
STATUS	Contract was 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)							
By way of a status report from the Ministry on September 16, 2010, the OCG was informed that; “The delivery of commodities to schools commenced on 2010 September 6.”							
The Procuring Entity indicated that no extension of time was granted during the period and all deliveries were completed by October 20, 2010.							
As at December 31, 2010, payments to the Contractor amounted to \$5,934,516.00.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	11
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	Procurement for School Feeding Programme - 2010 September School Term
PROJECT DESCRIPTION	Package 4 - (3000 Cases Corned Beef)
PROJECT LOCATION	All Island
CONTRACTOR	T. Geddes Grant (Distributors) Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-03	J\$ 8,700,000.00	2010-09-08	Yes	Yes	0000-00-00	0000-00-00	2010-09-08

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 May 13, 2010. Tenders were to be submitted by June 3, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

Potential bidders were given the option of submitting a tender on one, all or any of the six (6) Packages which were outlined in the Tender Document.

The Procuring Entity convened a meeting on May 20, 2010, with the potential bidders, to clarify the new requirements and respond to queries. In the referenced meeting, the draft Contract and the Special Conditions of Contract were distributed to the potential bidders, as the referenced sections were inadvertently omitted from the Tender Document.

Four (4) tenders for Package 4 were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. A detailed evaluation was undertaken in accordance with the evaluation criteria which were outlined in the Tender Document. Subsequent to the evaluation of the bids, the bidder who submitted the lowest priced tender was recommended for the award of contract.

A Letter of Notification, under the signature of the Director, School Feeding Unit, was issued to the successful Contractor on August 19, 2010. The letter indicated, that; "*deliveries...should commence no later than 2010 August 30.*"

The Contract, which had a start date of August 30, 2010, was signed by the Ministry's Permanent Secretary on September 8, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 8,490,000.00	0000-00-00	2010-08-30	47 Days	2010-10-15	2010-09-21	N/A	N/A

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 8,490,000.00	J\$ 0.00	3 months
STATUS	Contract was 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)							
By way of a status report from the Ministry on September 16, 2010, the OCG was informed that; “The delivery of commodities to schools commenced on 2010 September 6.”							
The Procuring Entity indicated that no extension of time was granted during the period and all deliveries were completed by September 21, 2010.							
As at December 31, 2010, the Contractor received full payment.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	12
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	Procurement for School Feeding Programme - 2010 September School Term
PROJECT DESCRIPTION	Package 5 - (2000 Cases of Tinned Jack Mackerel in Tomato Sauce)
PROJECT LOCATION	All Island
CONTRACTOR	Industrial Sales/ Seprod Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-03	J\$ 5,400,000.00	2010-09-08	Yes	Yes	0000-00-00	0000-00-00	2010-09-08

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 May 13, 2010. Tenders were to be submitted by June 3, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

Potential bidders were given the option of submitting a tender on one, all or any of the six (6) Packages which were outlined in the Tender Document.

The Procuring Entity convened a meeting on May 20, 2010, with the potential bidders, to clarify the new requirements and respond to queries. In the referenced meeting, the draft Contract and the Special Conditions of Contract were distributed to the potential bidders, as the referenced sections were inadvertently omitted from the Tender Document.

Three (3) tenders for Package 5 were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. A detailed evaluation was undertaken in accordance with the evaluation criteria which were outlined in the Tender Document.

During the approval process, the lowest priced bidder, by way of an email which was dated August 4, 2010, informed the Procuring Entity that they would be unable to supply the commodity.

With regard to the foregoing, the Procuring Entity requested approval from the Central Procurement Committee to award the contract to the second lowest priced bidder.

A Letter of Notification, under the signature of the Director, School Feeding Unit, was issued to the successful Contractor on September 1, 2010. The letter indicated, that; "*deliveries...should commence no later than 2010 September 3.*"

The Contract, which had a start date of September 1, 2010, was signed by the Ministry's Permanent Secretary on September 8, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 5,130,000.00	0000-00-00	2010-09-01	45 Days	2010-10-15	2010-09-03	N/A	N/A

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 5,130,000.00	J\$ 0.00	3 months
STATUS	Contract was 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)							
The Procuring Entity indicated that no extension of time was granted during the period and all deliveries were completed by September 3, 2010.							
As at December 31, 2010, the Contractor received full payment.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	13
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	Procurement for School Feeding Programme - 2010 September School Term
PROJECT DESCRIPTION	Package 1 - (15,000 Bags Long Grain White Rice)
PROJECT LOCATION	All Island
CONTRACTOR	T. Geddes Grant (Distributors) Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-03	J\$40,000,000.00	2010-06-10	Yes	Yes	2010-06-16	2010-08-16	2010-09-08

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 May 13, 2010. Tenders were to be submitted by June 3, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

Potential bidders were given the option of submitting a tender on one, all or any of the six (6) Packages which were outlined in the Tender Document.

The Procuring Entity convened a meeting on May 20, 2010, with the potential bidders, to clarify the new requirements and respond to queries. In the referenced meeting, the draft Contract and the Special Conditions of Contract were distributed to the potential bidders, as the referenced sections were inadvertently omitted from the Tender Document.

Two (2) tenders for Package one (1) were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. A detailed evaluation was undertaken in accordance with the evaluation criteria which were outlined in the Tender Document. Subsequent to the evaluation of the tenders, the bidder who submitted the lowest priced bid was recommended for the award of contract. The Head of the Entity approved the recommendation for the award of contract on June 10, 2010. The NCC endorsed the recommendation on June 16, 2010.

The Cabinet granted its approval on August 16, 2010.

It should be noted that the Procurement Committee's approval was not evidenced. In this regard, the Procuring Entity advised the OCG that "...It has not been the practice to forward...packages valued at more than \$10M to the Procurement Committee. Instead they are sent directly to the NCC Sector Committee."

Further, the OCG was advised that with respect to the referenced approval from the Cabinet, a Memorandum, which was dated August 23, 2010, from the Permanent Secretary of the Ministry of Education to the Director of the School Feeding Unit, stated, *inter alia*, the following;

"The Subcommittee noted that at least twice each year, the Cabinet was asked to approve the award of contracts for the supply of commodities for the School Feeding Programme. The Subcommittee recommended that the Ministry of Education explore the feasibility of procuring the commodities on a yearly basis rather than twice a year."

A Letter of Notification, under the signature of the Director, School Feeding Unit, was issued to the successful Contractor on August 30, 2010. The letter indicated, that; "deliveries...should commence no later than 2010 August 31."

The Contract, which had a start date of August 30, 2010, was signed by the Ministry's Permanent Secretary on September 8, 2010.

The Contract was signed on September 8, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 39,000,000.00	0000-00-00	2010-08-30	47 Days	2010-10-15	2010-10-22	N/A	7 days

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 39,000,000.00	J\$ 0.00	3 months
STATUS	Contract was 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)							
By way of a Status Report from the Ministry on September 16, 2010, the OCG was informed that; “The delivery of commodities to schools commenced on 2010 September 6.”							
The Procuring Entity indicated that no extension of time was granted during the period and all deliveries were completed by October 22, 2010.							
As at December 31, 2010, the Contractor received full payment.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	14
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	Procurement for School Feeding Programme - 2010 September School Term
PROJECT DESCRIPTION	Package 2 - (4000 Bags of Counter Flour)
PROJECT LOCATION	All Island
CONTRACTOR	T. Geddes Grant (Distributors) Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-03	J\$ 8,600,000.00	2010-09-08	Yes	Yes	0000-00-00	0000-00-00	2010-09-08

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 May 13, 2010. Tenders were to be submitted by June 3, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

Potential bidders were given the option of submitting a tender on one, all or any of the six (6) Packages which were outlined in the Tender Document.

The Procuring Entity convened a meeting on May 20, 2010, with the potential bidders, to clarify the new requirements and respond to queries. In the referenced meeting, the draft Contract and the Special Conditions of Contract were distributed to the potential bidders, as the referenced sections were inadvertently omitted from the Tender Document.

One (1) tender for Package 2 was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. A detailed evaluation was undertaken in accordance with the evaluation criteria which were outlined in the Tender Document. Subsequent to the evaluation of the bids, the sole bidder was recommended for the award of contract.

A Letter of Notification, under the signature of the Director, School Feeding Unit, was issued to the successful Contractor on August 19, 2010. The letter indicated, that; "deliveries...should commence no later than 2010 August 30."

The Contract, which had a start date of August 30, 2010, was signed by the Ministry's Permanent Secretary on September 8, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 8,880,000.00	0000-00-00	2010-08-30	47 Days	2010-10-15	2010-10-20	N/A	5 days

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 8,880,000.00	J\$ 0.00	3 months
STATUS	Contract was 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)							
By way of a Status Report from the Ministry on September 16, 2010, the OCG was informed that; “The delivery of commodities to schools commenced on 2010 September 6.”							
The Procuring Entity indicated that no extension of time was granted during the period and all deliveries were completed by October 20, 2010.							
As at December 31, 2010, the Contractor received full payment.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	15
MINISTRY	Ministry of Education (MOE)
PUBLIC BODY/ AGENCY	Ministry of Education (MOE)
PROJECT NAME	Procurement for School Feeding Programme -2010 September School Term
PROJECT DESCRIPTION	Package 6 - (5,000 Pails of Vegetable Oil)
PROJECT LOCATION	All Island
CONTRACTOR	Industrial Sales/Seprod Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-03	J\$ 13,000,000.00	2010-06-10	Yes	Yes	2010-06-16	0000-00-00	2010-09-08

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 May 13, 2010. Tenders were to be submitted by June 3, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

Potential bidders were given the option of submitting a tender on one, all or any of the six (6) Packages which were outlined in the Tender Document.

The Procuring Entity convened a meeting on May 20, 2010, with the potential bidders, to clarify the new requirements and respond to queries. In the referenced meeting, the draft Contract and the Special Conditions of Contract were distributed to the potential bidders, as the referenced sections were inadvertently omitted from the Tender Document.

Three (3) tenders for Package 6 were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. A detailed evaluation was undertaken in accordance with the evaluation criteria which were outlined in the Tender Document. Subsequent to the evaluation of the bids, the lowest priced bidder was recommended for the award of contract.

A Letter of Notification, under the signature of the Director, School Feeding Unit, was issued to the successful Contractor on August 19, 2010. The letter indicated that; "*deliveries...should commence no later than 2010 August 30.*"

The Contract, which had a start date of August 30, 2010, was signed by the Ministry's Permanent Secretary on September 8, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 12,925,000.00	0000-00-00	2010-08-30	47 Days	2010-10-15	2010-09-20	N/A	N/A

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 12,925,000.00	J\$ 0.00	N/A
STATUS	Contract was 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)							
By way of a Status Report from the Ministry on September 16, 2010, the OCG was informed that; “The delivery of commodities to schools commenced on 2010 September 6.”							
The Procuring Entity indicated that no extension of time was granted during the period and all deliveries were completed by September 20, 2010.							
As at December 31, 2010, the Contractor received full payment.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	16
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petrojam Limited
PROJECT NAME	Grounds Maintenance Services
PROJECT DESCRIPTION	The Provision of Grounds Maintenance Services
PROJECT LOCATION	Kingston
CONTRACTOR	Global Management Services
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2010-01-08	J\$ 36,888,000.00	2010-05-04	Yes	Yes	2010-05-12	2010-07-19	2010-07-30

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised in April 2008. Tenders were to be submitted by Thursday, May 1, 2008 at 2: 00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.

Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

Subsequent to the evaluation, the bidder with the highest score was recommended for the award of contract. This recommendation was however, rejected by the Petrojam Board of Directors, as a result of the associated weighting of the evaluation criterion, in relation to points being allotted for having prior work experience with Petrojam Limited.

The National Contracts Commission (NCC) was informed of the decision and endorsed the request from Petrojam Limited to remove the five (5) points score from the evaluation criteria and to re- invite the same companies to re-tender.

By way of a letter which was dated December 11, 2009, Petrojam Limited utilised the Limited Tender Procurement Methodology to invite the companies that had previously submitted bids for the procurement opportunity. The deadline for submission of Bids was January 8, 2010 at 2:00 p.m. Five (5) bids were received of which two (2) were deemed ineligible and one (1) non-responsive. Of the two (2) remaining bidders, Global Management Services, the bidder with the lowest proposed price, was recommended for the award of contract.

The NCC endorsed the recommendation for the award of contract on May 12, 2010. The NCC noted in its letter to Petrojam, *inter alia*, that; "Petrojam did not carry out the necessary due diligence in order to ensure that only companies who were in the appropriate NCC grade and category were considered for evaluation."

The two-year contract, in the amount of J\$38,778,000.00, which was inclusive of a 25% provisional sum was executed in July 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 38,778,000.00	0000-00-00	2010-08-01	2 years	2012-07-31	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 6,360,977.00	J\$ 0.00	0
STATUS	Contract was being 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 as at the end of December 2010 was J\$6,360,977.00.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	17
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petrojam Limited
PROJECT NAME	Haulage Contract
PROJECT DESCRIPTION	Haulage Agreement for Petroleum Products
PROJECT LOCATION	All Island
CONTRACTOR	O'Lando Denham Transport Co. Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-10	J\$ 0.00	2010-07-12	Yes	Yes	2010-08-04	2010-08-30	2010-10-01

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on April 25, 2010. Qualified Contractors were invited to submit tenders for the provision of transportation of petroleum products from Petrojam's Loading Racks, and other storage installations in the corporate area of Kingston and St. Andrew and as well as from its Bulk Terminal in Montego Bay, St. James to various locations throughout the island, for a two-year period.

Tenders were to be submitted by June 10, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.

Twelve (12) submissions were received opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Seven (7) of the tenders were deemed non-responsive for failure to comply with the eligibility requirements.

A rate analysis was conducted on the remaining five (5) tenders and a unified rate was derived for each location, as follows:

- Round Town - J\$0.43/Litre
- Central - J\$1.06/Litre
- Western - J\$1.79/Litre

Subsequent to the evaluation, the referenced five (5) remaining tenders were recommended for the award of contract.

The National Contracts Commission endorsed the recommendation for the award of contract on August 4, 2010 for a two (2) year period.

The Cabinet however, granted approval for the award of contract for a one-year period.

Based on the Evaluation Report, which was prepared by Petrojam Limited, O'Lando Denham Transport Company Limited was recommended for the award of contract for the Kingston location only.

A Contract was awarded to O'Lando Denham Transport Co. Limited on October 1, 2010, for an estimated value of J\$24,000,000.00.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 24,000,000.00	0000-00-00	2010-10-01	1 year	2010-09-30	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 2,404,446.19	J\$ 0.00	0
STATUS	Contract was being 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, 2010, J\$2,404,466.19 has been paid to the Contractor for services performed. As per the terms of the Contract, Petrojam Limited is required to pay the Contractor within 15 (fifteen) days of receipt of invoices.							
The OCG will continue to monitor the implementation of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	18
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petrojam Limited
PROJECT NAME	Haulage Contract
PROJECT DESCRIPTION	Haulage Agreement for Petroleum Products
PROJECT LOCATION	All Island
CONTRACTOR	Alrem Services Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-10	J\$ 0.00	2010-07-12	Yes	Yes	2010-08-04	2010-08-30	2010-10-01

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on April 25, 2010. Qualified Contractors were invited to submit tenders for the provision of transportation of petroleum products from Petrojam's Loading Racks, and other storage installations in the corporate area of Kingston and St. Andrew and as well as from its Bulk Terminal in Montego Bay, St. James to various locations throughout the island, for a two-year period.

Tenders were to be submitted by June 10, 2010 at 2:00 pm followed by a scheduled Tender Opening Ceremony at 2:15 p.m.

Twelve (12) submissions were received opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Seven (7) of the tenders were deemed non-responsive for failure to comply with the eligibility requirements.

A rate analysis was conducted on the remaining five (5) tenders and a unified rate was derived for each location, as follows:

- Round Town - J\$0.43/Litre
- Central - J\$1.06/Litre
- Western - J\$1.79/Litre

Subsequent to the evaluation, the referenced five (5) remaining tenders were recommended for the award of contract.

The National Contracts Commission endorsed the recommendation for the award of contract on August 4, 2010 for a two-year period.

The Cabinet however, granted approval for the award of contract for a one-year period.

Based on the Evaluation Report, which was prepared by Petrojam Limited, Alrem Services Limited was recommended for the award of contract for the Kingston location only.

A Contract for the Kingston location was awarded to Alrem Services Limited on October 1, 2010, for an estimated value of J\$40,000,000.00.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 40,000,000.00	0000-00-00	2010-10-01	1 year	2011-09-30	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 13,320,307.53	J\$ 0.00	0
STATUS	Contract was being 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, 2010, J\$13,320,307.53 had been paid to the Contractor for services performed. As per the terms of the Contract, Petrojam Limited is required to pay the Contractor within 15 (fifteen) days of receipt of invoices.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	19
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petrojam Limited
PROJECT NAME	Haulage Contract
PROJECT DESCRIPTION	Haulage Agreement for Petroleum Products
PROJECT LOCATION	All Island
CONTRACTOR	Sal's Trucking Company Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-10	J\$ 0.00	2010-07-12	Yes	Yes	2010-08-04	2010-08-30	2010-10-01

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on April 25, 2010. Qualified Contractors were invited to submit tenders for the provision of transportation of petroleum products from Petrojam's Loading Racks, and other storage installations in the corporate area of Kingston and St. Andrew and as well as from its Bulk Terminal in Montego Bay, St. James, to various locations throughout the island, for a two-year period.

Tenders were to be submitted by June 10, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.

Twelve (12) submissions were received opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Seven (7) of the tenders were deemed non-responsive for failure to comply with the eligibility requirements.

A rate analysis was conducted on the remaining five (5) tenders and a unified rate was derived for each location, as follows:

- Round Town - J\$0.43/Litre
- Central - J\$1.06/Litre
- Western - J\$1.79/Litre

Subsequent to the evaluation, the referenced five (5) remaining tenders were recommended for the award of contract.

The National Contracts Commission endorsed the recommendation for the award of contract on August 4, 2010 for a two (2) year period.

The Cabinet however, granted approval for the award of contract for a one-year period.

Based on the Evaluation Report, which was prepared by Petrojam Limited, Sal's Trucking Company Limited, was recommended for the award of contract for the Montego Bay location only.

A Contract was awarded to Sal's Trucking Company Limited on October 1, 2010, for an estimated value of J\$3,000,000.00.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 3,000,000.00	0000-00-00	2010-10-01	1 year	2011-09-30	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 435,726.48	J\$ 0.00	0
STATUS	Contract was being 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, 2010, J\$435,726.48 has been paid to the Contractor for services performed. As per the terms of the Contract, Petrojam Limited is required to pay the Contractor within 15 (fifteen) days of receipt of invoices.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	20
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petrojam Limited
PROJECT NAME	Haulage Contract
PROJECT DESCRIPTION	Haulage Agreement for Petroleum Products
PROJECT LOCATION	All Island
CONTRACTOR	Bilbay Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-10	J\$ 0.00	2010-07-12	Yes	Yes	2010-08-04	2010-08-30	2010-10-01

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on April 25, 2010. Qualified Contractors were invited to submit tenders for the provision of transportation of petroleum products from Petrojam's Loading Racks, and other storage installations in the corporate area of Kingston and St. Andrew and as well as from its Bulk Terminal in Montego Bay, St. James, to various locations throughout the island, for a two-year period.

Tenders were to be submitted by June 10, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.

Twelve (12) submissions were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Seven (7) of the tenders were deemed non-responsive for failure to comply with the eligibility requirements.

A rate analysis was conducted on the remaining five (5) tenders and a unified rate was derived for each location, as follows:

- Round Town - J\$0.43/Litre
- Central - J\$1.06/Litre
- Western - J\$1.79/Litre

Subsequent to the evaluation, the referenced five (5) remaining tenders were recommended for the award of contract.

The National Contracts Commission endorsed the recommendation for the award of contract on August 4, 2010, for a two (2) year period.

The Cabinet however, granted approval for the award of contract for a one- year period.

Based on the Evaluation Report, which was prepared by Petrojam Limited, Bilbay Limited was recommended for the award of contract for the both the Montego Bay and Kingston Locations.

A Contract was awarded to Bilbay Limited on October 1, 2010, for an estimated value of J\$18,000,000.00.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 18,000,000.00	0000-00-00	2010-10-01	1 year	2011-09-30	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	0
STATUS	Contract was being 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, 2010, no payments had been made to the Contractor. As per the terms of the Contract, Petrojam Limited is required to pay the Contractor within 15 (fifteen) days of receipt of invoices.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	21
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petrojam Limited
PROJECT NAME	Haulage Contract
PROJECT DESCRIPTION	Haulage Agreement for Petroleum Products
PROJECT LOCATION	All Island
CONTRACTOR	Nick's Haulage Contractors Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-10	J\$ 0.00	2010-07-12	Yes	Yes	2010-08-04	2010-08-30	2010-10-01

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on April 25, 2010. Qualified Contractors were invited to submit tenders for the provision of transportation of petroleum products from Petrojam's Loading Racks, and other storage installations in the corporate area of Kingston and St. Andrew and as well as from its Bulk Terminal in Montego Bay, St. James, to various locations throughout the island, for a two-year period.

Tenders were to be submitted by June 10, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.

Twelve (12) submissions were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Seven (7) of the tenders were deemed non-responsive for failure to comply with the eligibility requirements.

A rate analysis was conducted on the remaining five (5) tenders and a unified rate was derived for each location, as follows:

- Round Town - J\$0.43/Litre
- Central - J\$1.06/Litre
- Western - J\$1.79/Litre

Subsequent to the evaluation, the referenced five (5) remaining tenders were recommended for the award of contract.

The National Contracts Commission endorsed the recommendation for the award of contract on August 4, 2010 for a two (2) year period.

The Cabinet however, granted approval for the award of contract for a one year period.

Based on the Evaluation Report, which was prepared by Petrojam Limited, Nick's Haulage Contractor Limited, was recommended for the award of contract for the Kingston location.

A Contract was awarded to Nick's Haulage Contractors Limited on October 1, 2010, for an estimated value of J\$15,000,000.00.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 15,000,000.00	0000-00-00	2010-10-01	1 year	2011-09-30	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 150,363.00	J\$ 0.00	0
STATUS	Contract was being 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, 2010, J\$150,363.00 had been paid to the Contractor. As per the terms of the Contract, Petrojam Limited is required to pay the Contractor within 15 (fifteen) days of receipt of invoices.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	22
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petroleum Corporation of Jamaica (PCJ)
PROJECT NAME	Supply and Installation of Security Access Control
PROJECT DESCRIPTION	Supply and Installation of Security Access Control System for the First and Second Floor of the Petroleum Corporation Resource Centre
PROJECT LOCATION	Kingston
CONTRACTOR	Sitewatch Electronic Security
CONSULTANT	N/A
SOURCE OF FUNDING	PCJ

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-09-01	J\$ 2,531,025.00	2010-10-29	Yes	Yes	0000-00-00	0000-00-00	2010-11-09

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on July 12, 2010.

Tenders were to be submitted by August 18, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.

The deadline for submission which was communicated to the potential bidders by way of a letter dated July 27, 2010, was extended to September 1, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.

Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. All eight (8) tenders proceeded to the evaluation stage.

Subsequent to the evaluation of the tenders, Site Watch Electronic Security was recommended for the award of contract in the sum of J\$1,384,798.15.

The Procurement Committee approved the recommendation on October 15, 2010.

The Office of the Contractor General (OCG) received a copy of the Evaluation Report for perusal, under the cover of letter which was dated October 27, 2010. Upon review of the Evaluation Report, the OCG noted anomalies in the evaluation of the tenders with respect to the evaluation criteria which was utilised in the evaluation process.

The OCG duly advised the Entity on November 19, 2010, of the anomalies and to ensure that for future procurement opportunities that the Entity adheres to the provisions of the applicable Government of Jamaica Revised Handbook of Public Sector Procurement Procedures (November 2008). However, it should be noted that at the time the OCG wrote to the Entity informing same of the noted anomalies, a Purchase Order had already been issued on October 29, 2010 and a Contract had been signed on November 9, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 1,384,798.51	2010-11-20	2010-11-20	17 days	2010-12-08	2010-12-07	0	0

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 1,315,322.47	J\$ 0.00	0
STATUS	Contract was 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)							
Subsequent correspondence submitted to the OCG indicated that the work was inspected by the PCJ and has been certified as having been completed satisfactorily.							
As at December 31, 2010, a total of J\$1,315,322.47 was expended to the Contractor.							
The OCG will continue to monitor the outstanding payment(s) to the Contractor.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	23
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petroleum Corporation of Jamaica (PCJ)
PROJECT NAME	Supply of Air Handling Units (AHUs) and Controls
PROJECT DESCRIPTION	To supply twenty (20) AHU with Controls
PROJECT LOCATION	Kingston
CONTRACTOR	Carrier Interamerica Corporation
CONSULTANT	N/A
SOURCE OF FUNDING	PCJ

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-05-31	US\$ 300,000.00	2010-07-02	Yes	N/A	2010-07-21	0000-00-00	2010-08-05

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 April 18, 2010.

Bids were to be submitted by May 14, 2010 at 4:00 p.m. The Tender Notice did not indicate a time for the Tender Opening Ceremony.

By way of a letter, which was dated May 6, 2010, the Office of the Contractor-General (OCG) advised the entity to amend the Tender Notice to reflect the Tender Opening time.

Subsequent to a review of the tender document, the Entity was further advised of deficiencies which were identified on May 7, 2010. Accordingly, the Entity was advised by the OCG, to amend the document in accordance with Subsection S-2050 of the Government of Jamaica Revised Handbook of Public Sector Procurement (November 2008) and the relevant Annexes.

Consequently, the deadline for submission was extended.

The procurement opportunity was subsequently re-advertised on May 23, 2010.

Bids were to be submitted by May 31, 2010 at 4:00 p.m., followed by a scheduled Tender Opening Ceremony at 4:15 p.m.

Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. All three (3) bids were deemed responsive and proceed to the evaluation stage.

Subsequent to the evaluation of the tenders, a foreign Contractor, Carrier Interamerica Corporation, who attained the highest score of 92 points and also submitted the lowest priced bid, was recommended for the award of the contract, in the sum of US\$281,129.00.

The Procurement Committee approved the recommendation for the award of contract on June 14, 2010, and subsequently, submitted the said approval under the signature of the Acting Group Managing Director to the NCC to be endorsed on July 2, 2010.

The National Contracts Commission (NCC) endorsed the recommendation for the award of contract on July 21, 2010.

The Contract was signed on August 5, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$ 281,129.00	0000-00-00	2010-11-17	Approximately 10 wks	2011-02-21	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	0
STATUS	Items not yet delivered.						
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, 2010, the AHUs were not yet delivered.							
The PCJ, advised the OCG, that; “...a Letter of Credit is required for the supplier (Carrier Interamerica) to commence production. After the Letter of Credit is issued, production and delivery will take up to ten (10) weeks.”							
The Letter of Credit (LOC) was issued on November 17, 2010.							
A Status Report submitted to the OCG indicated, <i>inter alia</i> , that; “The items are scheduled to be shipped from Miami on February 21, 2011.”							
The OCG will continue to monitor the execution of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	24
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Petroleum Corporation of Jamaica (PCJ) & Petroleum Company of Jamaica (Petcom)
PROJECT NAME	Insurance Placement
PROJECT DESCRIPTION	Insurance Placement
PROJECT LOCATION	Kingston
CONTRACTOR	Allied Insurance Brokers Limited
CONSULTANT	GFRAM Consulting
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-01-07	J\$ 0.00	2010-03-19	Yes	Yes	2010-04-14	2010-05-25	2010-06-01

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on November 4, 2009.

Bids were to be submitted by January 7, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

Six (6) Brokers submitted a total of twelve (12) proposals. The proposals were divided into six (6) Like-for-Like and six (6) Alternatives.

In accordance with Sub-Section S-4000 of the Handbook of Public Sector Procurement Procedures (November 2008), the evaluation of proposals was conducted by the Actuary, GFRAM Consulting, who was selected using the Limited Tender Procurement Methodology. In the foregoing regard, PCJ executed a contract with GRFAM Consulting on January 7, 2010 for the contract price of \$670,000.00.

The Actuary recommended Allied Insurance Brokers for the award of contract, in the amount of \$18,405,020.00, which represents the first year premiums payable.

The Head of Entity approved the recommendation on March 19, 2010.

The NCC endorsed the recommendation for the award of contract on April 14, 2010.

The Cabinet granted its approval on May 25, 2010.

The Contract was signed on June 1, 2010.

It was noted that the Contract did not indicate a value, and the OCG has been informed that "The contract value was not stated because the contract year should have started April 1st 2010. However, because of the delays in the tendering process, the contract began in June 2010 and hence, the original contract award by Cabinet in the sum of \$18,405,020.00 for the 1st year contract would have been overstated in this contract."

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 18,405,020.00	0000-00-00	2010-06-01	3 years	2013-03-31	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 16,928,163.37	J\$ 0.00	0
STATUS	Contract was being 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 was provided with copies of three (3) cheques totalling \$16,928,163.37 representing expenditure for the year.							
The OCG has been further advised that; "...the assets of Petcom and PCJ are currently insured as per the Specification of Insurances in the Tender. The Premiums for the 1 st year are fully paid by both entities...The 2 nd year renewal is due on April 1 st 2011."							
The OCG will continue to monitor the implementation of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	25
MINISTRY	Ministry of Energy and Mining (MEM)
PUBLIC BODY/ AGENCY	Wigton Windfarm Limited
PROJECT NAME	Expansion of Wigton Windfarm by 18 Megawatts
PROJECT DESCRIPTION	Installation and Commissioning of 9x2MW Wind Turbine Generators
PROJECT LOCATION	Manchester
CONTRACTOR	Vesta Eolica S.A.U
CONSULTANT	N/A
SOURCE OF FUNDING	Loan - PetroCaribe Development Fund

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	0000-00-00	US\$ 47,600,000.00	2008-04-22	N/A	N/A	2008-05-14	2008-07-28	2009-05-20

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Procuring Entity utilised the Limited Tender Procurement Methodology to acquire quotations from five (5) Wind Turbine manufacturers. Only one (1) manufacturer provided a comprehensive response within the specified time.

A project proposal was subsequently prepared and submitted under cover of letter, which was dated February 29, 2008, to the then Ministry of Energy, Mining and Telecommunication for approval.

By way of a letter, which was dated April 22, 2008, the then Ministry of Energy, Mining and Telecommunication requested the endorsement of the National Contracts Commission (NCC) for the recommended contract award to Vestas Eolica S.A.U., to supply and commission 9X2MW Wind Turbine Generators, for a sum of US\$ 47,600,000.00.

The NCC considered the matter at its meeting of May 14, 2008, and endorsed the recommended Contractor and the utilisation of the Limited Tender Procurement Methodology.

The Cabinet subsequently approved the submission of the then Ministry of Energy, Mining and Telecommunication, to expand Wigton Windfarms generating capacity by 18MW, and further granted approval to negotiate a loan of up to US\$49,900,000.00 to support the purchase of the wind turbines.

Having received the requisite approvals, the Procuring Entity sought to finalise discussions with Vestas Eolica S.A.U regarding delivery and payment terms. By way of a letter, which was dated February 23, 2009, the Procuring Entity informed the Permanent Secretary in the Ministry of Energy that the contract would be executed no later than the second week in March 2009, and that the project would be completed in the first quarter of 2010. The procuring entity further explained that; "...delays with the execution of the contracts [was] due to discussions between the Ministry of Finance and the Cabinet regarding long term financing approval for the project. As a result, the loan agreement could not be executed and thus the necessary drawdown facilitated to meet the milestone payment required upon signing of the contract...without the loan agreement finalized, the payment security terms (letter of credit) for the contracts could not be obtained."

The Procuring Entity also indicated that in order to ensure that the Wind Turbine equipment was within the production schedule for 2009, a reservation fee of €3,480,434.00 was expended.

Four (4) agreements were subsequently signed on May 20, 2009, namely:

- The Engineering Services Agreement, in the amount of €900,000.00. This agreement is for the "Engineering design of an 18MW wind turbine farm both electrical and civil involving all topographical and geotechnical studies." The entity has also advised that; "The design was used to get approvals to proceed from JPS and the Parish Council and to obtain accurate pricing for the balance of plant construction."
- The Supply Only Agreement, in the amount of €18,360,446.00. This agreement is for the supply of nine (9) Wind Turbines.
- The Additional Services Agreement, in the amount of €5,228,415.00. The Procuring Entity has advised that this agreement covers; "...the transportation of the wind turbine equipment to the Wigton site, hiring of an erection crane, and the erection, commissioning and testing of the facilities."

- A Construction Services/ Balance of Plant Agreement was signed on May 8, 2010, in the amount of US\$9,156,510.15. The procuring entity has advised that this agreement; "... covers all civil and electrical works to tie the wind turbines to a new substation and interconnection facilities of JPS as well as construction of a resource centre and warehouse."

The contract sum indicated represents the cumulative value of the Contracts converted to US dollars, plus a "Capacitor Bank" sum of US\$168,249.00 and a "Preservation fees & interim Service" sum of US\$97,923.00.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$ 43,706,916.00	0000-00-00	2009-05-21	N/A	2010-07-30	2010-12-16	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	US\$ 44,830,925.00	J\$ 0.00	N/A
STATUS	Contracts completed; however Service Agreement 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)

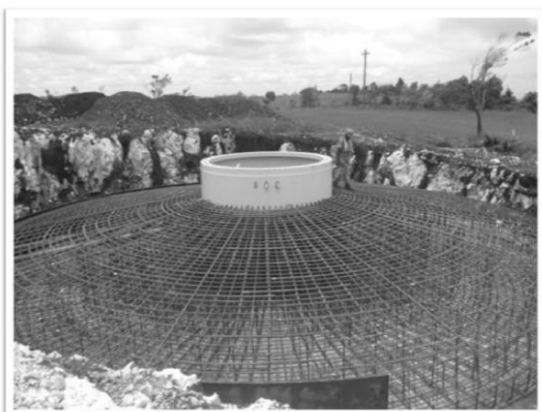
The OCG conducted a site visit at the Wigton Windfarm on November 9, 2010. It was noted that all nine (9) new Wind Turbines were erected. Discussions with the representatives of Wigton Windfarm revealed that the Wind Turbines had been successfully installed according to the project timeline.

Further updates from the Procuring Entity indicated the following :

- The Engineering Services Agreement was completed in December 2009.
- The Turbine Supply Agreement was completed when; "...the wind equipment was delivered to Port Esquivel April 4, 2010."
- Regarding the Additional Services Agreement, a status update indicated that; "The wind turbine equipment was delivered to each wind turbine platform during the period July 9-August 21, 2010. The 600 ton erection crane arrived at Port Esquivel August 18, 2010 and was transported to the Wigton site in parts between August 20 - 23, 2010."
- The Balance of Plant Construction Agreement was reportedly completed in December 2010.

The contract sum and expenditure represent the conversion of the Euro to the United States Dollar which was computed by the Procuring Entity for the respective contracts. The Procuring Entity noted that the difference in the expenditure versus the contract sum was as a result of the devaluation of the US currency to the Euro.

The OCG has noted that a Service and Availability Agreement, was also executed on May 20, 2009. This Agreement consists of an Interim Fee of €125 per day per Wind Turbine Generators (WTG), an Annual Base Price of €46,630 per WTG, and an Annual Variable Price. The terms of this Agreement is three (3) years.



Foundation for the Installation of Wind Turbine



Fully erected Wind Turbines

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	26
MINISTRY	Ministry of Finance and the Public Service (MOF&PS)
PUBLIC BODY/ AGENCY	Bank of Jamaica (BOJ)
PROJECT NAME	Catering Services
PROJECT DESCRIPTION	To Provide Catering Services
PROJECT LOCATION	Kingston
CONTRACTOR	Chung's Catering Services Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-02-25	J\$ 121,000,000.00	2010-04-09	Yes	Yes	2010-04-28	2010-07-12	2010-10-08

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on January 17, 2010. Tenders were to be submitted by February 25, 2010 at 2:30 p.m., followed by a scheduled Tender Opening Ceremony on February 25, 2010 at 2: 40 p.m.

The successful bidder would be required to provide lunches on a daily basis for 450 staff members. Additionally, as was indicated in the Tender Document, the two (2) year contract would be subjected to a full annual review of the Contractor's performance after year one (1) based upon an Annual Performance Evaluation Matrix.

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 in accordance with the evaluation criteria which were outlined in the Tender Document. The tender exceeded the minimum score which was required for the Technical Evaluation and proceeded to the Financial Opening which was held on March 11, 2010.

Subsequent to the evaluation, Chung's Catering Services Limited, the sole bidder, was recommended for the award of contract, in the amount of J\$103,227,862.50.

The Head of Entity approved the recommendation for the award of contract on April 9, 2010.

The NCC endorsed the recommendation for the award of contract on April 28, 2010.

The Cabinet granted its approval on July 12, 2010.

By way of a letter which was dated July 29, 2010, the Contractor was notified of the award.

The Contract was signed on October 8, 2010 for the period of September 1, 2010 to August 2012.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 103,227,862.50	0000-00-00	2010-09-01	2 years	2012-08-31	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 15,172,775.00	J\$ 0.00	0
STATUS	Contract was being 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, 2010, a total of J\$15,172,775.00 had been paid to the Contractor.							
A Status Report which was provided by the Bank of Jamaica has indicated that the Contractor had been performing satisfactorily.							
The OCG will continue to monitor the implementation of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	27
MINISTRY	Ministry of Finance and the Public Service (MOF&PS)
PUBLIC BODY/ AGENCY	Caymanas Track Limited (CTL)
PROJECT NAME	Provision of Security Services
PROJECT DESCRIPTION	The provision of Security Services for the offices and property of Caymanas Track Limited
PROJECT LOCATION	Saint Catherine
CONTRACTOR	N/A
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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	2010-11-16	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 procurement opportunity was advertised on May 9, 2010.

Tenders were to be submitted by June 11, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 pm. Subsequent to this, by way of an Addendum, the deadline for submission was extended to July 9, 2010.

Eleven (11) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. An evaluation was undertaken and the preferred bidder was recommended for the award of contract.

The MOF&PS endorsed the recommendation, and by way of a letter which was dated November 22, 2010, submitted the approved recommendation to the National Works Agency Sector Committee. As at December 31, 2010, the approval of the referenced Sector Committee was not received.

The OCG will continue to monitor the procurement opportunity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	0	0

STATUS Awaiting requisite approvals.

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

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		28						
MINISTRY		Ministry of Finance and the Public Service (MOF&PS)						
PUBLIC BODY/ AGENCY		Fiscal Services Limited (FSL)						
PROJECT NAME		Procurement for the Supply of Computer Hardware						
PROJECT DESCRIPTION		Supply of Computer Hardware (thirty-seven (37) PCs and Monitors)						
PROJECT LOCATION		Kingston						
CONTRACTOR		Management Control Systems Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-02-11	J\$ 4,790,000.00	2010-03-09	Yes	Yes	0000-00-00	0000-00-00	2010-03-12
PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The procurement opportunity was advertised on January 20, 2010. Tenders were to be submitted by February 11, 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. A detailed evaluation was conducted, which followed in accordance with the evaluation criteria which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, Management Control Systems, the bidder who attained the highest score, was recommended for the award of contract, in the amount of US\$36,296.12 excluding General Consumption Tax (GCT).</p> <p>The Head of Entity approved the recommendation for the award of contract on March 9, 2010.</p> <p>A Purchase Order was issued to the Contractor on March 12, 2010, in the amount of US\$42,647.94, inclusive of GCT. The expected arrival date, which was stated on the Purchase Order, was March 18, 2010.</p> <p>By way of a letter, which was dated June 15, 2010, the Office of the Contractor-General advised the Procuring Entity that the Request for Quotation document which was utilised for the captioned procurement was in contravention of Sub-Section S-2050 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (November 2008), which stipulates the mandatory use of the Standard Bidding Documents</p> <p>By way of a letter, which was dated June 28, 2010, the Procuring Entity advised the OCG, <i>inter alia</i>, that; "Fiscal Services Limited (FSL) takes note of the stated none of use of the "Standard Bidding Documents and wishes to assure the Office of the Contractor-General that it is not the intent of this organization to contravene the directives in respect of the use of these documents. FSL is in the process of making the necessary internal adjustments to processes, methodologies and documentations as well as retrain its personnel so as to bring the organization's procurement practices in compliance with this directive."</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$ 42,647.94	0000-00-00	2010-03-12	6 Days	2010-03-18	0000-00-00	N/A	N/A	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	US\$ 42,647.94	J\$ 0.00	N/A
STATUS	Contract was 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)							
The OCG evidenced various stamps on the Tax Invoices which were submitted by the Contractor.							
One set of stamps were dated April 20, 2010 and indicated the date that the goods were received by FSL Stores. Another stamp which was signed on May 10, 2010, indicated that the Invoice was recommended for payment and that the Goods were received. Also evidenced was a cheque which was addressed to the Contractor, in the amount of J\$3,795,798.87 (US\$42,647.94 @ 89.0031).							
By way of a Status Report, which was dated June 25, 2010, the Procuring Entity advised that the Contractor had delivered all goods as per stated specifications and the requirements and payments were in accordance with the terms which were outlined in the Tender Document.							
As at December 31, 2010, the goods were delivered and the Contractor was paid in full.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	29
MINISTRY	Ministry of Finance and the Public Service (MOF&PS)
PUBLIC BODY/ AGENCY	(MOF&PS)
PROJECT NAME	Electronic Document Management System
PROJECT DESCRIPTION	To Provide an Electronic Document Management System
PROJECT LOCATION	Kingston
CONTRACTOR	N/A
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2010-03-08	US\$ 450,000.00	2010-12-07	Yes	Yes	2010-12-08	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 procurement opportunity was initially advertised in August 2009. Four (4) tenders were received at the close of the tender on March 8, 2010 which was followed by a Tender Opening Ceremony. However, all the tenders were deemed non-responsive for failure to satisfy all the essential specifications.

The Ministry wrote to the National Contracts Commission (NCC) requesting permission to utilise the Limited Tender Procurement Methodology to re-invite the eleven (11) vendors who had purchased the Tender Document. The request was endorsed by the NCC on December 9, 2009.

Letters of Invitation were extended to the eleven (11) vendors on January 29, 2010. Tenders were to be submitted by February 22, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. The deadline for submission was however extended to March 8, 2010.

Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. A Technical Evaluation was undertaken in which two (2) of the bidders had satisfied the evaluation criteria and were invited to make presentations to the Evaluating Team. Subsequently, the Financial Evaluation was undertaken and the tender which attained the highest score, submitted by XSOMO International Limited, was recommended by the Evaluation Team for the award of contract subject to negotiations with respect to a reduction in the proposed cost.

The Ministry requested permission from the NCC to negotiate a reduction of the Contract Sum in order to bring the amount closer to the Engineer's Estimate. The Ministry's request was endorsed by the NCC on October 27, 2010.

The Ministry wrote to the NCC, by way of a letter which was dated December 7, 2010 and advised the Commission that negotiations had resulted in a reduction of the cost from US\$500,013 to US\$411,083, being US\$389,995.00 payable to XSOMO and US\$21,088.00 payable to Central Information and Technology Office (CITO) for Microsoft products. The NCC offered no objection to the award of contract in its meeting of December 8, 2010.

As at December 31, 2010, the approval process was ongoing.

The OCG will continue to monitor the procurement opportunity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$ 0.00	0000-00-00	0000-00-00	0000-00-00	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				
US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	0
STATUS	Awaiting requisite approvals.						
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 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	30							
MINISTRY	Ministry of Health and Environment							
PUBLIC BODY/ AGENCY	Ministry of Health and Environment							
PROJECT NAME	Cleaning and Portering Services for Select Health Facilities in the South-East Region							
PROJECT DESCRIPTION	The provision of Cleaning and Portering Services at the Bustamante Hospital for Children, the Spanish Town Hospital and the Kingston Public/Victoria Jubilee Hospitals for a period of three (3) years							
PROJECT LOCATION	All Island							
CONTRACTOR	N/A							
CONSULTANT	N/A							
SOURCE OF FUNDING	MHE/South-East Regional Health Authority							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	0000-00-00	See Text	0000-00-00	N/A	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.).

The procurement opportunity was advertised on November 8, 2009. Tenders were to be submitted for the following locations:

- Kingston Public/ Victoria Jubilee Hospitals
- Spanish Town Hospital
- Bustamante Hospital for Children

Tenders were to be submitted by December 18, 2009 at 12:00 p.m. followed by a scheduled Tender Opening Ceremony at 12:15 p.m. Two (2) tenders were received for the Bustamante Hospital for Children and the Kingston Public/Victoria Jubilee Hospitals, while three (3) tenders were received for the Spanish Town Hospital. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The Comparable Estimates for the respective locations, were as follows:

- Bustamante Hospital for Children - \$140,383,000.98;
- Spanish Town Hospital - \$261,377,482.58; and
- Kingston Public/Victoria Jubilee Hospitals - \$408,985,136.70.

Upon evaluation of the tenders which were received, some Bidders were identified for each location and recommended for the award of contracts.

The recommendation for the award of contracts was approved by the Ministry's Procurement Committee on May 12, 2010 and forwarded to the Ministry of Health Sector Committee.

The Permanent Secretary in the Ministry, having identified discrepancies in the procurement process wrote to Chairman of the referenced Sector Committee on June 29, 2010, and requested that the Ministry's Submission not be forwarded to the National Contracts Commission (NCC) pending a detailed review of the submissions for all locations.

By way of a letter, which was dated July 13, 2010, the Permanent Secretary wrote to the Chairman of the NCC advising that; *"The Ministry has taken the decision to discontinue the tender process ... and to undertake a re-tendering exercise"*. The letter outlined the reasons behind the decision and requested permission to utilise the Limited Tender Procurement Methodology to re-invite the previous Bidders. The NCC considered the matter at their meeting of July 21, 2010 and granted the request for the use of the Limited Tender Procurement Methodology to invite at least five (5) companies to submit tenders.

The Permanent Secretary, under cover of letter which was dated July 8, 2010, wrote to the Office of the Contractor General (OCG) stating her concerns with the evaluation process undertaken and requested guidance on how to proceed. In response, the OCG by way of a letter which was dated July 9, 2010, wrote to the Ministry requesting documents and information specific to the subject procurement. The information requested was received by the OCG under cover of letter which was dated July 14, 2010.

Upon review of the documents which were submitted, the OCG communicated its Findings to the Ministry under cover of letter which was dated August 13, 2010. The OCG supported the Ministry's decision to abort the procurement process and recommended amendments to the Tender Document upon re-tendering.

Subsequently, the Ministry wrote to all potential Bidders on August 31, 2010 advising them of the termination of the procurement process and the intention to re-tender for the respective services at a later date, of which they would be advised.

A Status Report from the Procuring Entity indicated that five (5) companies were invited to submit tenders in November 2010. The deadline for the submission is scheduled for January 21, 2011.

The OCG will continue to monitor the procurement opportunity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 0.00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0 Days	0 Days
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	0000-00-00	J\$ 0.00	N/A

STATUS Deadline for submission of tenders 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

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		31						
MINISTRY		Ministry of Health and Environment						
PUBLIC BODY/ AGENCY		Ministry of Health and Environment						
PROJECT NAME		Procurement of Blood Bags						
PROJECT DESCRIPTION		Procurement of Blood Bags						
PROJECT LOCATION		Kingston						
CONTRACTOR		Scientific & Medical Supplies Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Limited Tender	2009-12-15	J\$ 25,800,000.00	2010-02-05	Yes	Yes	2010-02-24	0000-00-00	2010-03-16
PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The procurement opportunity was conducted by the Ministry of Health (MOH), on behalf of National Blood Transfusion Service, which supplies all blood collecting centres with Blood Bags.</p> <p>The Invitation to Tender was initially advertised in June 2009. Tenders were to be submitted by July 17, 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. Subsequent to evaluation, all bids were deemed non-responsive as the sample Blood Bags which were submitted as part of the tender, did not meet the Ministry's specifications.</p> <p>By way of a letter, which was dated October 7, 2009, all Bidders were informed of the termination of the process and advised that the procurement opportunity would be re-tendered.</p> <p>The Ministry in a letter which was dated November 16, 2009, wrote to the National Contracts Commission (NCC), requesting permission to utilise the Limited Tender Procurement Methodology to invite seven (7) companies to tender for the procurement opportunity. The NCC, in its meeting of November 18, 2009, endorsed the MOH's request.</p> <p>By way of letters, which were dated November 24, 2009, seven (7) companies were invited to submit Tenders. The deadline for submission was December 3, 2009, however it was extended to December 15, 2009. The contract when awarded would be for a period of two (2) years.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequent to the evaluation, Scientific & Medical Supplies Limited was deemed the preferred Bidder.</p> <p>The Head of Entity approved the recommendation on February 5, 2010. The National Contracts Commission endorsed the recommendation for the award of contract on February 24, 2010.</p> <p>The preferred Bidder was notified of the selection for the award of contract, by way of a letter which was dated March 1, 2010.</p> <p>The Contract was signed on March 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\$ 26,599,600.00	0000-00-00	2010-03-16	2 Years	2011-08-31		0000-00-00	0000-00-00	0 Days

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 13,321,500.00	J\$ 0.00	N/A
STATUS	The contract was being executed.						
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 noted that the Contract has a scheduled duration of two (2) years. However, the date of expiration, as indicated by the terms and condition of the Contract, was stated as August 2011.							
As at December 31, 2010, delivery of the procured items was being made as per schedule.							
The OCG will continue to monitor the execution of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	32
MINISTRY	Ministry of Health and Environment
PUBLIC BODY/ AGENCY	Ministry of Health and Environment
PROJECT NAME	Procurement of Promotional Items (National HIV/STI Programme)
PROJECT DESCRIPTION	The provision of eleven (11) types of Promotional Items
PROJECT LOCATION	Kingston
CONTRACTOR	Touchline Industries Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Grant from the Global Fund

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-05-05	J\$ 8,900,000.00	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	2010-08-12

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on April 14, 2010. Tenders were to be submitted by May 5, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:05 p.m.

One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

The OCG noted that the Tender Notice outlined eleven (11) types of Promotional Items, however, the sole bidder, Touchline Industries Limited, submitted ten (10) Promotional items.

During the evaluation, it was noted that three (3) of the items which were submitted did not meet the required specifications and the Ministry further withdrew a fourth item from the tender process, due to budgetary constraints.

Touchline Industries Limited was recommended for the award of contract, in the amount of J\$7,718,100.00, for the following items :

- 2-in-1 Highlighters - 2000 pieces;
- 16 oz. Polycarbonate Sports Bottles with Drawstring Bag - 2000 pieces;
- Key Chains - 2000 pieces;
- 12" Blue Rubber and Plastic Tape Measure - 2000 pieces;
- 42" Umbrella - 4000 pieces; and
- 16 oz. Aluminium Sports Bottles - 2000 pieces.

The Procurement Committee approved the recommendation for the award of contract on July 21, 2010.

The OCG has not been provided with any documentary evidence to suggest that Head of Entity's approval was received.

The Contract was signed on August 12, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 7,718,100.00	0000-00-00	2010-08-12	0 Days	2010-10-30	0000-00-00	0000-00-00	2 Months

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 3,859,050.00	J\$ 0.00	60 Days
STATUS	The contract was being executed.						
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)							
A Status Report which was provided by the Ministry indicated that the Highlighters and Key Chains were delivered on October 22, 2010. The 12" Blue Tape Measures were delivered on November 11, 2010 and the 16 oz. Aluminium Sports Bottles were delivered on November 15, 2010.							
As at December 31, 2010, the delivery of other items was outstanding.							
The OCG will continue to monitor the execution of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		33						
MINISTRY		Ministry of Health and Environment						
PUBLIC BODY/ AGENCY		National Family Planning Board (NFPB)						
PROJECT NAME		Audit Services						
PROJECT DESCRIPTION		Auditing Services for the audit of the NFPB accounts for the year ending March 31, 2010.						
PROJECT LOCATION		Kingston						
CONTRACTOR		Mair Russell Grant Thornton						
CONSULTANT		N/A						
SOURCE OF FUNDING		National Family Planning Board						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-02-12	J\$ 750,000.00	2010-03-25	Yes	Yes	0000-00-00	0000-00-00	2010-03-31

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 January 3, 2010.

Tenders were to be submitted by February 12, 2010 at 12:00 p.m., followed by a scheduled Tender Opening Ceremony at 12:15 p.m.

Subsequent to a review of the advertisement, the Office of the Contractor-General (OCG) observed, amongst other things, that registration with the National Contracts Commission (NCC) was not listed as an eligibility requirement. The OCG, in a letter, which was dated January 13, 2010, brought this to the attention of the National Family Planning Board (NFPB). A recommendation was made for this amendment to be effected to the advertisement and an addendum issued to bidders who had collected the document.

The NFPB issued an Addendum to this effect.

Further, upon review of the Request for Proposal (RFP) which was submitted to the OCG, it was noted that the NFPB had failed to prepare an adequate RFP for the services being procured. Consequently, in a letter, which was dated February 1, 2010, the OCG advised that a Request for Proposal be prepared in accordance with Sub-Section S-2050 of the Government of Jamaica Revised Handbook of Public Sector Procurement (November 2008).

Notwithstanding the OCG's recommendations, the NFPB proceeded to conduct the the Tender Opening Ceremony on February 12, 2010 at 12:15 p.m. without an adequately prepared RFP.

Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the RFP.

A number of anomalies were observed at the Tender Opening Ceremony, of which the Entity was informed by way of a letter, which was dated February 26, 2010. The OCG further indicated that for future tenders, the OCG will be forced to recommend that the process be aborted and re-tendered if recommendations made are ignored and/or not followed.

All three (3) tenders were deemed responsive and proceeded to the evaluation stage. The tenders were evaluated on February 24, 2010 and a recommendation was made to award the contract to Mair Russell Grant Thornton, in the amount of J\$608,000.00.

The recommendation for the award of contract was approved by the Procurement Committee of the Ministry of Health (MOH) on March 24, 2010, and subsequently approved by the Head of Entity on March 25, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 608,000.00	0000-00-00	2010-03-31	4 months	2010-07-31	2010-10-13	0000-00-00	2.5 months
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 608,000.00	J\$ 00,000,000.00	0000-00-00
STATUS	Contract was 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)							
The project was completed on October 13, 2010, approximately two and a half months after the scheduled completion date.							
Mair Russell Grant Thornton, under cover of letter which was dated October 13, 2010, advised the NFPB of the reason for the late completion. The referenced letter stated, <i>inter alia</i> ; "...we had to spend a considerable amount of time on inventories as there were a number of errors..."							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	34
MINISTRY	Ministry of Health and Environment
PUBLIC BODY/ AGENCY	National Family Planning Board (NFPB)
PROJECT NAME	Janitorial Services
PROJECT DESCRIPTION	The provision of daily services to maintain the interior of the offices at 5 Sylvan Avenue and twice weekly at 14 Retirement Road.
PROJECT LOCATION	Kingston
CONTRACTOR	N/A
CONSULTANT	N/A
SOURCE OF FUNDING	NFPB

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-03-29	J\$ 830,000.00	0000-00-00	N/A	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.).

The Invitation to Tender was advertised on February 2, 2010.

Tenders were to be submitted by March 3, 2010 at 3:00 p.m.; followed by a scheduled Tender Opening Ceremony at 3:15 p.m.

Upon review of the Request for Proposal (RFP) which was submitted to the Office of the Contractor General (OCG), it was observed that the referenced documents were inadequately prepared.

The Entity was subsequently advised, by the OCG, to prepare an adequate document in accordance with the provisions of Sub-Section S-2050 of the Government of Jamaica Revised Handbook of Public Sector Procurement (November 2008) and the appropriate Annex, which is found on the Ministry of Finance and the Public Service's website.

In this regard, the NFPB extended the submission deadline to March 19, 2010.

The NFPB submitted to the OCG a revised RFP for review and comments, under cover of letter which was dated March 9, 2010.

Further, by way of a letter which was dated March 16, 2010, the NFPB advised that the tender period was further extended to March 29, 2010.

By way of a letter, which was dated March 19, 2010, the OCG provided the NFPB with a detailed review of the updated RFP. In this letter, the OCG re-iterated its previous position that the RFP should be prepared in accordance with Sub-section S-2050 of the Government of Jamaica Revised Handbook of Public Sector procurement and the appropriate annex which can be found on the Ministry of Finance and Public Services website.

Tenders were opened on March 29, 2010 at 3:15 p.m. However, the OCG noted that the RFP was not revised as per the OCG's recommendations which were outlined under the cover of letter which was dated March 19, 2010.

Seven (7) bids were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequent to a review of the Bid Receipt Record, the OCG noted that one of the tenders which was received and opened at the Tender Opening Ceremony was not recorded. In this regard, the OCG informed the NFPB of same, by way of a letter which was dated April 26, 2010. The referenced letter further advised the Entity that RFP was not revised in accordance with the OCG's letter of March 19, 2010 and further re-iterated its position as outlined in the letters of March 1 and 19, 2010.

Subsequently, by way of a letter, which was dated June 7, 2010, the Procurement Committee of the Ministry of Health advised the NFPB to re-tender the procurement opportunity. The Procurement Committee stated that *"Concerns raised regarding the non-inclusion of the (i) Bid Data Sheet (ii) Schedule of Supply work...brought to your attention in the Office of the Contractor-General's memorandum dated March 1, 2010; and (2) the matter of the wide disparity between the In-House Estimate and the Lowest Bidder was a concern to the committee"* as the reason for its recommendation.

Further correspondence submitted to the OCG, indicated that the procurement opportunity was re-tendered. However, the OCG was not informed of the procurement methodology which was utilised for re-tendering of the procurement opportunity.

Notwithstanding this, by way of a Memorandum that was signed by the Executive Director of NFPB, which was dated September 22, 2010, the OCG was advised 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 Memorandum further stated that; "The decision was taken as the budget for FY2010/2011 cannot accommodate cost indicated by the Contractor selected at the recently held evaluation exercise."

As at December 31, 2010, the OCG was not provided with any evidence that a contract was awarded.

The OCG will continue to monitor the procurement opportunity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 0.00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	0000-00-00
STATUS	No contract has been awarded.						
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							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		35						
MINISTRY		Ministry of Health and Environment (MHE)						
PUBLIC BODY/ AGENCY		North-East Regional Health Authority (NERHA)						
PROJECT NAME		The Supply, Installation and Commissioning of Surgical Operating Tables & Orthopaedic Extension - St. Ann's Bay Hospital						
PROJECT DESCRIPTION		The supply, installation and commissioning of two (2) Surgical Operating Theatre Tables and one (1) Orthopaedic Extension for the St. Ann's Bay Hospital						
PROJECT LOCATION		Saint 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	COMPARATIVE 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 procurement of the subject items, the North-East Regional Health Authority (NERHA) applied to the Culture Health Arts Sports Education (C.H.A.S.E.) Fund for funding. By way of a letter, which was dated April 27, 2010, the CHASE Fund informed NERHA that approval was granted, in the amount of seven million dollars (J\$7,000,000.00), for the purchase of two (2) Operating Theatre Tables.</p> <p>The procurement opportunity was advertised on June 13, 2010. 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 OCG, it was indicated that of the six (6) tenders which were received, three (3) were significantly above the budgeted estimated cost and as such, were not considered for the award of contract. Two of the three (3) remaining tenders, did not meet the required specifications. The sole bidder that met all the specifications was Biomedical International Corp., who submitted a tender for two (2) Orthopaedic Extensions instead of one (1), as requested in the Tender Document. NERHA sought clarification from 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, 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, 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 US-based company did not submit a TCC at the close of the tender.)</p> <p>The Head of Entity approval was received on August 9, 2010.</p> <p>The Contract was signed on September 1, 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\$ 7,228,469.25	0000-00-00	2011-01-03	8 Weeks	2011-03-04	0000-00-00	0000-00-00	0 Days	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	US\$ 40,954.50	J\$ 0.00	N/A
STATUS	The contract was signed and 50% of the contract price was paid,						
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)							
An amount of US\$40,954.50, which represented fifty percent (50%) of the contract price (J\$7,228,469.25/ US\$ 81,909.00), was paid to the Contractor on December 31, 2010. The balance is scheduled to be paid upon the installation and commissioning of the equipment.							
Delivery of the procured items is expected to be completed in March 2011.							
The OCG will continue to monitor the execution of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	36
MINISTRY	Ministry of Health and Environment (MHE)
PUBLIC BODY/ AGENCY	Western Regional Health Authority (WRHA)
PROJECT NAME	The Supply and Installation of Medical Gas Consoles at the Cornwall Regional Hospital
PROJECT DESCRIPTION	Pre-qualification exercise for the provision of material and labour for the installation of 53 medical gas consoles and provide additional outlets for Oxygen, Nitrous Oxide and Vacuum for the medical gas delivery system at the Cornwall Regional Hospital
PROJECT LOCATION	Saint James
CONTRACTOR	Industrial Gases Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-01-26	J\$ 11,305,340.00	2010-04-27	Yes	Yes	2010-10-13	0000-00-00	2010-11-09

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on August 19, 2009. Pre-qualification Documents were to be returned by September 16, 2009.

At the close of the pre-qualification period, only one (1) potential bidder had submitted a Pre-qualification Document.

Subsequent to the evaluation of the Technical Proposal which was submitted, the sole applicant met the pre-qualification requirements and as such, was invited to re-submit an updated Technical Proposal along with a Financial Proposal by January 26, 2010.

By way of a letter, which was dated February 11, 2010, subsequent to the evaluation of the Technical and Financial Proposals, the OCG was informed that upon an assessment of the Data Sheet, which was included in the Technical Proposal, the following were required; "(a) Brochures on Consoles and Zone Valves and (b) The data sheet submitted indicates that the gas outlets will be individually surface mounted however the scope of work states that all gas outlets be placed in consoles." The Procuring Entity requested that the referenced Brochures be provided and that the Data Sheet be prepared in accordance with the Scope of Works.

The Evaluation Report indicated that; "...the analysis of the Technical and Financial Proposal documents was rescheduled until clarification was received from Industrial Gases limited. A letter was sent to Industrial Gases Limited requesting clarification... They responded by stating that they inadvertently quoted on the wrong item and the analysis... was rescheduled for February 15, 2010..." The Evaluation Report further indicated that the evaluation was undertaken on February 15, 2010, in which the eligibility and responsiveness of IGL was re-examined.

During the evaluation, it was observed that the proposed tender sum had increased from the original sum of J\$11,448,232.86, to J\$13,977,090.66. Consequently, the Procuring Entity wrote to IGL "...to discuss thoroughly about the increased in the bid sum to J\$13,977,090.66 from the original sum of J\$11,448,232.86 which they responded by stating that in preparing the original bid sum they advertently quoted on the individual gas outlet instead of consoles which resulted in a significant variance. The final cost that was stated by Industrial Gases Limited (IGL) was Thirteen Million (J\$13,000,000.00)."

Subsequently, the WRHA recommended that IGL be awarded the contract to provide material and labour to carry out installation of medical gas consoles at Cornwall Regional Hospital in the amount of J\$13,000,000.00.

The recommendation for the award of contract was subsequently submitted to the National Contracts Commission (NCC) for endorsement under the signature of the Acting Regional Director on April 27, 2010.

The NCC considered the matter at its meeting of June 16, 2010, and did not endorse the request from the Ministry of Health. The Commission requested that a representative from the WRHA attend its next meeting to explain whether the procurement process allowed for the Contractors to amend their Technical and Financial proposals.

The matter was again considered at the NCC meeting of June 23, 2010, which included a presentation by representatives of the Procuring Entity. The NCC reviewed the matter and recommended that the Procuring Entity reject the tender and request permission from the NCC to negotiate a contract with IGL, in order to bring the contract sum closer to the Engineer's Estimate of J\$11,305,340.00.

By way of a letter, which was dated August 9, 2010, the Procuring Entity requested the permission of the NCC to negotiate a contract with IGL. In this regard, the NCC in their meeting of August 18, 2010 offered no objection to the Procuring Entity's request to negotiate with IGL.

Arrangements were subsequently made to negotiate with IGL on September 9, 2010.

Submissions were subsequently made to the NCC for endorsement of the contract to IGL in the negotiated sum of J\$11,965,965.54.

The NCC, in its letter of October 15, 2010, advised the Ministry of Health of the endorsement of the recommendation for the contract award. In the referenced letter, the NCC further stated that; "... based on their instructions, Western Regional Health Authority had conducted negotiations with Industrial Gas Limited, which resulted in the contract sum being reduced from J\$13,000,000.00 to J\$11,965,965.54."

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 11,965,965.54	0000-00-00	0000-00-00	o days	2011-01-31	0000-00-00	J\$ 0.00	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	N/A

STATUS Contract was being 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, 2010, the Contract was being implemented and arrangements were being made for the preliminary work to commence.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	37
MINISTRY	Ministry of Industry, Investment and Commerce (MIIC)
PUBLIC BODY/ AGENCY	JAMPRO Trade & Invest Jamaica
PROJECT NAME	Tender for Web Design and Development
PROJECT DESCRIPTION	The design and development of a website which will incorporate all other websites and sub-sites owned and managed by the Agency.
PROJECT LOCATION	Kingston
CONTRACTOR	Panmedia Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-03-15	J\$ 0.00	2010-03-30	Yes	Yes	0000-00-00	0000-00-00	2010-05-17

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity 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. Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bidder did not submit a National Contracts Commission (NCC) Registration Certificate, and was rejected.

In accordance with the evaluation criteria which were outlined in the Tender Document, the two (2) tenders which exceeded the established Minimum Technical Score advanced to the opening of the Financial Proposals. Subsequent to same, Panmedia Limited, the bidder which attained the higher overall score, was recommended, and approved for the award of contract.

The Head of Entity's approval was received on March 30, 2010.

The Contract was signed on May 17, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 3,818,100.00	0000-00-00	2010-06-11	6 Months	2010-12-10	0000-00-00	0 Days	67 Days

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 572,715.00	J\$ 0.00	N/A
STATUS	Contract was being executed, though delayed.						
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 amount of J\$572,715.00, representing 15% Mobilisation Fee, was paid in June 2010. The terms of the contract indicated that the provision of services should not exceed six (6) months.							
In a Status Report which was provided to the OCG, JAMPRO reported that; "The project has had a major delay as none of the graphical designs presented by Panmedia to date has been satisfactory to JAMPRO. Nearly all of the activities defined in the work plan are directly dependent on the graphical design." The report further advised that; "JAMPRO has taken the decision to contract the services of a third party to undertake the design subject to the normal procurement process." The "Expected Completion Date" is now March 2011.							
The OCG will continue to monitor the execution of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	38							
MINISTRY	Ministry of Justice (MOJ)							
PUBLIC BODY/ AGENCY	Ministry of Justice (MOJ)							
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 Justice Square.							
PROJECT LOCATION	Kingston							
CONTRACTOR	Harold Morrison & Robert Woodstock Associates Limited							
CONSULTANT	N/A							
SOURCE OF FUNDING	Government of Jamaica (GOJ)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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	2009-07-02	Yes	Yes	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.).

A submission was made by the Ministry of Justice (MOJ) to the National Contracts Commission (NCC) for a variation to an existing contract with Harold Morrison & Robert Woodstock Architects, to provide Consultancy Services for the Courts Rehabilitation Project. The NCC, by way of a letter which was dated February 20, 2009, advised the Ministry that their request was not approved. The NCC, stated;

"In our view, this is a new contract not a variation of the existing contract you currently have with HM&RW. The NCC is, therefore, recommending 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."

In accordance with the recommendation of the NCC, the MOJ conducted a tender process for Consultancy Services. On April 6, 2009, eight (8) firms were invited to submit Tenders to provide Consultancy Services.

Tenders were to be submitted by April 20, 2009 at 12:00 p.m.

The Tender Report which was submitted by the Procuring Entity indicated that three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

The tenders were evaluated and the bidder who attained the highest overall scores, Harold Morrison & Robert Woodstock (HM&RW), was recommended for the award of contract.

The Tender Report indicated that; the Financial Proposal from the recommended Contractor was J\$55,110,000.00, which was 4.77% above the pre-tender estimate of J\$52,600,000.00. The Tender Report further stated, *inter alia*, that *"Negotiations... was therefore pursued... Following these negotiations HMW agreed to reduce their bid by the amount of JA\$3M to \$52.11..."*

Approval was obtained from the Permanent Secretary in the Ministry and the NCC endorsed the recommendation for a contract sum of J\$52,110,000.00. The submission was subsequently submitted to the Ministry of Finance and the Public Service (MOF&PS).

By way of a letter, which was dated June 16, 2009, the MOF&PS offered no objection to the award of contract. However, the MOF&PS noted that the approval; *"...is on condition that the concerns raised... particularly the issue of funding for the other capital projects, are satisfactorily addressed before the Submission is forwarded to Cabinet."*

Further, the MOF&PS raised additional concerns which included, *inter alia*, that; *"The letter from the NCC indicates that the MOJ has other contracts with the proposed consultants. The MOJ needs to indicate what these contracts are, the duration, the value and the quality of the performance to date."*

In a letter, which was dated October 6, 2010, the Ministry of Justice informed the OCG that; *"There was no response to the letter dated June 16, 2009 from the Ministry of Finance and the Public Service but their recommendations were taken on board in the Cabinet Submission."*

The Cabinet granted approval for the award of contract on June 29, 2010.

The Contract was signed on November 24, 2009. It was noted that a Completion Date was not stated in the Contract. In this regard, the Project Manager indicated that, the duration of the Contract and the scheduled contract Completion Date for the Consultant is subject to the completion of the Works by the Contractor(s) for the various phases of the project, which the Consultants are contracted to supervise.

Further, the contract document indicated that the "Cost of Services Ceiling" was thirteen percent (13%) of the final construction cost of the project.

The foregoing 'fixed percentage' remuneration package for the Consultant was a major point of concern for the OCG, about which a meeting is to be convened with the MOJ.

The OCG's concern, amongst other things, was based upon the fact that the remuneration under the Consultancy Contract was 'open-ended' and, as such, the contract payments are intrinsically unbridled and do not provide for proper accounting or lend itself to the levels of control which are required for proper budgeting. Therefore, should there be any variations and/or cost overruns, the Entity would be open, at all times, to the referenced thirteen percent (13%) increase in Consultancy Fees, hence, the cost to Taxpayers could potentially be 'exorbitant' in the long run.

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	N/A	0000-00-00	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 44,069,001.09	J\$ 0.00	N/A

STATUS Contract was being executed.

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 communique received from the MOJ, the project consisted of Public Building West (Phases 1 & 2), Public Building East (Phases 1 & 2) and the Bridge. As at March 24, 2010, the Consultant had completed the Project Orientation and Outline Design for Phase 1 of Public Building West and Phase 1 of Public Building East. Further, approximately seventy-eight percent (78%) of the detailed Design for Phase 1 of Public Building East had been completed. The OCG has noted with concern, that there was no project milestone or payment schedule evidenced for the Consultant's aspect of the project.

The OCG noted that there were delays in the payment of outstanding sums to the Consultant. By way of a letter, which was dated July 7, 2010, the Consultant wrote to the Procuring Entity stating, *inter alia*, that; "... we have neither been paid the outstanding balance of Five Million Thirty Eight Thousand Three Hundred Twelve Dollars and Fifty Cents (\$5,038,312.50) from invoice no.3 dated 2010 March 24 nor the balance of Four Million Six Hundred Sixty Thousand Five Hundred Dollars (\$4,660,500.00) from invoice no.4 dated 2010 April 27....this non payment of fees long overdue is causing our firm and the sub-consultants considerable hardship." The MOJ settled the outstanding payments over the period. Final payment was made on October 4, 2010.

As at December 31, 2010, the tender process for the construction of Phase 1 of Public Building East, Phase 1 of Public Building West and the Bridge was underway.

As at December 31, 2010, the OCG has estimated that given the nature of the project and the Comparable Estimates for the referenced Phases, there will be a revised contract sum of J\$ 85,275,919.41.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		39						
MINISTRY		Ministry of Labour and Social Security						
PUBLIC BODY/ AGENCY		Ministry of Labour and Social Security						
PROJECT NAME		Impact Evaluation of the Programme of Advancement Through Health and Education (PATH)						
PROJECT DESCRIPTION		To monitor the extent to which the programme continues to contribute to the human capital formation, which is the programme's key long term objective.						
PROJECT LOCATION		All Island						
CONTRACTOR		Sanigest International						
CONSULTANT		Sanigest International						
SOURCE OF FUNDING		The World Bank						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-03-22	US\$ 800,000.00	2010-06-29	N/A	N/A	2010-07-28	2010-10-11	2010-10-19
PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>An Invitation for Expressions of Interest (EOI) was advertised in November 2009. The Government of Jamaica (GOJ) received a loan from the World Bank to assist with the financing of the Social Protection Project with an intention to apply part of the proceeds towards the captioned project.</p> <p>The deadline for submission was December 4, 2009. A total of fifteen (15) firms submitted EOI and upon review of the submissions, six (6) firms were shortlisted. The World Bank gave no objection to the Short List and the Request for Proposal (RFP) on January 27, 2010. The referenced six (6) firms were issued with the RFP on January 27, 2010.</p> <p>Proposals were to be submitted by March 22, 2010 at 3:00p.m., followed by a Tender Opening Ceremony at 3:05 p.m.</p> <p>Four (4) proposals were received, opened and verified in accordance with the RFP. A detailed evaluation of the Technical proposals was undertaken in accordance with the evaluation criteria which were outlined in the RFP. Subsequent to the Technical Evaluation, the World Bank provided a 'No Objection' to the Technical Evaluation on May 17, 2010.</p> <p>One (1) tender was rejected after the Technical Evaluation was undertaken and the remaining three (3) tenders which were above the minimum technical score advanced to the Financial Opening which was held on May 31, 2010. The Evaluation Report stated that the Consultant who obtained the highest combined score would be invited to negotiate. Sanigest Solutions was recommended for the award of contract.</p> <p>The Head of Entity approval was received on June 29, 2010.</p> <p>The World Bank, by way of a letter which was dated July 1, 2010, indicated, <i>inter alia</i>, that; "IBRD has no objection to your recommendation to sign a contract with the firm Sanigest Internacional, Costa Rica, for an amount of US\$593,350."</p> <p>The Ministry submitted its recommendation to the MOE Sector Committee on July 12, 2010.</p> <p>The NCC endorsed the recommendation for the award of contract on July 28, 2010.</p> <p>The Contract was executed on October 19, 2010.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$ 593,350.00	0000-00-00	2010-10-19	3 years	2013-10-18	0000-00-00	0 days	0 days	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
US\$ 0.00	US\$ 0.00	US\$ 0.00	0 US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	0
STATUS	Contract was being executed.						
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, 2010, no payment was made as per Agreement.							
The OCG will continue to monitor the execution of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		40						
MINISTRY		Ministry of National Security (MNS)						
PUBLIC BODY/ AGENCY		Ministry of National Security (MNS)						
PROJECT NAME		Development of Secure Internet Portal and Web-site for the MNS.						
PROJECT DESCRIPTION		The MNS planned to procure and install an Integrated Management Information System (IMIS) that would facilitate effective planning, coordination and management amongst the Jamaica Constabulary Force, Department of Correctional Services and Resident Magistrate Courts.						
PROJECT LOCATION		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	COMPARATIVE 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 Three (3) of a Five (5) Phase project.</p> <p>Phase One (1), the provision of a Turnkey Solution to the Jamaica Constabulary Force (JCF) and the Department of Correctional Services (DCS), and Phase Two (2), the Provision of Data Entry Services, were being implemented at the time of the procurement for Phase 3. Illuminat Jamaica Limited was previously awarded the contract for the development of Phases 1 and 2.</p> <p>An Invitation to Tender was advertised on July 16, 2008, in which the Open Tender Procurement Methodology was utilised. 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 was conducted in accordance with the evaluation criteria which were outlined in the Tender Document and IBM World Trade Corporation, the bidder who attained the higher evaluated scores, was recommended for the award of contract.</p> <p>The Head of Entity approved the recommendation on November 28, 2007.</p> <p>The NCC endorsed the recommendation for the award of contract on February 20, 2008.</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 proposed award of contract subject to the availability of the required Local Contribution.</p> <p>The Cabinet granted its approval on May 26, 2008.</p> <p>The Contract was 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	2008-06-16	14 months	2009-07-16	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				
US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 1,958,211.42	US\$ 0.00	US\$ 0.00
STATUS	Contract was being 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>Phase 3 of the project is further divided into two (2) phases: Phase 1 - the Installation of the Portal Infrastructure and Phase 2 - the Integration of Applications.</p> <p>A Status Report which was submitted to the OCG under cover of letter which was dated December 24, 2010, stated, <i>inter alia</i>, the following:</p> <p><i>“Phase 1</i></p> <p><i>The portal infrastructure has be installed, tested and confirmed working as designed. The Asset Management System is in its final stages of customization based on feedback received from preliminary User Acceptance Testing and Training sessions conducted. The remaining activities for the competition of Phase 1 include:</i></p> <ul style="list-style-type: none"><i>• The finalization of security configuration for the Asset Management System; and,</i><i>• The finalization of hand over documentation for the MNS.</i> <p><i>Phase 2</i></p> <p><i>Phase 2 activities are on hold. IBM’s scope of work is dependent on Illuminat Jamaica Limited...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 contract have inevitably placed IBM’s phase 2 activities behind schedule.”</i></p> <p>Based upon information which was provided by the Ministry, a total of US\$1,958,211.42 has been expended as at December 31, 2010.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		41						
MINISTRY		Ministry of National Security (MNS)						
PUBLIC BODY/ AGENCY		MNS						
PROJECT NAME		Rehabilitation and Re-integration of Ex-Offender and Deported Persons						
PROJECT DESCRIPTION		The Rehabilitation and Re-integration of Ex-offenders and Deported Persons						
PROJECT LOCATION		All Island						
CONTRACTOR		National Council on Drug Abuse						
CONSULTANT		N/A						
SOURCE OF FUNDING		The British High Commission (British Government)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	2009-08-11	J\$ 0.00	2010-04-01	N/A	N/A	0000-00-00	0000-00-00	2010-06-01

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Expression of Interest was advertised on July 19, 2009 and July 22, 2009, respectively.

Tenders were to be submitted by August 10, 2009 at 4:00 p.m. The Office of the Contractor General (OCG) noted that the advertisement did not indicate a time for the Tender Opening Ceremony. However, documentation which was subsequently submitted to the OCG indicated that the close of the tender was on the referenced date whilst the Tender Opening Ceremony was conducted on August 11, 2009. No time was provided.

At the Tender Opening of August 11, 2009, three (3) tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

Subsequent to the opening of the tenders on August 11, 2009, the Ministry of National Security (MNS), by way of a letter which was dated August 28, 2009, informed the OCG that after the close of the tender "... an unopened envelop was found".

It was further reported that the referenced tender was subsequently opened in a second meeting which was held on August 17, 2009 at 3:00 p.m.

Thereafter, four (4) tenders were evaluated. Upon completion of the evaluation process, none of the tenders had received the minimum qualifying score.

Consequently, by way of a letter which was dated October 5, 2009, the MNS sought the endorsement of the National Contracts Commission (NCC) to re-tender the procurement opportunity, by way of the Limited Tender Procurement Methodology. This request was endorsed by the NCC on October 14, 2009.

The OCG, upon a request of a status update from the Ministry, was provided with documentation which indicated that there were several anomalies in the tender process.

Consequently, the OCG, by way of a letter which was dated March 17, 2010, advised the MNS of the identified anomalies and the respective sections of the Revised Government of Jamaica Public Sector Procurement Handbook (November 2008), which were breached.

The OCG further recommended that the process be aborted and the opportunity re-tendered.

The process was duly aborted and the project was subsequently implemented under the Direct Contracting Procurement Methodology which was justified under the emergency circumstances.

By way of a letter which was dated September 28, 2010, the MNS stated, *inter alia*, that; "... the direct emergency contracting procedure was engaged due to the fact that the major funders of the programme, the British High Commission gave a firm deadline of 31 March, 2010 for the retraction of all uncommitted funds for the programme. This would have resulted in a demise of the Jamaica Reducing Re-Offending Action Plan (JRRAP) and a significant loss to the country, as well as a major setback to the Ministry's programmes for the reintegration of deported persons..."

The MNS further advised the OCG, by way of a letter, which was dated October 25, 2010, of the process employed by the Ministry to implement the project under emergency circumstances. The referenced letter stated, *inter alia*, that; “ (a) Conducting a series of meetings with the initial bidders to inform them that the tender had been terminated and the attendant reason; (b) at the same meetings, commenced the new tendering process; and (c) the Ministry consulted with the selected emergency providers and sought for an amendment of the Scope of Work and Terms of References in order to ensure the delivery of the most essential services that would be delivered within a specified time period and meet the objectives of the JRRAP.”

At an Emergency Procurement Meeting, which was held on March 30, 2010, the Procurement Committee approved the recommendation for the National Council on Drug Abuse to provide the requisite services for the rehabilitation and reintegration of deportees and local ex-offenders.

The Permanent Secretary approved the recommendation for the award of contract on April 1, 2010.

The Contract was executed on June 1, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 9,900,000.00	0000-00-00	2010-04-01	12 months	2011-03-31	0000-00-00	0000-00-00	0000-00-00
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 4,950,000.00	J\$ 0.00	0
STATUS	Contract was being 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, 2010, the OCG was provided with documentary evidence which indicated that the project was being implemented.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		42						
MINISTRY		Ministry of National Security (MNS)						
PUBLIC BODY/ AGENCY		Ministry of National Security (MNS)						
PROJECT NAME		Rehabilitation and Re-integration of Ex-Offenders and Deported Persons						
PROJECT DESCRIPTION		The Rehabilitation and Re-integration of Ex-Offenders and Deported Persons						
PROJECT LOCATION		All Island						
CONTRACTOR		The Salvation Army						
CONSULTANT		N/A						
SOURCE OF FUNDING		The British High Commission (British Government)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	2009-08-11	J\$ 0.00	2010-04-01	Yes	N/A	0000-00-00	0000-00-00	2010-04-09

PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Expression of Interest was advertised on July 19, 2009 and July 22, 2009, respectively.

Tenders were to be submitted by August 10, 2009 at 4:00 p.m. The Office of the Contractor General (OCG) noted that the advertisement did not indicate a time for the Tender Opening Ceremony. However, documentation which was subsequently submitted to the OCG indicated that the close of the tender was on the referenced date whilst the Tender Opening Ceremony was conducted on August 11, 2009. No time was provided.

At the Tender Opening of August 11, 2009, three (3) tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

Subsequent to the opening of the tenders on August 11, 2009, the Ministry of National Security (MNS), by way of a letter which was dated August 28, 2009, informed the OCG that after the close of the tender "... an unopened envelop was found".

It was further reported that the referenced tender was subsequently opened in a second meeting which was held on August 17, 2009 at 3:00 p.m.

Thereafter, four (4) tenders were evaluated. Upon completion of the evaluation process, none of the tenders had received the minimum qualifying score.

Consequently, by way of a letter which was dated October 5, 2009, the MNS sought the endorsement of the National Contracts Commission (NCC) to re-tender the procurement opportunity, by way of the Limited Tender Procurement Methodology. This request was endorsed by the NCC on October 14, 2009.

The OCG, upon a request of a status update from the Ministry, was provided with documentation which indicated that there were several anomalies in the tender process.

Consequently, the OCG, by way of a letter which was dated March 17, 2010, advised the MNS of the identified anomalies and the respective sections of the Revised Government of Jamaica Public Sector Procurement Handbook (November 2008), which were breached.

The OCG further recommended that the process be aborted and the opportunity re-tendered.

The process was duly aborted and the project was subsequently implemented under the Direct Contracting Procurement Methodology which was justified under the emergency circumstances.

By way of a letter which was dated September 28, 2010, the MNS stated, *inter alia*, that; "... the direct emergency contracting procedure was engaged due to the fact that the major funders of the programme, the British High Commission gave a firm deadline of 31 March, 2010 for the retraction of all uncommitted funds for the programme. This would have resulted in a demise of the Jamaica Reducing Re-Offending Action Plan (JRRAP) and a significant loss to the country, as well as a major setback to the Ministry's programmes for the reintegration of deported persons..."

The MNS further advised the OCG, by way of a letter, which was dated October 25, 2010, of the process employed by the Ministry to implement the project under emergency circumstances. The referenced letter stated, *inter alia*, that; “ (a) Conducting a series of meetings with the initial bidders to inform them that the tender had been terminated and the attendant reason; (b) at the same meetings, commenced the new tendering process; and (c) the Ministry consulted with the selected emergency providers and sought for an amendment of the Scope of Work and Terms of References in order to ensure the delivery of the most essential services that would be delivered within a specified time period and meet the objectives of the JRRAP.”

At an Emergency Procurement Meeting which was held on March 30, 2010, the Procurement Committee approved the recommendation to award the contract to the Salvation Army, in the amount of J\$9,900,000.00, to provide accommodation and employment facilities for deported people and local offenders.

The Permanent Secretary approved the recommendation on April 1, 2010.

The Contract was executed on April 9, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 9,900,000.00	0000-00-00	2010-04-09	12 months	2011-03-31	0000-00-00	0000-00-00	0000-00-00
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 9,899,999.86	0	0
STATUS	Contract was being 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, 2010, the OCG was provided with documentary evidence which indicated that the project was being implemented.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		43						
MINISTRY		Ministry of National Security (MNS)						
PUBLIC BODY/ AGENCY		Ministry of National Security (MNS)						
PROJECT NAME		Rehabilitation and Re-integration of Ex-Offenders and Deported Persons						
PROJECT DESCRIPTION		The Rehabilitation and Re-integration of Ex-Offenders and Deported Persons						
PROJECT LOCATION		All Island						
CONTRACTOR		Female Prisoner Welfare Project (FPWP) Hibiscus Jamaica Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		The British High Commission (British Government)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Direct Contracting	2009-08-11	J\$ 0.00	2010-04-01	Yes	N/A	0000-00-00	0000-00-00	2010-06-01

PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Expression of Interest was advertised on July 19, 2009 and July 22, 2009, respectively.

Tenders were to be submitted by August 10, 2009 at 4:00 p.m. The Office of the Contractor General (OCG) noted that the advertisement did not indicate a time for the Tender Opening Ceremony. However, documentation which was subsequently submitted to the OCG indicated that the close of the tender was on the referenced date whilst the Tender Opening Ceremony was conducted on August 11, 2009. No time was provided.

At the Tender Opening of August 11, 2009, three (3) tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

Subsequent to the opening of the tenders on August 11, 2009, the Ministry of National Security (MNS), by way of a letter which was dated August 28, 2009, informed the OCG that after the close of the tender "... an unopened envelop was found".

It was further reported that the referenced tender was subsequently opened in a second meeting which was held on August 17, 2009 at 3:00 p.m.

Thereafter, four (4) tenders were evaluated. Upon completion of the evaluation process, none of the tenders had received the minimum qualifying score.

Consequently, by way of a letter which was dated October 5, 2009, the MNS sought the endorsement of the National Contracts Commission (NCC) to re-tender the procurement opportunity, by way of the Limited Tender Procurement Methodology. This request was endorsed by the NCC on October 14, 2009.

The OCG, upon a request of a status update from the Ministry, was provided with documentation which indicated that there were several anomalies in the tender process.

Consequently, the OCG, by way of a letter which was dated March 17, 2010, advised the MNS of the identified anomalies and the respective sections of the Revised Government of Jamaica Public Sector Procurement Handbook (November 2008), which were breached.

The OCG further recommended that the process be aborted and the opportunity re-tendered.

The process was duly aborted and the project was subsequently implemented under the Direct Contracting Procurement Methodology which was justified under the emergency circumstances.

By way of a letter, which was dated September 28, 2010, the MNS stated, *inter alia*, that; "... the direct emergency contracting procedure was engaged due to the fact that the major funders of the programme, the British High Commission gave a firm deadline of 31 March, 2010 for the retraction of all uncommitted funds for the programme. This would have resulted in a demise of the Jamaica Reducing Re-Offending Action Plan (JRRAP) and a significant loss to the country, as well as a major setback to the Ministry's programmes for the reintegration of deported persons..."

The MNS further advised the OCG, by way of a letter, which was dated October 25, 2010, of the process employed by the Ministry to implement the project under emergency circumstances. The referenced letter stated, *inter alia*, that “ (a) Conducting a series of meetings with the initial bidders to inform them that the tender had been terminated and the attendant reason; (b) at the same meetings, commenced the new tendering process; and (c) the Ministry consulted with the selected emergency providers and sought for an amendment of the Scope of Work and Terms of References in order to ensure the delivery of the most essential services that would be delivered within a specified time period and meet the objectives of the JRRAP.”

At an Emergency Procurement Meeting which was held on March 30, 2010, the Procurement Committee approved the recommendation to award the contract to the Female Prisoner Welfare Project (FPWP) Hibiscus Jamaica Limited, in the amount of J\$8,950,000.00, to provide services to women and children to assist integration into Jamaican society.

The Permanent Secretary approved the recommendation on April 1, 2010.

The Contract was executed on June 1, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 8,900,000.00	0000-00-00	2010-06-01	10 months	2011-03-31	0000-00-00	0000-00-00	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 3,877,767.00	0	0
STATUS	Contract was being 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, 2010, the OCG was provided with documentary evidence which indicated that the project was being implemented.							
The OCG will continue to monitor the implementation of the Contract.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		44						
MINISTRY		Ministry of National Security (MNS)						
PUBLIC BODY/ AGENCY		Passport, Immigration and Citizenship Agency (PICA)						
PROJECT NAME		Capacity Building Project						
PROJECT DESCRIPTION		Procurement for the Supply of Motor Vehicles (3)						
PROJECT LOCATION		Kingston						
CONTRACTOR		Key Motors Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		British Government						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-02-25	J\$ 6,000,000.00	2010-06-23	Yes	Yes	0000-00-00	0000-00-00	2010-07-07

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on January 31, 2010 and February 3, 2010, respectively.

Tenders were to be submitted on February 25, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.

The procurement consisted of two (2) Lots: (1) Lot 1 - two (2) Sedans; and (2) Lot 2 - one (1) Sports Utility Vehicle (SUV).

At the close of tender, three (3) tenders were received – two for both Lots and one (1) for Lot 2. The referenced tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

Prior to the commencement of the evaluation process, the Office of the Contractor-General (OCG) noted that, though the Evaluation Criteria and the general procedures were stated in the Tender Document, the associated weightings were not included for the respective evaluation criterion. The OCG, by way of letter which was dated June 8, 2010, recommended that the Procuring Entity amend the Evaluation Criteria by including the associated weightings and communicate same to all the bidders.

Subsequently, the Entity made the requisite amendments and advised the potential bidders of same, by way of a letter which was dated June 10, 2010.

During the evaluation process, the Procuring Entity noted that two (2) of the tenders contained minor errors and omissions. The referenced tenders were deemed substantially responsive and were subjected to further evaluation.

Subsequent to the evaluation, Key Motors Limited, who had submitted the lowest priced bid and received the highest evaluation score for both Lots, was recommended for the award of contract.

Notwithstanding the foregoing, the Evaluation Committee recommended that consideration should be given to procuring three (3) SUVs under Lot 2 at a cost of J\$ 5,735,635.32 from Key Motors Limited, as an alternative to the initial procurement of two (2) Sedans in Lot 1, at a cost of J\$3,136,064.64, and one (1) SUV in Lot 2, at a cost of \$1,911,878.64.



Consequently, the offer for Lot 1 was abandoned.

The justification for this recommendation included, *inter alia*, the following:

1. "The proposed motor vehicle will be used for all-island and multi-terrain travel".
2. "The life-cycle cost to maintain a Sedan for the purpose of multi-terrain usage could be more expensive than that of a SUV..."
3. "The proposed SUV has more storage capacity cargo".
4. "Makes all weather driving safe and easier".

The recommendation of the Evaluation Committee was subsequently endorsed by the Procurement Committee on June 21, 2010. Head of Entity's approval was received on June 23, 2010.

The Contract was executed on July 7, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 5,735,635.92	0000-00-00	2010-07-07	14 Days	2010-07-21	2010-08-10	N/A	18 Days
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 5,735,635.92	J\$ 0.00	N/A
STATUS	Contract was 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)							
Minor delays occurred with the delivery of the motor vehicles as a result of the time period for the acquisition of the insurance coverage by the Procuring Entity.							
The documents which were provided by the Entity indicated that the vehicles were received by August 10, 2010. The Contractor was paid in full on August 20, 2010.							
A site visit was conducted by the OCG on November 11, 2010. It was noted that the Procuring Entity had received three (3) 2011 Hyundai Tuscons rather than the 2010 manufactured vehicles which had been outlined in the Contract Document. The OCG was however advised that the contract price was maintained as the upgrade was simply in line with the Contractor's need to offer more with respect to special features.							
							
Frontal view of one of the SUVs.				Back-view of one of the SUVs			

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		45						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		Jamaica Urban Transit Company Limited (JUTC)						
PROJECT NAME		Provision of Security Guards, Panic Alarms and Armed Response System, and Cash-In-Transit Services 2010-2012						
PROJECT DESCRIPTION		Provision of Security Guards, Panic Alarms and Armed Response System, and Cash-In-Transit Services 2010-2012						
PROJECT LOCATION		Saint Catherine						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-14	J\$ 91,957,933.00	2010-08-30	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>An Invitation to Tender was advertised on May 9, 2010. Tenders were to be submitted by June 4, 2010 at 3:00 p.m., followed by a Tender Opening Ceremony at 3:15 p.m. The deadline for submission was extended as a result of unrest in the Corporate Area to June 14, 2010.</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. Subsequent to the evaluation, the bidder who submitted the lowest priced bid and received the highest evaluation score was recommended for the award of contract.</p> <p>The recommendation was approved by JUTC's Internal Procurement Committee on August 27, 2010, and by the Head of Entity on August 30, 2010.</p> <p>A submission was subsequently made to the Sector Committee. The National Contracts Commission (NCC), considered the submission in its meeting of December 15, 2010, and requested that JUTC explain the disparity between the comparable estimate (\$91,957,933) and the recommended contract amount (\$147,337,404.69).</p> <p>As at December 31, 2010, the approval process was ongoing.</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	
J\$ 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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	0
STATUS	Awaiting requisite approvals.						
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							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		46						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		National Works Agency (NWA)						
PROJECT NAME		Procurement of 300 mm L.E.D. Traffic Signal Lamps Modules						
PROJECT DESCRIPTION		Procurement of 300 mm L.E.D. Traffic Signal Lamps Modules						
PROJECT LOCATION		Kingston						
CONTRACTOR		Machinery and Services Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Road Maintenance Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-05-20	J\$ 20,901,487.50	2010-07-21	Yes	Yes	2010-08-11	0000-00-00	2010-09-13

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on May 2, 2010. Tenders were to be submitted by May 20, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m.

At the close of tender, three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

By way of a letter which was dated June 8, 2010, the Procuring Entity requested information from all the Bidders, in order to ensure that their L.E.D products met the specifications as outlined in the Tender Document. Two (2) of the Bidders responded to the request for clarification by providing specification sheets from their respective suppliers. However, all three (3) tenders were evaluated.

The lowest proposed tender sum was thirty-three percent (33%) below the Comparable Estimate. However, the Procuring Entity indicated in its Tender Report, which was dated June 2, 2010 that; *"Since the tenderer provides the specifications in accordance with the Institute of Transportation Engineers, we have no objection in awarding Machinery Services Limited the contract"*.

The Tender Report for the Procuring Entity further stated that; the procurement followed the Government's Procurement Guidelines except for the following reasons:

1. *"The tender period was 14 days instead of 21 days as specified for contracts between \$10 million and \$30 million."*
2. *"No tender bond was requested for this tender although contracts above \$10 million require the provision of a tender bond."*
3. *"The procurement was advertised once although the contract was above \$10 million."*

The Procuring Entity also acknowledged in the aforementioned report, that; *"We were inadvertently following the procurement guidelines for under \$10m. We are of the view that the non-compliances did not prejudice the procurement process in any way as none of the bidders had submitted a tender bond."*

The Head of Entity approved the recommendation on July 21, 2010.

The recommendation was subsequently submitted to the Sector Committee for endorsement. The Sector Committee deferred the submission for the following reasons:

1. *"Advertisement was posted once";*
2. *"The tender period was shorter than required";*
3. *"No tender bond was requested (Engineer's estimate \$20,901,487";*
4. *"The NCC category was General Supplies; the recommended contractor, NCC was General Supplies (specializing in the supply of filter)."*

The Sector Committee's deferral was submitted to the National Contract's Commission (NCC) on August 10, 2010. The NCC considered the matter at its meeting of August 11, 2010, and endorsed the recommendation for the award of contract.

The NCC also advised the National Works Agency (NWA) to ensure the following:

1. *"That the contractor's quotation meets the specifications.*
2. *That value for money is being obtained.*
3. *That in future procurements, the requirements of the GoJ Handbook of Public Sector Procurement Procedures are strictly adhered to."*

With regards to the foregoing, the Office of the Contractor-General (OCG) stated its concerns regarding the procurement process, in a letter to the NCC, which was dated August 18, 2010. The OCG opined that the NWA did not adhere to the dictates of the GOJ Handbook of Public Sector Procurement Procedures (November 2008). The referenced letter further indicated that the recommended Contractor's specialisation should be of major consideration based upon the nature of the work which they are contracted to perform. The recommended Contractor's specialisation in the supply of filters is completely distinct from the supply of traffic signal lamps, thus the supplier may not be capable of satisfactorily performing the contract.

The aforementioned letter also stated that the disparity between the Engineer's Estimate and the tender sum questions the Contractor's ability to supply the required quality products.

By way of a letter, which was dated August 26, 2010, the NCC advised the OCG that; "...the NCC has reviewed the matter and is satisfied with how the matter was dealt with."

The recommended Contractor was subsequently notified of the award.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 14,029,500.00	0000-00-00	2010-09-13	60 Days	2010-11-12	2010-12-24	N/A	42 Days
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	N/A
STATUS		The procured items were delivered and payments are being prepared.					

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 provided by the NWA indicated that the Traffic Signal Lamps were received on December 24, 2010.

The following discrepancies were noted with the delivery of the goods:

- There was one (1) additional box (containing four (4) balls) of red L.E.D lights.
- The green L.E.D lights were short one (1) box (containing four (4) balls).
- The red arrow lights were short by two (2).
- There were two (2) additional green arrow L.E.D. balls.

As at December 31, 2010, the discrepancies were to be reconciled.

The OCG continues to monitor the implementation of the Contract.



Box of the Red L.E.D Light Ball



Box of the Yellow L.E.D. Light Ball

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	47
MINISTRY	Ministry of Transport and Works (MTW)
PUBLIC BODY/ AGENCY	NMIA Airports Limited (NMIAL)
PROJECT NAME	Provision of Janitorial Services
PROJECT DESCRIPTION	Provision of Janitorial Services at the Norman Manley International Airport
PROJECT LOCATION	Kingston
CONTRACTOR	N/A
CONSULTANT	N/A
SOURCE OF FUNDING	NMIAL

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-10-08	J\$ 366,988,516.00	0000-00-00	N/A	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.).

The procurement opportunity was advertised on July 26, 2009.

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 deemed non-responsive for failure to submit a Bid Guarantee in a sum equivalent to 2% of their proposed price.

Subsequent to the evaluation of the remaining three (3) tenders, which was conducted in accordance with the evaluation criteria which were outlined in the Tender Document, a recommendation was made for the contract to be awarded to Manpower and Maintenance Services (MMS), in the amount of J\$274,275,000.00, for a three (3) year period.

The Ministry of Transport and Works (MTW), by way of a letter, which was dated November 10, 2009, communicated its approval of the recommendation for the award of contract to the Port Authority of Jamaica (PAJ) Sector Committee.

The recommendation was further approved by the referenced Sector Committee at its Meeting of November 12, 2009, and referred to the National Contracts Commission (NCC) for endorsement.

The NCC endorsed the recommendation on November 25, 2009.

Subsequently, the matter was referred to the Cabinet for approval.

Correspondences submitted to the Office of the Contractor General (OCG) indicated that the Infrastructure Sub-Committee of the Cabinet had concerns regarding the Tender Report.

Subsequently, the Infrastructure Sub-Committee of the Cabinet recommended that the procurement opportunity be aborted and re-tendered due to inconsistencies identified in the weighting assigned to the evaluation criteria and disparities in the evaluator's scores. This recommendation was endorsed by the Cabinet, by way of Cabinet Decision No. 07/10 which was dated March 1, 2010.

Consequently, the procurement opportunity 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.

By way of an Addendum, the deadline for submission was extended to September 24, 2010 at 2:00 p.m. The deadline was further extended to October 8, 2010 at 2:00 p.m., due to amendments which were made to the Tender Document.

Six (6) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

As at December 31, 2010, the evaluation process had not been completed.

The OCG will continue to monitor this procurement opportunity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 0.00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	0000-00-00
STATUS	Evaluation Process not 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)							
N/A							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		48						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		NMIA Airports Limited (NMIAL)						
PROJECT NAME		Supply and Maintenance of New Equipment-Aircraft Rescue and Firefighting Specialized Equipment						
PROJECT DESCRIPTION		To Supply One (1) Aircraft Rescue and Firefighting Specialised Equipment (Rescue Boat,Rescue Platforms and Boat Trailer)						
PROJECT LOCATION		Kingston						
CONTRACTOR		Jamaica Marine World International Corporation						
CONSULTANT		N/A						
SOURCE OF FUNDING		NMIAL						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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\$ 556,781.00	0000-00-00	Yes	No	2010-11-17	2010-12-13	2010-12-15

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

An Invitation to Tender was advertised on February 21, 2010.

Tenders were to be submitted by March 29, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 p.m.

One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

The sole bidder, Jamaica Marine World International (JMWI), was however deemed non-responsive and consequently rejected having failed to supply the following Mandatory items:

- "Verification of local registration of the Bidder;
- Valid National Contracts Commission Certificate;
- Bid Security; and
- Valid Tax Compliance Certificate."

The Bidder was accordingly notified by way of a letter, which was dated April 12, 2010.

Subsequently, by way of a letter which was dated April 26, 2010, under the signature of the Senior Vice President of Operations, the NMIAL sought authorisation from the National Contracts Commission (NCC) to negotiate with JMWI.

The NCC considered the matter at its meeting of May 19, 2010, and requested that NMIAL submit a copy of the Tender Document for perusal.

The NCC considered the matter again on June 9, 2010, where details of the evaluation criteria and supply requirements were reviewed. Subsequent to the review, the NCC offered no objection to NMIAL to negotiate with JMWI providing that the award would be made in accordance with the International Civil Aviation Organisation (ICAO) Regulations and value for money would be obtained.

The Commission noted that the Comparative Estimate for the equipment was US\$556,781.00.

By way of a letter, which was dated June 28, 2010, the NMIAL invited JMWI to attend an initial negotiation meeting on July 6, 2010 at 10:00 a.m. The letter further outlined that the scope of the meeting will be; to consider and agree on the following:

- Price and payment terms;
- Manufacturing and delivery schedule; and
- Training and after sales support.

By way of a letter which was dated October 29, 2010, NMIAL advised the NCC that; "...the negotiation has been completed with adherence to the technical specifications that meet the International Civil Aviation Organization (ICAO) standards and there is a 1.88% variance in the Contract Sum when compared to the Engineer's Estimate...The price differential is attributable to a higher customs and brokerage fee quoted by the bidder..." Accordingly, NMIAL sought the permission of the NCC "...to award a contract to JMWI for the sum of five hundred and sixty seven thousand, four hundred and seventy three United States Dollars (US\$567,473.00)."

The NCC on November 10, 2010 requested additional information regarding the tender process.

Subsequently, having obtained the requisite information, the NCC at its meeting which was held on November 17, 2010, endorsed the recommendation to award the contract to JMWI, in the negotiated amount of US\$567,473.00.

The Cabinet granted approval, by way of Cabinet Decision No.46/10 which was dated December 13, 2010, in the amount of US\$567,473.00.



The Contract was duly executed on December 15, 2010, under the signature of the Head of Entity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$ 567,473.00	0000-00-00	2010-12-15	0000-00-00	2011-04-15	0000-00-00	0000-00-00	0000-00-00
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	0000-00-00
STATUS	Items procured not yet delivered.						
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, 2010, the delivery of the Aircraft Rescue and Firefighting Specialised Equipment was pending.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		49						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		Port Authority of Jamaica (PAJ)						
PROJECT NAME		Procurement for the Supply and Commissioning of One (1) Terminal Surface Cleaning System						
PROJECT DESCRIPTION		Supply and Commissioning of One (1) Terminal Surface Cleaning System						
PROJECT LOCATION		Kingston						
CONTRACTOR		Executive Motors Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Government of Jamaica (GOJ)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-12-16	US\$ 250,00.00	2009-05-05	Yes	Yes	2009-06-17	0000-00-00	2009-11-10
PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The procurement opportunity was advertised on November 2, 2008. Tenders were to be submitted on December 16, 2008 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:30 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. During the preliminary examination, the Procuring Entity noted that the sole Bidder, Executive Motors Limited, did not provide the following documents:</p> <ul style="list-style-type: none"> • Proof of company registration; and • A copy of the recommended spares list. <p>The Tender Document in this regard had stated that; "...Failure to meet the ...requirements may result in the rejection of the Tender."</p> <p>The Procuring Entity allowed Executive Motors Limited to provide the omitted documents at a later date.</p> <p>On February 5, 2009, the Port Authority of Jamaica held a meeting with Executive Motors Limited to clarify, <i>inter alia</i>, matters regarding the specifications and the payment terms.</p> <p>Subsequently, Executive Motors Limited was recommended for the award of contract.</p> <p>The Head of Entity's approval was received on May 5, 2009.</p> <p>The Contract was signed on November 10, 2009.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
US\$ 207,712.00	0000-00-00	2009-12-30	15 weeks	2010-04-30	2010-10-05	80 days	165 days	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 190,675.46	US\$ 0.00	N/A
STATUS	Procured item was received and Dealer commission 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)							
<p>Delays experienced during the execution of the contract, were due in part to the Contractor as well as the Procuring Entity.</p> <p>The scheduled Completion Date of April 30, 2010, at the request of the Contractor, was extended by sixty (60) days. This was reportedly due to delays in the manufacturing process.</p> <p>The Letter of Credit was extended accordingly.</p> <p>The Time Overruns which were noted, were mainly as a result of the Procuring Entity's internal activities, which were explained as follows:</p> <ul style="list-style-type: none">• Delays in the manufacturer obtaining confirmation of Letter of Credit. The delay in obtaining confirmation of the signed Letter of Credit delayed the actual start date of the Contract;• Delays in the manufacturer remedying upper body problems identified during factory testing;• Delays in the manufacturer organising the pre-commissioning inspection and service; and• Delays in the organising and coordinating of training for personnel to operate and maintain the equipment. <p>The PAJ has reported that there was an amendment to the machine cost portion of the contract, from US\$181,500 to US\$183,582.46. The OCG was informed that the increase in the referenced cost was based upon a request from Hyundai to include a credit amount tolerance of +/- 5%.</p> <p>The Letter of Credit expired on December 15, 2010. Expenditure to date represents the referenced increase in the machine cost US\$183,582.46 plus bank charges of US\$7,109.76.</p> <p>As at December 31, 2010, the procured item was successfully delivered. However, the expenditure for the Dealer commission was pending.</p> <p>The OCG continues to monitor the outstanding payments for the completion of the Contract.</p>							
							
Frontal view of the new Terminal Surface Cleaner				Side view of the new Terminal Surface Cleaner			

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		50						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		The Port Authority of Jamaica (PAJ)						
PROJECT NAME		Audit Services (PAJ 2011-2015)						
PROJECT DESCRIPTION		Consulting Services for the Auditing of the annual financial statements for the Port Authority and its subsidiaries						
PROJECT LOCATION		All Island						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		PAJ						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-08-20	J\$ 57,954,035.00	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 July 18, 2010.</p> <p>Tenders were submitted by August 20, 2010 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 Technical evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document, which stated that the minimum technical score required to pass is 80 points.</p> <p>Three (3) of the four (4) tenders attained in excess of the referenced minimum qualifying score, which was required to proceed to the Financial evaluation stage.</p> <p>Subsequent to the Technical and Financial Evaluation, the bidder who attained the highest combined score was recommended for the award of contract.</p> <p>The award recommendation was endorsed by the Procurement Committee on October 14, 2010. The Procurement Committee by way of a Memorandum, which was dated October 19, 2010, noted that the Tender Opening for the financial proposal was done privately. In this regard, the Procurement Committee recommended that all future Tender Openings be done publicly to ensure transparency.</p> <p>By way of a letter, which was dated November 3, 2010, the Ministry of Transport and Works (MTW) conveyed its support of the recommendation of the Port Authority of Jamaica to award the contract to the preferred bidder.</p> <p>As at December 31, 2010, the PAJ was awaiting the requisite approval from the National Contracts Commission (NCC).</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	
J\$ 00,000,000.00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	0000-00-00
STATUS	Awaiting the requisite NCC Approval						
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							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		51						
MINISTRY		Ministry of Transport and Works (MTW)						
PUBLIC BODY/ AGENCY		The Port Authority of Jamaica (PAJ)						
PROJECT NAME		Provision of Security Services						
PROJECT DESCRIPTION		Provision of Security Services at Duke Street, Pilotage Building and Harbours Department						
PROJECT LOCATION		Kingston						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		PAJ						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-08-31	J\$ 00,000,000.00	2010-11-11	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 procurement opportunity was advertised on August 22, 2009.</p> <p>Tenders were to be submitted by August 31, 2009 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:30 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. Four (4) tenders were deemed ineligible and/or non-responsive and hence, were rejected.</p> <p>The Port Authority of Jamaica (PAJ) wrote to the bidders requesting an extension of the validity period to May 27, 2010, which was agreed by all four (4) bidders. During this period, clarifications were sought on the tender sums which were submitted. Based upon the response submitted, the PAJ requested a clear commitment from three (3) of the four (4) bidders, to stand by the original tender sum for the three (3) year period. In response, two (2) of the three (3) bidders failed to give a clear commitment and were therefore deemed ineligible.</p> <p>A further extension of the validity period was requested by the two (2) remaining companies. Subsequent to evaluation, the Evaluation Committee identified discrepancies in the cost quoted by the bidder who attained the higher score.</p> <p>By way of a letter, which was dated October 4, 2010, the PAJ wrote to this company, pointing out the inconsistency and requested that the said company indicate it's "...willingness to stand by the amount of \$12,816,840 per annum for years 1, 2 & 3 which is equivalent to \$38,450,520 for the three (3) year contract period, as indicated in your "Form of Tender".</p> <p>The company responded stating, <i>inter alia</i>, that it was; "...willing to stand by the sum of \$12,816,840.00 per annum for years 1, 2 & 3 which is equivalent to \$38,450,520.00 for the three-year contract period, exclusive of GCT."</p> <p>Consequently, the PAJ's Final Evaluation Report indicated that the response provided was tantamount to the qualification of the bid and was rejected. Accordingly, the remaining bidder was recommended for the award of contract, in the amount of \$45,783,905.85, for the three (3) year contract period.</p> <p>The recommendation for the award of contract was approved by the Procurement Committee on October 15, 2010 and the Head of Entity on November 11, 2010.</p> <p>The PAJ sought to further extend the bid validity period to December 27, 2010 and then to February 10, 2011 in an effort to facilitate the requisite approval process.</p> <p>The project is scheduled to be submitted to the Sector Committee in 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	
J\$ 00,000,000.00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	J\$ 00,000,000.00	0000-00-00
STATUS	Awaiting further requisite approvals.						
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							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		52						
MINISTRY		Ministry of Water and Housing (MWH)						
PUBLIC BODY/ AGENCY		National Water Commission (NWC)						
PROJECT NAME		Procurement of Financial Information System and Associated Implementation and Support Services						
PROJECT DESCRIPTION		Procurement of Financial Information System and Associated Implementation and Support Services						
PROJECT LOCATION		Kingston						
CONTRACTOR		N/A						
CONSULTANT		N/A						
SOURCE OF FUNDING		Inter-American Development Bank (IDB)						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-09-28	US\$ 500,000.00	0000-00-00	N/A	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.).

The procurement opportunity was advertised on June 5, 2010.

Tenders were to be submitted by July 21, 2010 at 10:00 a.m.

Upon request, the Office of the Contractor General (OCG) was provided with a copy of the Tender Document which was issued to potential bidders.

Further to its review, by way of a letter which was dated August 12, 2010, the OCG noted that the evaluation criteria which were outlined in the Tender Document did not include any sub-criteria with associated weighting. Based upon this omission the OCG recommended that an Addendum be issued to all potential bidders informing them of same.

Under the cover of letter, which was dated August 12, 2010, the Procuring Entity informed potential bidders of the amendments to the evaluation criteria in which a Matrix was enclosed. As a result, the tender period was extended to September 2, 2010.

The OCG noted that the details of the referenced Matrix did not correspond with the evaluation criteria which were outlined in the Tender Document. In this regard, by way of a letter which was dated August 25, 2010, the OCG referred the Procuring Entity to Section III, Evaluation and Qualification Criteria, ITB 36.3 of the Tender Document, which explicitly stated that; *"No other criteria shall be used."*

In the foregoing regard, the OCG reiterated its position and recommended that the evaluation criteria and weightings be revised in accordance with the Tender Document and the bidders advised accordingly. It was further recommended that the tender period be extended in order to facilitate any substantive changes to the tenders. In response to the OCG's letter of August 25, 2010, the National Water Commission (NWC) advised the OCG, *inter alia*, that; *"...the Evaluation Criteria (ITB 36.3 (d) expressly states that "the Purchaser evaluation of a Bid may take into account in addition to the price quoted in accordance with ITB Clause 14.6 one or more...factors as specified in ITB Sub-Clause 36.3 (d)...the National Water Commission of the view that the weightings are still relevant; and therefore there is no need to extend the closing date of the tender."*

With regards to the foregoing, the OCG, by way of a letter which was dated September 2, 2010, advised the Procuring Entity that the Evaluation Criteria should be revised, as certain particulars which were stated in the Evaluation Criteria were either ambiguous or should be placed in the eligibility requirements. Notably, the Procuring Entity advised potential bidders, by way of a letter, which was dated August 31, 2010, that; *"...in order to address concerns raised by the Office of the Contractor-General, the Tender is now put on hold until further notice."*

With reference to the OCG's letter of September 2, 2010, the NWC advised the OCG that the evaluation criteria had been amended and that a cross functional multi-disciplinary evaluation team will be employed.

Under the cover of letter, which was dated September 10, 2010, the Procuring Entity submitted additional amendments to the Evaluation Criteria for the OCG to peruse.

By way of a letter, which was dated September 14, 2010, the OCG advised the Procuring Entity that it is generally satisfied that the revised Evaluation Criteria will facilitate an objective evaluation process. The OCG also recommended that the revised 'Evaluation and Weights' be submitted to all prospective bidders by way of an Addendum. This was subsequently undertaken on September 14, 2010. The deadline for submission was extended from September 2, 2010 to September 28, 2010 at 10:00 a.m.

At the close of tender, five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

Subsequent to the Tender Opening Ceremony, two (2) concerns were raised by the bidders, as follows:

- An expired Tax Compliance Certificate (TCC) was submitted by one (1) of the bidders. By way of an email, to the OCG, the bidder indicated that "...we had prepared the documentation for submission on September 2, 2010. At which time the TCC which was included was ok as it would expire on September 15, 2010. However, with the change in date for bid submission to the September 28, 2010 our newly issued TCC should have been included in the document."
- The second bidder had not submitted a Bid Security as prescribed by the Tender Document. The bidder indicated by way of an email to the OCG that; "Our absence was due to factors related to the inclement weather this failure affected our ability to present the bid security for our bid when our proposal was opened."

With regards to the foregoing, the OCG advised the Procuring Entity, by way of a letter which was dated October 6, 2010, that the determination of responsiveness resided with the Evaluation Committee of the Procuring Entity. Accordingly, this determination must be made in accordance with Sub-Section S-2120 of the GOJ Handbook of Public Sector Procurement Procedures (November 2008).

As at December 31, 2010, the evaluation process was not completed.

The OCG will continue to monitor this project.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 0.00	0000-00-00	0000-00-00	N/A	0000-00-00	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	N/A

STATUS Evaluation not yet 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)

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	53							
MINISTRY	Ministry of Water and Housing (MWH)							
PUBLIC BODY/ AGENCY	National Water Commission (NWC)							
PROJECT NAME	Procurement of Motor Vehicle							
PROJECT DESCRIPTION	The supply of 200 reliable and highly fuel-efficient Motor Vehicles (Category 1 and 2)							
PROJECT LOCATION	All Island							
CONTRACTOR	Executive Motors Limited							
CONSULTANT	N/A							
SOURCE OF FUNDING	Government of Jamaica (GOJ)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-10-23	US\$ 6,000,000.00	2009-03-23	Yes	Yes	2009-09-16	2009-08-17	2010-03-22

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised in September 2008.

There were six (6) categories of Motor Vehicles for which tenders were requested. These were as follows:

- Category 1 - 153 Double Cab Pick-ups;
- Category 2 - 20 Single Cab Pick-ups;
- Category 3 - 8 Small Panel Vans;
- Category 4 - 14 small 4x4s SUVs;
- Category 5 - 2 4x4 2.0 litre SUVs; and
- Category 6 - 3 15-Seater Mini-buses.

Tenders were to be submitted by October 23, 2008 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.

The Comparative Estimates per category were as follows:

- Category 1 - US\$5,500,000;
- Category 2 - US\$500,000;
- Category 3 - US\$183,000;
- Category 4 - US\$462,000;
- Category 5 - US\$90,000; and
- Category 6 - US\$ 140,000.

Subsequent to the evaluation, Executive Motors Limited was recommended for the award of contract for Categories 1 and 2.

The Head of Entity approved the recommendation for the award of contract on March 23, 2009.

Subsequently, in April 2009, the NWC sought the endorsement of the National Contracts Commission (NCC) to proceed with the purchase. Pursuant to the Ministry of Finance's Circular #11, NCC endorsement was not received as it was decided that the NWC would first need the approval of the Ministry of Finance and the Public Service (MO&FPS) for the procurement of motor vehicles.

The Cabinet, by way of a decision which was dated August 17, 2009, granted permission to the NWC to acquire the required Motor Vehicles. The NCC, in its meeting of September 16, 2009, noted that the approval of the Cabinet was received.

The Contract was signed on March 22, 2010.

The contract value was proposed in US Dollars, with a contract amount of US\$4,441,683.33.

The Purchase Orders were issued to Executive Motors Limited on June 10, June 22 and July 9, 2010, respectively. The cumulative value of the Purchase Orders amounted to J\$315,937,669.43.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 315,937,669.43	0000-00-00	2010-03-22	0	0000-00-00	2010-08-23	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
0	0	0	0	0	J\$ 315,937,669.43	0	0

STATUS The contract was 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)

A Status Report which was provided by the NWC indicated that all Motor Vehicles had been delivered to the NWC.

The delivery of the Motor Vehicles commenced in June 2010 and ended on August 23, 2010.

The Status Report further indicated that the units have been put in service.

As at December 31, 2010, the project was completed and all payments were made to the Contractor.

Delivery of procured items related to Category 6, was completed in 2009.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	54							
MINISTRY	Ministry of Water and Housing (MWH)							
PUBLIC BODY/ AGENCY	National Water Commission (NWC)							
PROJECT NAME	Procurement of Motor Vehicle							
PROJECT DESCRIPTION	The supply of 200 reliable and highly fuel-efficient Motor Vehicles (Category 3, 4 and 5)							
PROJECT LOCATION	All Island							
CONTRACTOR	Stewarts Auto Limited							
CONSULTANT	N/A							
SOURCE OF FUNDING	Government of Jamaica (GOJ)							
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2008-10-23	US\$ 735,000.00	2009-03-23	Yes	Yes	2009-09-16	2009-08-17	2010-03-03

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised in September 2008.

There were six (6) categories of Motor Vehicles for which tenders were requested. These were as follows:

- Category 1 - 153 Double Cab Pick-ups;
- Category 2 - 20 Single Cab Pick-ups;
- Category 3 - 8 Small Panel Vans;
- Category 4 - 14 small 4x4s SUVs;
- Category 5 - 2 4x4 2.0 litre SUVs; and
- Category 6 - 3 15-Seater Mini-buses.

Tenders were to be submitted by October 23, 2008 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.

The Comparative Estimates per category were as follows:

- Category 1 - US\$5,500,000;
- Category 2 - US\$500,000;
- Category 3 - US\$183,000;
- Category 4 - US\$462,000;
- Category 5 - US\$90,000; and
- Category 6 - US\$ 140,000.

Subsequent to the evaluation, Stewarts Auto Sales Limited was recommended for the award of contract for Categories 3, 4 and 5.

The Head of Entity approved the recommendation for the award of contract on March 23, 2009.

Subsequently, the NWC sought the endorsement of the National Contracts Commission (NCC) to proceed with the purchase. The NCC, at its meeting of April 29, 2009, and pursuant to the Ministry of Finance and the Public Service (MOF&PS) Circular #11, which restricted the purchase of motor vehicles, did not endorse the recommendation, as it was decided that the NWC would first need the approval of the MOF&PS for the procurement of motor vehicles.

The Cabinet, by way of a decision which was dated August 17, 2009, granted permission to the NWC to acquire the required Motor Vehicles. The NCC, in its meeting of September 16, 2009, noted that the approval of the Cabinet was received.

The NWC issued Purchase Orders to Stewarts Auto Sales Limited on March 3, March 24, April 9, April 19, and May 11, 2010 respectively.

The cumulative value of the Purchase Orders amounted to J\$58,816,551.67.

The OCG has noted that prior to the issuance of the aforementioned Purchase Orders; the NWC had issued Purchase Orders to Stewarts Auto Sales on September 29, 2009 and October 1, 2009, which had a cumulative value of US\$650,107.50.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 58,816,551.67	0000-00-00	2010-03-03	0	0000-00-00	2010-03-05	0	0
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
0	0	0	0	0	J\$ 58,816,551.67	0	0

STATUS The contract was 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)

A Status Report which was provided by the NWC indicated that all the Motor Vehicles were delivered to NWC.

The delivery of the Motor Vehicles commenced in December 2009 and ended in March 2010.

The Status Report further indicated that the units have been put in service.

As at December 31, 2010, the project was completed and all payments were made to the Contractor.

Delivery of procured items related to Category 6, was completed in 2009.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER	55
MINISTRY	Ministry of Water and Housing (MWH)
PUBLIC BODY/ AGENCY	National Water Commission (NWC)
PROJECT NAME	Procurement of Personal Computers and Associated Support Services for NWC's Customer Information System (CIS) ICB No.: KSA/S10
PROJECT DESCRIPTION	Supply of Personal Computers and Associated Support Services for Customer Information System (CIS)
PROJECT LOCATION	Kingston
CONTRACTOR	Fujitsu Caribbean (Jamaica) Limited
CONSULTANT	N/A
SOURCE OF FUNDING	Financing from the Inter-American Development Bank (IADB)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-03-03	US\$ 125,000.00	2010-07-19	Yes	Yes	0000-00-00	0000-00-00	2010-09-13

PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity which falls under the Kingston Water Sanitation Project 1559/ OC-JA of the National Water Commission (NWC) was advertised on January 20, 2010. Tenders were to be submitted by March 3, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m.

The items to be procured were divided into three (3) categories, as follows:

- Personal Computer Monitors (30 Units)/ Personal Computer CPUs (35 Units)
- Laptop Computers (27 Units)
- Computer Servers (2 Units)

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 undertaken. Subsequent to same, Fujitsu Caribbean (Jamaica) Limited was recommended for the award of contract, in the amount of US\$ 101,263.91 (including GCT).

The Head of Entity approved the recommendation for the award of contract on July 19, 2010.

The Contract was signed on September 13, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$ 82,362.05	0000-00-00	2010-09-21	30 Days	2010-10-21	2010-10-27	0000-00-00	0000-00-00

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	US\$ 82,362.07	J\$ 0.00	N/A
STATUS	As at December 31, 2010, the contract was 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)							
The OCG noted that the signed contract did not specify a timeframe for the execution of the contract. However, a Purchase Order, which was dated September 21, 2010, which was issued by the NWC indicated that there was a thirty (30) day period for delivery of the procured items. A Status Report which was provided by the NWC further indicated that the procured items were delivered on October 27, 2010. Payment to the Contractor was made on December 14, 2010.							

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		56						
MINISTRY		Ministry of Water and Housing (MWH)						
PUBLIC BODY/ AGENCY		National Water Commission (NWC)						
PROJECT NAME		Bulk Meter Installation Programme						
PROJECT DESCRIPTION		The NWC required Engineering and Construction Supervision Services to oversee the installation of electromagnetic meters at its major water production sources						
PROJECT LOCATION		All Island						
CONTRACTOR		N.O. Whyte and Associates						
CONSULTANT		N/A						
SOURCE OF FUNDING		NWC's "K" Factor Programme						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-07-16	J\$ 14,278,874.40	2010-04-06	Yes	N/A	2010-04-28	0000-00-00	2010-06-30
PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The procurement opportunity was advertised on May 18, 2009.</p> <p>Tenders were to be submitted by June 11, 2009 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:30 p.m. The deadline for submission was extended to July 2, 2009, in order to facilitate the National Water Commission (NWC) responses to requests for clarification. The deadline was further extended to July 16, 2009.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Two (2) of the tenders were deemed non-responsive for failure to satisfy the criteria which were required by the NWC. Of the two (2) remaining tenders, N.O. Whyte and Associates, was deemed the most responsive bidder, and was recommended for the award of contract.</p> <p>The recommendation for the award of contract was approved by the Head of Entity on April 6, 2010 and endorsed by the National Contracts Commission (NCC) on April 28, 2010.</p> <p>The Contract was signed on June 30, 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\$ 11,713,368.21	0000-00-00	2010-06-30	10 months	2011-04-30	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				
J\$ 11,813,912.14	J\$ 100,543.93	n/a	n/a	n/a	J\$ 4,527,048.38	n/a	n/a
STATUS	Contract was being 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)							
A Status Report which was submitted to the OCG, by the NWC, stated, inter alia, that; <i>"The original contract sum of J\$11,713,368.21 as at 2009 was revised to J\$11,813,912.14 as at contract signing on 30th June 2010 due to the increase in General Consumption Tax (GCT) from 16.5% to 17.5% effective January 1, 2010."</i>							
As at December 31, 2010, the Contractor was paid J\$4,527,048.38.							
The OCG will continue to monitor the implementation of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	57
MINISTRY	Ministry of Water and Housing (MWH)
PUBLIC BODY/ AGENCY	National Water Commission (NWC)
PROJECT NAME	Provision of Group Health, Life and Personal Accident Insurance
PROJECT DESCRIPTION	Provision of Life and Health Insurance for the staff of the National Water Commission (NWC) from March 1, 2010 - February 28, 2012.
PROJECT LOCATION	All Island
CONTRACTOR	Guardian Life Limited
CONSULTANT	Eckler Consultants and Actuaries
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-06-10	J\$ 234,800,000.00	2009-11-03	Yes	Yes	2009-12-02	2010-03-22	2010-04-23

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised in the Gleaner on April 1, 2009.

Tenders were to be submitted by April 29, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. By way of an Addendum, the deadline for submission was extended to June 10, 2009.

There were six (6) tenders which were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Of the tenders which were received, four (4) were from brokers, and two (2) from Life Insurance Companies.

The evaluation was conducted by Eckler, Consulting Actuaries, who were selected by way of the Limited Tender Procurement Methodology.

The referenced Consultants evaluated the tenders which were submitted and recommended that Guardian Life Limited be awarded the contracts for both the Group Health, and Life and Personal Accident insurance policies.

The Head of Entity approved the recommendation on November 3, 2009, in the amount of \$263,296,590.50 for Group Health and \$15,912,185.00 for Group Life and Personal Accident Insurance.

The NCC endorsed the recommendation for the award of contract on December 2, 2009.

The Cabinet granted its approval on March 22, 2010.

Documentation provided to the Office of the Contractor General (OCG) included Policy Documents for the Group Life Insurance and Group Personal Accident Insurance, which were signed on April 23, 2010. Also provided to the OCG was a copy of the Letter of Notification with regard to the award for the Health Insurance, which was issued to Guardian Life on April 13, 2010. As at the time of this report, a copy of the contract for Health Insurance was not presented to the OCG.

The OCG noted that the Contract became effective on March 1, 2010, prior to the date of the signing of the Policies.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 279,208,772.50	0000-00-00	2010-03-01	2 years	2012-02-28	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 215,742,119.76	J\$ 0.00	0
STATUS	Contract was being 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, 2010, the OCG was informed that the insurance coverage was being provided accordingly. The OCG will continue to monitor the implementation of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER		58						
MINISTRY		Office of the Cabinet						
PUBLIC BODY/ AGENCY		Office of Utilities Regulation (OUR)						
PROJECT NAME		Automation of the Telecommunications Information and Numbering Administration Functions						
PROJECT DESCRIPTION		Request for Expression of Interest-Consulting Services-Strengthening Competition in Telecommunications for Automation of the Telecommunications Information and Numbering Administration Functions.						
PROJECT LOCATION		Kingston						
CONTRACTOR		N/A						
CONSULTANT		Rabion Consultancy B.V.						
SOURCE OF FUNDING		Multilateral Investment Fund(MIF)/Inter-American Development Bank/GOJ						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE 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\$ 285,000.00	0000-00-00	N/A	N/A	2010-06-02	0000-00-00	2010-11-18
PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The Request for Expressions of Interest (EOIs) for Consulting Services was advertised on June 12, 2009. EOIs were to be submitted by July 2, 2009 at 3:00 p.m.</p> <p>Funding for this project was provided, in part, by the Multilateral Investment Fund (MIF) and administered by the Inter-American Development Bank (IDB). As such, the Request for Expressions of Interest indicated, <i>inter alia</i>, that; " <i>Consultants will be selected in accordance with the procedures set out in the Inter-American Development Bank: Policies for the Selection and Contracting of Consultants financed by the Inter-American Development Bank (current edition) and is opened to all eligible bidders as defined by the policies.</i>"</p> <p>The Office of Utilities Regulation (OUR), in a Status Report to the OCG indicated that four (4) EOIs were received prior to the deadline for submission. The IDB gave <i>no objection</i> to the four (4) firms which made a submission and consequently, on July 21, 2009, all were issued with a Request for Proposal (RFP).</p> <p>Proposals were to be submitted by September 1, 2009 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>The OUR, under the cover of letter which was dated February 8, 2010, provided information to the OCG, which indicated that two (2) proposals were received prior to the deadline for submission.</p> <p>The Technical evaluation was conducted on October 2, 2009. A minimum technical score of 80 points was required to be eligible for the next stage of the evaluation process. At the end of the Technical evaluation, neither of the two (2) proposals had achieved the minimum qualifying score. Consequently, both bids were rejected.</p> <p>Subsequently, the OUR, under the cover of letter which was dated May 31, 2010, provided information to the OCG, which indicated that, the IDB approved a revised RFP by way of a letter which was dated December 22, 2009. The OCG was further advised that the referenced revised RFP was subsequently sent directly to five (5) Consultants which were selected from the IDB approved shortlist of Consultants on March 11, 2010, namely:</p> <ul style="list-style-type: none"> • Rabion Consultancy B.V. (Netherlands); • PricewaterhouseCoopers (Jamaica); • Telecordia Technologies (USA); • Quality Information Systems Engineering (USA); and • Network Strategies (United Kingdom) <p>The proposals were to be submitted by April 12, 2010.</p> <p>Two (2) proposals were received and subsequently opened on the referenced date at 3:12 p.m.</p>								

The Technical evaluation was conducted on April 20, 2010. A minimum technical score of 80 points was required to be eligible for the next stage of the evaluation process.

Upon a review of the Evaluation Report, which was submitted to the OCG, under cover of letter which was dated May 31, 2010, the OCG found that; (1) proposal was deemed non-responsive as the submission was not in accordance with the requirements which were outlined in the RFP. (2) The other bidder, Rabion Consultancy BV (Netherlands), failed to achieve the minimum qualifying score. Consequently, both bids were rejected.

In light of the foregoing, the OUR requested a "no objection" from the National Contracts Commission (NCC) to engage the services of Rabion Consultancy BV (Netherlands).

The OUR indicated that although the firm had not attained the minimum required technical score of 80 points, the Entity was of the view that the score was sufficiently high on the technical side to allow for a second review of the proposal. The NCC requested clarification with regards to such issues, and consequent to the receipt of same, the NCC, in its meeting of June 23, 2010, recommended that the OUR abort the tender process and negotiate with Rabion Consultancy BV (Netherlands) to ensure that the deficiencies which were identified in the Technical proposal were addressed. The OUR also received the IDB's 'no objection' to this procedure.

A Status Report from the OUR indicated that the Letter of Invitation, Terms of Reference and Draft Contract were sent to Rabion Consultancy BV, and that the Consultant was requested to respond by August 6, 2010. The Status Report further indicated that; "...after careful assessment and negotiations, the OUR and Rabion Consultancy signed a contract. The contract came into effect on November 18, 2010 having received the 'no objection' from the IDB to the terms and Conditions of the Contract on October 11, 2010."

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
US\$ 130,053.00	0000-00-00	2010-11-18	18 Weeks	2011-03-25	0000-00-00	0000-00-00	0000-00-00
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 0.00	US\$ 11,656.00	US\$ 0.00	0

STATUS Contract was being 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, 2010, Rabion Consultancy BV (Netherlands) has received its first two (2) tranche of payments which were made directly by the IDB.

The OCG will continue to monitor the implementation of the Contract.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		59						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		e-Learning Jamaica Limited						
PROJECT NAME		Procurement for the Supply of Instructional Videos						
PROJECT DESCRIPTION		Supply of Instructional Videos - Lot 3 and 5						
PROJECT LOCATION		Kingston						
CONTRACTOR		Zed Jamaica Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Universal Access Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-04-15	J\$ 10,000,000.00	2010-08-23	Yes	Yes	0000-00-00	0000-00-00	2010-08-23

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Request for Proposals (RFP) was advertised on March 7, 2010.

Service providers were invited to develop, produce, evaluate, revise and provide supporting documentation for instructional videos, each of 20 minutes duration, as follows:

- Lot 1: Building Technology/Woods
- Lot 2: Building Technology/Construction
- Lot 3: Physics
- Lot 4: Geography
- Lot 5: Integrated Science
- Lot 6: Social Studies
- Lot 7: Spanish

Bidders were required to submit pre-qualification information, a Technical and Financial Proposal, by the close of tender which was scheduled for March 31, 2010 at 3:00 p.m.

Four (4) bidders submitted proposals on two (2) or more Lots.

Notably, the tender document stated that "*Bidders...may bid for any, some or all lots. No bidder shall be awarded more than two contracts.*"

In accordance with the evaluation criteria which were outlined in the RFP, pre-qualification responses that had attained 70% or greater would be accepted and be subject to further evaluation of the Technical proposal. Accordingly all submissions pre-qualified.

The Technical Proposals were opened on April 15, 2010, and evaluated in accordance with the evaluation criteria which were outlined in the RFP.

Subsequent to the evaluation of the Technical Proposals, the opening of the Financial Proposals was undertaken on May 11, 2010.

The computed score from the Technical Proposals and the Financial Proposals were completed in accordance with the provisions of the RFP. Zed Limited, the sole bidder for Lot 3, was recommended for the award of contract for the said Lot. Additionally, Zed Limited received the highest overall score for Lot 5, and was also recommended for the award of contract.

The Procurement Committee approved the recommendation for the award of contract on July 14, 2010.

There was no evidence that the Head of Entity approval was received prior to the award of contract of August 23, 2010.

In this regard, the Procuring Entity has advised the OCG that, in keeping with its internal approval process for amounts that are under the Head of Entity's approval threshold, the recommendation for award of contract is usually sent to the Procurement Committee for approval, thereafter, the contract would be signed by the Head of Entity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 9,980,000.00	0000-00-00	2010-08-23	1 Year	2011-07-31	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
J\$ 0.00	J\$ 0.00	LABOUR	MATERIAL	J\$ 0.00	J\$ 99,800.00	J\$ 0.00	N/A

STATUS Contract was being executed.

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)

By way of a letter which was dated November 10, 2010, the Procuring Entity advised the OCG that production had commenced.

As at December 31, 2010, a mobilization fee of ten percent (10%) was paid.

The OCG will continue to monitor the execution of the Contract.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		60						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		e-Learning Jamaica Limited						
PROJECT NAME		Procurement for the Supply of Instructional Videos						
PROJECT DESCRIPTION		Supply of Instructional Videos - Lot 4 and 7						
PROJECT LOCATION		Kingston						
CONTRACTOR		Creative Production and Training Centre Limited (CPTC)						
CONSULTANT		N/A						
SOURCE OF FUNDING		Universal Access Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-04-15	J\$ 5,000,000.00	2010-08-23	Yes	Yes	0000-00-00	0000-00-00	2010-08-23

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Request for Proposals (RFP) was advertised on March 7, 2010.

Service providers were invited to develop, produce, evaluate, revise and provide supporting documentation for instructional videos, each of 20 minutes duration, as follows:

- Lot 1: Building Technology/Woods
- Lot 2: Building Technology/Construction
- Lot 3: Physics
- Lot 4: Geography
- Lot 5: Integrated Science
- Lot 6: Social Studies
- Lot 7: Spanish

Bidders were required to submit pre-qualification information, a Technical and Financial Proposal, by the close of tender which was scheduled for March 31, 2010 at 3:00 p.m.

Four (4) bidders submitted proposals on two (2) or more Lots.

Notably, the tender document stated that; *"Bidders...may bid for any, some or all lots. No bidder shall be awarded more than two contracts."*

In accordance with the evaluation criteria which were outlined in the RFP, pre-qualification responses that attained 70% or greater would be accepted and be subjected to further evaluation of the Technical proposal. Accordingly, all submissions pre-qualified.

The Technical Proposals were opened on April 15, 2010, and evaluated in accordance with the evaluation criteria which were outlined in the RFP.

Subsequent to the evaluation of the Technical Proposals, the opening of the Financial Proposals was undertaken on May 11, 2010.

The computed score from the Technical Proposals and the Financial Proposals were completed in accordance with the provisions of the RFP. CPTC was recommended for the contract award for Lot 4 and 7, although Zed Limited received the highest overall score for both Lots. This recommendation was in keeping with the stipulations of the RFP, as Zed Limited was already recommended for two (2) contract awards.

The Procurement Committee approved the recommendation for the award of contract on July 14, 2010.

There was no evidence that the Head of Entity approval was received prior to the award of contract of August 23, 2010.

In this regard, the Procuring Entity has advised the OCG that in keeping with its internal approval process for amounts that are under the Head of Entity's approval threshold, the recommendation for award of contract is usually sent to the Procurement Committee for approval, which thereafter, the contract would be signed by the Head of Entity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 10,000,000.00	0000-00-00	2010-08-23	1 Year	2011-07-31	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 100,000.00	J\$ 0.00	N/A

STATUS Contract was being executed.

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)

By way of a letter which was dated November 10, 2010, the Procuring Entity advised the OCG that production had commenced.

As at December 31, 2010, a mobilisation fee of ten percent (10%) was paid.

The OCG will continue to monitor the execution of the Contract.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		61						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		e-Learning Jamaica Limited						
PROJECT NAME		Procurement for the Supply of Instructional Videos						
PROJECT DESCRIPTION		Supply of Instructional Videos - Lot 6						
PROJECT LOCATION		Kingston						
CONTRACTOR		Orange Valley Holdings Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Universal Access Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-04-15	J\$ 5,000,000.00	2010-08-23	Yes	Yes	0000-00-00	0000-00-00	2010-08-23

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Request for Proposals (RFP) was advertised on March 7, 2010.

Service providers were invited to develop, produce, evaluate, revise and provide supporting documentation for instructional videos, each of 20 minutes duration, as follows:

- Lot 1: Building Technology/Woods
- Lot 2: Building Technology/Construction
- Lot 3: Physics
- Lot 4: Geography
- Lot 5: Integrated Science
- Lot 6: Social Studies
- Lot 7: Spanish

Bidders were required to submit pre-qualification information, a Technical and Financial Proposal, by the close of tender which was scheduled for March 31, 2010 at 3:00 p.m.

Four (4) bidders submitted proposals on two (2) or more Lots.

Notably, the tender document stated that; *"Bidders...may bid for any, some or all lots. No bidder shall be awarded more than two contracts."*

In accordance with the evaluation criteria which were outlined in the RFP, pre-qualification responses that attained 70% or greater would be accepted and be subjected to further evaluation of the Technical proposal. Accordingly all submissions pre-qualified.

The Technical Proposals were opened on April 15, 2010, and evaluated in accordance with the evaluation criteria which were outlined in the RFP.

Subsequent to the evaluation of the Technical Proposals, the opening of the Financial Proposals was undertaken on May 11, 2010.

The computed score from the Technical Proposals and the Financial Proposals were completed in accordance with the provisions of the RFP. Orange Valley Holdings was recommended for the contract award for Lot 4, although CPTC received the highest overall score for this Lot. This recommendation was in keeping with the stipulations of the RFP as CPTC was already recommended for two (2) contract awards.

The Procurement Committee approved the recommendation for the award of contract on July 14, 2010.

There was no evidence that the Head of Entity's approval was received prior to the award of contract of August 23, 2010.

In this regard, the Procuring Entity has advised the OCG that in keeping with its internal approval process for amounts that are under the Head of Entity's approval threshold, the recommendation for award of contract is usually sent to the Procurement Committee for approval, thereafter, the contract would be signed by the Head of Entity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 4,100,000.00	0000-00-00	2010-08-23	1 Year	2011-07-31	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
J\$ 0.00	J\$ 0.00	LABOUR	MATERIAL	J\$ 0.00	J\$ 41,000.00	J\$ 0.00	N/A

STATUS Contract was being executed.

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)

By way of a letter which was dated November 10, 2010, the Procuring Entity advised the OCG that production had commenced.

As at December 31, 2010, a mobilisation fee of ten percent (10%) was paid.

The OCG will continue to monitor the execution of the Contract.

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Pre and Post-Contract as at December 2010

PROJECT NUMBER		62						
MINISTRY		Office of the Prime Minister						
PUBLIC BODY/ AGENCY		e-Learning Jamaica Limited						
PROJECT NAME		Procurement for the Supply of Instructional Videos						
PROJECT DESCRIPTION		Supply of Instructional Videos - Lot 1 and 2						
PROJECT LOCATION		Kingston						
CONTRACTOR		Makeyla Solutions Limited						
CONSULTANT		N/A						
SOURCE OF FUNDING		Universal Access Fund						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-04-15	J\$ 10,000,000.00	2010-08-23	Yes	Yes	0000-00-00	0000-00-00	2010-08-23

PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The Request for Proposals (RFP) was advertised on March 7, 2010.

Service providers were invited to develop, produce, evaluate, revise and provide supporting documentation for instructional videos, each of 20 minutes duration, as follows:

- Lot 1: Building Technology/Woods
- Lot 2: Building Technology/Construction
- Lot 3: Physics
- Lot 4: Geography
- Lot 5: Integrated Science
- Lot 6: Social Studies
- Lot 7: Spanish

Bidders were required to submit pre-qualification information, a Technical and Financial Proposal, by the close of tender which was scheduled for March 31, 2010 at 3:00 p.m.

Four (4) bidders submitted proposals on two (2) or more Lots.

Notably, the tender document stated that; *"Bidders...may bid for any, some or all lots. No bidder shall be awarded more than two contracts."*

In accordance with the evaluation criteria which were outlined in the RFP, pre-qualification responses that attained 70% or greater would be accepted and be subjected to further evaluation of the Technical proposal. Accordingly all submissions pre-qualified.

The Technical Proposals were opened on April 15, 2010, and evaluated in accordance with the evaluation criteria which were outlined in the RFP.

Subsequent to the evaluation of the Technical Proposals, the opening of the Financial Proposals was undertaken on May 11, 2010.

The computed score from the Technical Proposals and the Financial Proposals were completed in accordance with the provisions of the RFP. Makeyla Solutions, the sole bidder for Lots 1 and 2, was recommended for the award of contract.

The Procurement Committee approved the recommendation for the award of contract on July 14, 2010.

There was no evidence that the Head of Entity's approval was received prior to the award of contract of August 23, 2010.

In this regard, the Procuring Entity has advised the OCG that in keeping with its internal approval process for amounts that are under the Head of Entity's approval threshold, the recommendation for award of contract is usually sent to the Procurement Committee for approval, thereafter, the contract would be signed by the Head of Entity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 10,000,000.00	0000-00-00	2010-08-23	1 Year	2010-07-31	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 100,000.00	J\$ 0.00	N/A
STATUS	Contract was being executed.						
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)							
By way of a letter, which was dated November 10, 2010, the Procuring Entity advised the OCG that production had commenced.							
As at December 31, 2010, a mobilisation fee of ten percent (10%) was paid.							
The OCG will continue to monitor the execution of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER		63						
MINISTRY		Office of the Prime Minister (OPM)						
PUBLIC BODY/ AGENCY		National Housing Trust (NHT)						
PROJECT NAME		Provision of Insurance Services						
PROJECT DESCRIPTION		The supply of Insurance Services for seventeen (17) classes of Insurance including Commercial, Motor Vehicle and Liability for all NHT branches						
PROJECT LOCATION		All Island						
CONTRACTOR		CGM Gallagher Insurance Brokers (Jamaica) Limited						
CONSULTANT		GFRAM Consulting Limited						
SOURCE OF FUNDING		NHT's Cash Reserve and Collections from Mortgagors						
PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-01-06	J\$ 461,000,000.00	2009-02-19	Yes	Yes	2009-03-11	2009-03-30	2009-05-19
PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).								
<p>The procurement opportunity was advertised in October 2008. Tenders were to be submitted by January 6, 2010 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>The evaluation was conducted by GFRAM Consulting Limited, who was selected by way of the Limited Tender Procurement Methodology, in accordance with the requirements of the GOJ Procurement Guidelines. GFRAM Consulting Limited reviewed the tenders and recommended that CGM Gallagher Insurance Brokers (Ja) Limited be awarded the contract.</p> <p>The Head of Entity approved the recommendation on February 2, 2009.</p> <p>The National Contracts Commission (NCC) endorsed the recommendation for the award of contract on March 11, 2009.</p> <p>The Cabinet granted its approval on March 30, 2009.</p> <p>The premium for the period April 1, 2009 - March 31, 2010, was \$424,871,239.75 (excluding taxes).</p> <p>The Contract was signed on May 5, 2009.</p>								
CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN	
J\$ 424,871,239.75	0000-00-00	2009-04-01	3 years	2012-03-31	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				
J\$ 438,807,441.70	J\$ 13,936,202.02	0	0	0	J\$ 438,807,441.70	0	0
STATUS	Contract was being 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 for the 2009-2010 contract period amounted to J\$438,807,441.70, exclusive of GCT. An additional amount of J\$13,936,202.02 was paid for the 2009-2010 premium, and was reportedly due to adjustments to the declared values of some property.							
By way of letter dated September 30, 2010, the OCG was advised that the NHT Insurance Portfolio was renewed for the period April 1, 2010 to March 31, 2011 at a cost of J\$556,479,117.11 and US\$ 101,075.00, respectively.							
The Broker reportedly went to market during January 2010, and the policies were renewed with American Home Assurance Co, West Indies Alliance, British Caribbean Insurance Co, and Lloyd's Syndicate – Market International Limited.							
The Office of the Contractor General will continue to monitor the implementation of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	64
MINISTRY	Office of the Prime Minister (OPM)
PUBLIC BODY/ AGENCY	National Housing Trust (NHT)
PROJECT NAME	Supply of Sanitary Fixtures & Fittings
PROJECT DESCRIPTION	Supply of Sanitary Fixtures & Fittings for the refurbishing of sixteen (16) washrooms at the NHT Head Office
PROJECT LOCATION	Kingston
CONTRACTOR	Marketing Consultant Services
CONSULTANT	BGW Cawston & Partners
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2009-11-09	J\$ 10,725,940.00	0000-00-00	Yes	Yes	0000-00-00	0000-00-00	2010-03-28

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised in October 2009. Tenders were to be submitted by November 9, 2009 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.

The Evaluation Report which was submitted to the OCG, by the NHT, indicated that bidders were asked to confirm their respective tender amounts, given the difference between the proposed sums and the Comparable Estimate. The referenced Report stated, *inter alia*, that; "All three tenderers responded positively as standing by the tender sums quoted."

Marketing Consultant Services, the lowest evaluated bidder, was recommended for the award of contract.

The recommendation was approved by the Procurement Committee on February 1, 2010.

The OCG was not provided with any documentation to suggest that the approval of the Head of Entity was received for the procurement opportunity.

The Contract was signed on March 28, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 6,129,811.79	0000-00-00	2010-03-24	4 Weeks	2010-04-30	2010-04-29	0000-00-00	0000-00-00
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 6,126,811.19	J\$ 0.00	6 Months

STATUS Contract was completed and full payment made to the Contractor.

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)

Delivery of the procured items was undertaken in accordance with the agreed schedule and full payment was made to the Contractor.

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	65
MINISTRY	Office of the Prime Minister (OPM)
PUBLIC BODY/ AGENCY	National Land Agency (NLA)
PROJECT NAME	Provision of Services for Cadastral Surveying of Land Settlements
PROJECT DESCRIPTION	Provision of Services for Cadastral Surveying of Land Settlements - Lot 1
PROJECT LOCATION	Portland
CONTRACTOR	Llewellyn Allen & Associates
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-14	J\$ 12,040,000.00	2010-08-09	Yes	N/A	2010-11-03	0000-00-00	2010-12-01

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

Commissioned Land Surveyors were invited to submit tenders for the provision of Cadastral Surveying for the following three (3) Lots:

- Lot 1 - Lennox, Portland - 172 lots in Scheme
- Lot 2 - Bronte, Clarendon - 58 lots in Scheme
- Lot 3 - Hazelymph, St. James/ Hanover - 58 lots in Scheme

Tenders were to be submitted by June 3, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m. The deadline for submission was however, extended to June 14, 2010, due to civil unrest in the Corporate Area.

One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The sole bidder, Llewellyn Allen & Associates, submitted a proposal for all three (3) Lots.

Subsequent to the evaluation of the tender, Llewellyn Allen & Associates was recommended for the award of contract for Lots 1 and 3. The Evaluation Committee recommended that Lot 2 be re-tendered, as the cost which was proposed was significantly higher than the Comparative Estimate.

The approval of the Procurement Committee and the Head of Entity were received for the award of contract for Lot 1 to Llewellyn Allen & Associates, in the amount of \$12,094,524.00.

The National Contracts Commission (NCC), in its meeting of November 3, 2010, endorsed the recommendation for the award of the contract.

The Contract for Lot 1 was executed on December 1, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 12,094,524.00	0000-00-00	2010-12-01	16 weeks	2011-03-21	0000-00-00	0000-00-00	0

REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	3 months
STATUS	Contract was being 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, 2010, the Contract was being implemented and payment had not been made to the Contractor.							
The OCG will continue to monitor the implementation of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	66
MINISTRY	Office of the Prime Minister
PUBLIC BODY/ AGENCY	National Land Agency
PROJECT NAME	Provision of Services for Cadastral Surveying of Land Settlements
PROJECT DESCRIPTION	Provision of Services for Cadastral Surveying of Land Settlements - Lot 3
PROJECT LOCATION	Saint James
CONTRACTOR	Llewelyn L. Allen & Associates
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-06-14	J\$ 6,960,000.00	2010-08-09	Yes	N/A	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.).

Commissioned Land Surveyors were invited to submit tenders for the provision of Cadastral Surveying for the following three (3) Lots:

- Lot 1 - Lennox, Portland - 172 lots in Scheme
- Lot 2 - Bronte, Clarendon - 58 lots in Scheme
- Lot 3 - Hazelymph, St. James/ Hanover - 58 lots in Scheme

Tenders were to be submitted by June 3, 2010 at 11:00 a.m., followed by a scheduled Tender Opening Ceremony at 11:15 a.m. The deadline for submission was however, extended to June 14, 2010, due to civil unrest in the Corporate Area.

One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The sole bidder, Llewellyn Allen & Associates, submitted a proposal for all three (3) Lots.

Subsequent to the evaluation of the tender, Llewellyn Allen & Associates was recommended for the award of contract for Lots 1 and 3. The Evaluation Committee recommended that Lot 2 be re-tendered, as the cost which was proposed was significantly higher than the Comparative Estimate.

The approvals of the Procurement Committee and the Head of Entity were received for the award of contract for Lot 3, in the amount of \$7,979,055.50.

The Contract for Lot 3 was executed on September 1, 2010.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 7,979,055.50	0000-00-00	2010-09-01	15 weeks	2010-12-17	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 6,383,244.40	J\$ 0.00	3 months
STATUS	Contract was being 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)							
A Status Report from the National Land Agency (NLA) indicated that the Contractor had submitted the Plan on December 13, 2010. The Agency also indicated that 80% of the contract sum was paid to the Contractor in December 2010. As at December 31, 2010, NLA was in the process of verifying the Plan. The OCG will continue to monitor the implementation of the Contract.							

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	67
MINISTRY	Office of the Prime Minister (OPM)
PUBLIC BODY/ AGENCY	Statistical Institute of Jamaica (STATIN)
PROJECT NAME	Procurement of Printing and Data Processing Services for 2011 Population and Housing Census
PROJECT DESCRIPTION	Printing and Data Processing Services for 2011 Population and Housing Census
PROJECT LOCATION	Kingston
CONTRACTOR	N/A
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-09-09	J\$ 152,370,000.00	2010-10-13	Yes	Yes	2010-10-27	2010-12-21	0000-00-00

PRE-CONTRACT COMMENTS: Contractor Selection and Award Process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity 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.

The procurement process was conducted by way of the Two-Envelope System in which bidders were required to submit a Technical and Financial Proposal. Tenders which obtained a score of eighty-five percent (85%) for the Technical Proposal was subsequently subjected to an evaluation of the Financial Proposal.

Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

By way of a letter which was dated September 15, 2011, the Procuring Entity requested the advice of the Office of the Contractor-General (OCG) with regard to a breach in procedure. The Procuring Entity indicated that; "...one of the senior Information and Technology Officers opened the envelopes containing the Financial Proposals in error. Notwithstanding the opening of the envelopes, the contents were not examined by the Officer or anyone else."

With regard to the foregoing, the OCG recommended that the Procuring Entity outline the details of the referenced discrepancy in the Evaluation Report.

By way of a letter which was dated September 28, 2010, the Procuring Entity advised the OCG that; "We are hereby confirming that the meeting of September 23, 2010 was held at the behest of STATIN to notify all bidders of the breach in procedures that occurred. We apologized for the breach and requested the support of all three bidders, who were represented, in dealing with the matter."

The evaluation of the Technical Proposals was subsequently conducted in accordance with the evaluation criteria which were outlined in the Tender Document. Two (2) bidders obtained the requisite qualifying score, which resulted in the opening of their respective Financial Proposals.

The opening of the Financial Proposals was held on October 11, 2010. The Financial Proposals were evaluated in accordance with the Tender Document.

The final scores were computed and the bidder with the higher overall score was recommended for the award of contract.

The Head of Entity approved the recommendation for the award of contract on October 13, 2010. However, the Procurement Committee's approval was not evidenced.

As at December 31, 2010, the award of contract was pending.

The Office of the Contractor-General will continue to monitor the procurement opportunity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 0.00	0000-00-00	0000-00-00	N/A	0000-00-00	0000-00-00	N/A	N/A
REVISED CONTRACT SUM	NET VARIATION COST	FLUCTUATION COST		COST OVERRUN	EXPENDITURE TO DATE	SUM LIQUIDATED DAMAGES	DEFECTS LIABILITY PERIOD
		LABOUR	MATERIAL				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	N/A
STATUS	Contract award 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 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	68
MINISTRY	Office of the Prime Minister (OPM)
PUBLIC BODY/ AGENCY	The Planning Institute of Jamaica (PIOJ)
PROJECT NAME	Civil Registration and Vital Statistics Modernization Programme
PROJECT DESCRIPTION	A consultant was sought to provide services to develop a system which would ensure that Jamaica's Civil Registration and Vital Statistics System produces valid and reliable statistics in keeping with international standards.
PROJECT LOCATION	All Island
CONTRACTOR	N/A
CONSULTANT	N/A
SOURCE OF FUNDING	Inter-American Development Bank (IADB) and the Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Open Tender	2010-12-17	US\$ 645,300.00	0000-00-00	N/A	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.).

The procurement opportunity was advertised on October 3, 2010. The Government of Jamaica (GOJ) received financing from the Inter-American Development Bank (IDB) and intends to apply part of the proceeds to payments under the project.

The deadline for the submission of Expression of Interest (EOI) was October 26, 2010.

Nine (9) Consulting firms responded to the Expression of Interest. Of the nine (9) firms, one (1) was deemed non-responsive and was disqualified for failing to meet the eligibility criterion of being from an IDB member country. The remaining eight (8) Consulting firms were short-listed and were issued a Request for Proposals (RFP).

The deadline for submission was December 17, 2010 at 10:00 a.m.

Of the eight (8) bidders who were issued a RFP, three (3) submitted a proposal at the close of tender. The referenced proposals were opened and verified in accordance with the eligibility requirements which were outlined in the RFP.

As at December 31, 2010, the tender evaluation process had not begun.

The OCG will continue to monitor the procurement opportunity.

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 0.00	0000-00-00	0000-00-00	6 months	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	0	J\$ 0.00	J\$ 0.00	J\$ 0.00	0

STATUS Evaluation not 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)

N/A

ANNUAL REPORT 2010

Pre and Post-Contract as at December 2010

PROJECT NUMBER	69
MINISTRY	Office of the Prime Minister (OPM)
PUBLIC BODY/ AGENCY	Urban Development Corporation (UDC)
PROJECT NAME	Auditing Services
PROJECT DESCRIPTION	Procurement of Audit Services for the UDC, its active Subsidiaries and Associated Company.
PROJECT LOCATION	Kingston
CONTRACTOR	KPMG
CONSULTANT	N/A
SOURCE OF FUNDING	Government of Jamaica (GOJ)

PROCUREMENT METHOD	TENDER OPENING DATE	COMPARATIVE ESTIMATE	HEAD OF ENTITY APPROVAL DATE	DOCUMENT SUBMISSION		NCC ENDORSEMENT DATE	CABINET APPROVAL DATE	CONTRACT AWARD DATE
				TCC	NCC			
Selective Tender	2010-02-12	J\$ 140,000,000.00	2010-04-26	Yes	Yes	2010-04-28	2010-05-31	2010-07-05

PRE-CONTRACT COMMENTS: Contractor selection and Award process (Advertisement, Evaluation of Tender, Transparency, Fairness, Value for money, etc.).

The procurement opportunity was advertised on January 17, 2010. Tenders were to be submitted by February 12, 2010 at 1:00 p.m., followed by a scheduled Tender Opening Ceremony at 1:30 p.m.

Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.

In accordance with the evaluation criteria which were outlined in the Tender Document, and subsequent to the evaluation of the bids, the highest scored bidder, KPMG, was recommended for the award of contract, in the sum of J\$90,374,585.00.

The Head of Entity approved the recommendation for the award of contract on April 26, 2010.

The National Contracts Commission (NCC), in its meeting of April 28, 2010, endorsed the recommendation for the award of contract.

The Cabinet granted its approval on May 31, 2010.

The Contract was executed on July 5, 2010.

In accordance with the terms and condition of the Contract, the five-year contract price, in addition to recoverable out of pocket expenses which is not expected to exceed 1½% of Audit fees, is J\$86,751,000.00 (exclusive of GCT).

CONTRACT SUM	POSSESSION OF SITE DATE	PROJECT START DATE	PROJECT DURATION	SCHEDULED COMPLETION DATE	ACTUAL COMPLETION DATE	EXTENSION OF TIME	TIME OVERRUN
J\$ 86,751,000.00	0000-00-00	2010-07-05	5 years	2015-07-04	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				
J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 0.00	J\$ 11,127,274.54	J\$ 0.00	0

STATUS Contract was being 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, 2010, the Contractor was paid J\$11,127,274.54.

The OCG will continue to monitor the implementation of the Contract.

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APPENDIX IV - 2010 NCC ENDORSEMENTS OF CONTRACT AWARD RECOMMENDATIONS

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
MINISTRY OF AGRICULTURE								
1	Ministry of Agriculture and Fisheries	03.02.10	The provision of Security Services.	GOJ	Allied Protection Limited	Services	ST	37,665,345.00
2	Ministry of Agriculture and Fisheries	10.02.10	Sole Source Procurement for the supply of 36,000 Jute Bags.	GOJ	Harris Freeman & Company	Goods	SS	4,652,551.20
3	Ministry of Agriculture (Agricultural Support Services Project)	24.02.10	Variation to 3670 for expansion works at the export facility at Plumb Point Norman Manley Warehouse.	IADB	Howard Construction Co Limited	Works	ST	5,079,473.80
4	Sugar Industry Authority	12.05.10	Sole Source Procurement for the supply of Near Infra Red Polarimeters.	EC	Optical Activity, U.K.	Goods	SS	38,000,000.00
5	Ministry of Agriculture and Fisheries	21.07.10	Direct Contract for the construction of Pepper Mash Facility at Hounslow in the parish of St. Elizabeth.	AGF / DBJ	Tankweld Limited	Works	DC	48,286,128.78
6	Ministry of Agriculture & Fisheries	28.07.10	Direct Contracting for the rehabilitation of the Ministry of Agriculture & Fisheries Telecommunication System.	GOJ	Digicel Jamaica Limited	Services	DC	10,700,000.00
7	Ministry of Agriculture and Fisheries	08.12.10	The rehabilitation of roads at Cranefield to Darlingford in the parish of Portland - Gustav Farm Road Rehabilitation Project.	USAID / GOJ	Alcar Construction and Haulage Company Limited	Works	ST	21,219,500.00
8	Ministry of Agriculture and Fisheries	08.12.10	The rehabilitation of roads at Hodges and Spring Vale in the parish of St. Elizabeth - Gustav Farm Road Rehabilitation Project.	USAID / GOJ	Maxwell Construction	Works	ST	18,277,875.00
9	Ministry of Agriculture and Fisheries	15.12.10	The rehabilitation of roads at Guava Ridge to Flamstead in the parish of St. Andrew - Gustav Farm Road Rehabilitation Project.	USAID / GOJ	Marshall Construction Company Limited	Works	ST	23,000,000.00
10	Ministry of Agriculture and Fisheries	15.12.10	The rehabilitation of roads at Peters Hill to Clifton Hill in the parish of Portland - Gustav Farm Road Rehabilitation Project.	USAID / GOJ	Millers Electrical & Construction Company Limited	Works	ST	19,800,000.00

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
11	Ministry of Agriculture and Fisheries	15.12.10	The rehabilitation of roads at Bangor Ridge to Spring Hill in the parish of Portland - Gustav Farm Road Rehabilitation Project.	USAID / GOJ	Alcar Construction & Haulage Co Limited	Works	ST	18,912,436.00
MINISTRY OF EDUCATION								
1	Ministry of Education	13.01.10	The construction of a four (4) classroom block at the Marcus Garvey Technical High School in the parish of St. Ann.	GOJ	Melody Heavy Equipment & Construction.	Works	ST	12,830,433.50
2	Ministry of Education	13.01.10	The provision of Computerized Examination Data Processing Services for the Student Assessment Unit.	GOJ	DPK Information Systems (Ja.) Limited	Services	ST	21,825,291.00
3	Ministry of Education - School Feeding Programme	13.01.10	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	Palm Rose Commodities Limited	Goods	ST	37,365,000.00
4	Ministry of Education - School Feeding Programme	13.01.10	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	Palm Rose Commodities Limited	Goods	ST	13,262,650.00
5	Heart Trust/NTA	20.01.10	The provision of Security Services.	HT / NTA	Sentry Services Security Limited	Services	ST	18,673,056.00
6	Heart Trust/NTA	20.01.10	The provision of Group Life and Accidental Death and Dismemberment (AD & D) Insurance for three (3) years.	HT / NTA	Sagcor Life Jamaica Limited	Services	ST	10,160,895.00
7	University Hospital of the West Indies	27.01.10	Sole Source Procurement of Audit Services for the years 2006 - 2009.	UHWI	KPMG	Services	SS	7,774,241.00
8	Heart Trust/NTA	03.02.10	Direct Contracting for the upgrading of existing telephone system at the Runaway Bay Heart Hotel.	HT / NTA	LIME Jamaica Limited	Services	DC	4,757,728.40
9	University of Technology, Jamaica	03.02.10	Sole Source Procurement for the modification to structures at the University of Technology, Jamaica.	UTECH	PALAG Caribbean Limited	Works	SS	9,960,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
10	Ministry of Education	03.02.10	The construction of a four (4) classroom block at the Penwood High School.	GOJ	Alfrasure Structures & Roofing Limited	Works	OT	16,410,045.00
11	Ministry of Education	24.02.10	Sole Source Procurement of two (2) Scantron Insight, seventy (70) Scanners and the provision of training to the Student Assessment Unit.	GOJ	IBM World Wide Trade Corporation	Services	SS	US \$349,602.00
12	Ministry of Education	03.03.10	Variation to 3946 for the procurement and the distribution of segments 6, 9 to 13 and 15 secondary schools textbooks.	GOJ	Sangster's Bookstores Limited	Goods	ST	4,509,089.20
13	Ministry of Education	03.03.10	Variation to 3944 for the procurement and the distribution of segments 2, 3, 5, 8, and 14 secondary schools textbooks.	GOJ	Kingston Bookshop Limited	Goods	ST	17,666,465.94
14	Ministry of Education	03.03.10	Variation to 3943 for the procurement and the distribution of segments 1 and 4 secondary schools textbooks.	GOJ	Carlong Publishers (Caribbean) Limited	Goods	ST	16,233,749.40
15	Ministry of Education	03.03.10	Variation to 3945 for the procurement and the distribution of segments 7, 16 and 17 secondary schools textbooks.	GOJ	Book Wizard Limited	Goods	ST	7,455,528.75
16	University of Technology, Jamaica	03.03.10	The supply and delivery of Computer Hardware (Personal Computers, Laptops and Workstations).	GOJ	Illuminat Jamaica Limited	Goods	ST	16,391,739.00
17	University of Technology, Jamaica	14.04.10	Direct Contracting for Consultant to conduct two (2) professional development seminars on Academic Faculty Evaluation at the University of Technology, Jamaica.	UTECH	Dr. Raoul Arreola	Services	DC	3,924,505.00
18	Nutrition Products Limited	21.04.10	Direct Contracting for the supply of Packaging Materials and leasing of two (2) refurbished Filling Machines to be utilized by Nutrition Products Limited (NPL) in its School Feeding Programme.	GOJ	Liqui-Box Canada Inc.	Goods	DC	US \$318,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
19	Nutrition Products Limited	21.04.10	Sole Source Procurement for the rebuilding of filling machines utilized by Nutrition Products Limited (NPL) in its School Feeding Programme.	GOJ	Liqui-Box Canada Inc.	Services	SS	US \$103,830.00
20	Heart Trust/NTA	21.04.10	Sole Source Procurement for the construction of a State of the Art Pig Multiplier and Fattening Unit.	HT / NTA	Agpro Inc.	Works	SS	US \$152,918.04
21	University of Technology, Jamaica	05.05.10	The renovation and expansion of the Mustard Seed Building at the University of Technology, Jamaica	UTECH	C.P. Specialists Limited	Works	ST	16,020,275.00
22	Ministry of Education	05.05.10	The rehabilitation of the New Roads All Age School in the parish of Westmoreland.	GOJ / USAID	N.R. Diaram Construction Limited	Works	ST	10,997,379.00
23	Jamaica Library Service	26.05.10	The provision of Insurance Placement for a period of three (3) years, 2010 - 2013.	GOJ	Allied Insurance Brokers Ltd	Services	ST	10,287,034.00
24	Jamaica Library Service	02.06.10	The implementation of Wide Area Network to connect Parish Libraries, Branch Libraries and Administrative Headquarters.	GOJ	Fijitsu Caribbean Limited	Goods	ST	21,214,960.72
25	Heart Trust/NTA	02.06.10	The expansion of the Food Preparation Training Laboratory at the Runaway Bay Heart Hotel and Training Institute.	HT / NTA	Y. P. Seaton and Associates	Works	ST	89,470,476.70
26	University of Technology, Jamaica	09.06.10	Extension of Health Insurance Coverage for the Academic and Administrative Staff of the University of Technology, Jamaica for the period February 01, 2010 - January 31, 2011.	UTECH	Sagcor Life Jamaica Limited	Services	SS	85,058,208.00
27	University of Technology, Jamaica	16.06.10	The proposed construction of the Human Resource Management (HRM) Building at the University of Technology, Jamaica, Papine Campus.	UTECH	C.P. Specialists Limited	Works	ST	15,997,135.00
28	Ministry of Education - School Feeding Programme	16.06.10	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	T. Geddes Grant (Dist) Limited	Goods	ST	39,000,000.00

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29	Ministry of Education - School Feeding Programme	16.06.10	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme.	GOJ	Industrial Sales/Seprod Limited	Goods	ST	12,925,000.00
30	Heart Trust/NTA	30.06.10	Sole Source Procurement for the placement of advertisement in the yellow, blue and white pages of the Kingston & St. Andrew Island Telephone Directories.	HT / NTA	Cable and Wireless Limited T/A LIME	Services	SS	4,713,912.00
31	Ministry of Education	21.07.10	The procurement and distribution of text books under the National Text Books Rental Scheme for the period 2010-2011.	GOJ	Carlong Publishers (Caribbean) Limited	Goods	ST	219,853,524.25
32	Ministry of Education	21.07.10	The procurement and distribution of text books under the National Text Books Rental Scheme for the period 2010-2011.	GOJ	Kingston Bookshop Limited	Goods	ST	246,241,792.76
33	Ministry of Education	21.07.10	The procurement and distribution of text books under the National Text Books Rental Scheme for the period 2010-2011.	GOJ	Meto Corporation Limited	Goods	ST	31,370,062.00
34	Ministry of Education	21.07.10	The procurement and distribution of text books under the National Text Books Rental Scheme for the period 2010-2011.	GOJ	Book Wizard Limited	Goods	ST	123,614,459.80
35	Ministry of Education	21.07.10	The procurement and distribution of text books under the National Text Books Rental Scheme for the period 2010-2011.	GOJ	Sangster's Bookstores Limited	Goods	ST	16,889,963.94
36	Ministry of Education	15.09.10	The Youth Mainstreaming Consultancy under the Sector Management Sub-Component of the Youth Development Programme (YDP).	IDB	Centre for Leadership & Governance, University of the West Indies	Services	OT	17,850,000.00
37	Ministry of Education	29.09.10	The construction of a replacement school, Red Hills All Age, in the parish of St. Andrew.	IDB	Alcar Construction and Haulage Company Limited	Works	OT	256,030,060.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
38	National Insurance Fund - Ministry of Labour and Social Security	06.10.10	The supply and installation of Air Conditioning System at the NIS Office, 18 Ripon Road, Kingston 5.	NIF	Air Conditioning & Refrigeration Sales	Works	ST	13,268,991.89
39	Ministry of Education	06.10.10	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	15,304,518.31
40	University of Technology, Jamaica	06.10.10	The renovation and expansion to the Lionel Town Hospital to create a Boarding Facility for the University of Technology, Jamaica (UTECH) - Papine Campus.	NHF	PL Heavy Equipment Limited	Works	ST	18,728,610.00
41	Heart Trust/NTA	20.10.10	The extension of contract for the provision of Security Services at HEART/NTA locations island-wide until March 31, 2011.	HT / NTA	Allied Protection Limited	Services	SS	11,691,630.00
42	Heart Trust/NTA	20.10.10	The extension of contract for the provision of Security Services at HEART/NTA locations island-wide until March 31, 2011.	HT / NTA	Ranger Security Company Limited	Services	SS	14,620,782.00
43	Heart Trust/NTA	20.10.10	The extension of contract for the provision of Security Services at HEART/NTA locations island-wide until March 31, 2011.	HT / NTA	Atlas Protection Limited	Services	SS	11,755,464.00
44	Ministry of Education	03.11.10	The procurement of Grades 1-3 Primary Mathematics Textbooks for public schools island-wide.	GOJ	Pearson Education Limited	Goods	SS	UK £222,000.00
45	Ministry of Education	03.11.10	The procurement of Grades 1-3 Primary Integrated Studies Textbooks and Workbooks for public schools island-wide.	GOJ	Macmillan Publishers Limited	Goods	SS	UK £888,840.00
46	Ministry of Education	03.11.10	Consultancy Services for the development of a system for Corporate Outreach under the Youth Development Programme (YDP).	IDB	LPD Hall & Associates	Services	OT	1,381,250.00 + US \$409,900.00
47	Ministry of Education	05.11.08	Variation to the existing contract for the provision and installation of a PBX Network System for the Ministry of Education.	ME / ETP	Illuminat Jamaica Limited	Services	ST	4,856,402.23

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48	Ministry of Education - School Feeding Programme	17.11.10	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme	GOJ	Grace Kennedy Limited	Goods	ST	38,250,000.00
49	Ministry of Education - School Feeding Programme	17.11.10	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme	GOJ	T. Geddes Grant (Dist) Limited	Goods	ST	11,880,000.00
50	Ministry of Education - School Feeding Programme	17.11.10	To procure and deliver commodities for the Cooked Lunch components of the School Feeding Programme	GOJ	T. Geddes Grant (Dist) Limited	Goods	ST	15,140,000.00
51	University of Technology, Jamaica	24.11.10	The proposed painting of buildings at the University of Technology, Jamaica (UTECH) main campus and the UTECH/Jamaica Institute of Management (JIM) campus.	GOJ	General Painting Limited	Works	ST	18,602,790.00
52	Ministry of Education	24.11.10	Variation to the existing contract for the construction of a two (2) storey multi block to accommodate five (5) classrooms, admin, bio lab, facilities, restrooms and central building at Steer Town High School St Ann.	GOJ / ETP	Jatlin Construction & Associates Limited	Works	ST	55,220,970.45
53	Ministry of Education	01.12.10	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	51,140,700.00
54	Ministry of Education - School Feeding Programme	17.12.10	EMERGENCY procurement for the supply of Long Grain Rice - Re: School Feeding Programme.	GOJ	T. Geddes Grant (Dist) Limited	Goods	DC	45,000,000.00
MINISTRY OF ENERGY AND MINING								
1	Petrojam Limited	13.01.10	Sole Source procurement for the provision of Technical Support Services to catalytic reformer.	Petjam	UOP LLC	Services	SS	US \$54,714.35
2	Petrojam Limited	13.01.10	Sole Source procurement of Computers.	Petjam	Dell Corporation	Goods	SS	3,376,368.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
3	Petrojam Limited	13.01.10	Extension of Canteen Services Contract for six (6) months from February 1, 2010 to July 31, 2010.	Petjam	D.J. Café Restaurant	Services	SS	13,800,000.00
4	Petrojam Limited	27.01.10	Sole Source procurement for the design and manufacture of two (2) tank heaters for Asphalt Storage Tank 202.	Petjam	Brown Fired Heater Division (BFH)	Works	SS	US \$265,947.00
5	Petrojam Limited	27.01.10	Sole Source Procurement of Universal Gold AR AFF Foam.	Petjam	S.O.S Rubber International	Goods	SS	US \$163,735.00
6	Wigton Windfarm Ltd	03.02.10	The provision of Insurance Coverage for Wigton Windfarm Limited Expansion Project.	GOJ	Fraiser, Fontaine & Kong	Services		US \$137,417.00
7	Petrojam Limited	03.03.10	Sole Source Procurement for the renewal of a service support agreement for Petrojam's Distributed Control System (DCS).	Petjam	Asea Brown Boveri (ABB)	Services	SS	US \$62,784.00
8	Petrojam Limited	03.03.10	Sole Source Procurement for the supply of replacements seals (SR-1A primary seal and a VS-200 secondary seal) for Petrojam's Limited Tank # 104.	Petjam	Chicago Bridge & Iron Limited	Goods	SS	US \$48,400.00
9	Petrojam Limited	17.03.10	Sole Source Procurement for the supply of Fire Suppression System Components for Petrojam's Industrial Loading Rack Fire Detection and Protection System.	Petjam	S.O.S Rubber International	Goods	SS	US \$79,915.51
10	Petrojam Limited	31.03.10	The extension of Bunkering Services Contract for a period of three months (April 1, 2010 to June 30, 2010).	Petjam	Quality Plus	Works	SS	4,500,000.00
11	Petrojam Limited	31.03.10	Emergency Works - Increase in the contract price for the Dredging and Rehabilitation of the Petrojam Dock from US\$ 625,000 to US\$868,000.	Petjam	Boskalis	Works	DC	US \$243,000.00
12	Petroleum Corporation of Jamaica	14.04.10	The provision of Insurance Placement for the Petroleum Corporation of Jamaica (PCJ) and Petroleum Company of Jamaica (Petcom) for a period of three (3) years, 2010 - 2013.	PCJ / PETCOM	Allied Insurance Brokers Limited	Services	ST	18,405,020.00

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13	Petrojam Limited	21.04.10	Sole Source Procurement for the supply of Valves and Valves Switches.	Petjam	Anderson Greenwood Valve Company	Goods	SS	US \$188,530.00
14	Petrojam Limited	21.04.10	Sole Source Procurement for the supply of Bulk Hydrogen Gas (H2) and Nitrogen Gas (N2) for Petrojam Limited's Kingston Refinery.	Petjam	Industrial Gases Limited	Goods	SS	US \$88,939.00
15	Petrojam Limited	12.05.10	The provision of Grounds Maintenance Services.	Petjam	Global Management Services	Services	LT	38,778,000.00
16	Petrojam Limited	12.05.10	Consulting Services to design and manage the construction of a new Petroleum Testing Laboratory at Petrojam Limited.	Petjam	MSR Design Studio Limited	Services	LT	10,500,000.00
17	Petrojam Limited	12.05.10	The provision of Janitorial Services at Petrojam Limited's offices and facilities.	Petjam	Minott's Janitorial Services	Services	LT	14,713,785.84
18	Petrojam Limited	09.06.10	Extension of Security Management Services Contract.	Petjam	Security Advisory Management Services	Services	SS	14,457,758.47
19	Petrojam Limited	30.06.10	The provision of Bunkering Services at Petrojam Limited's locations.	Petjam	Quality Plus Contracting Company Limited	Works	ST	25,177,817.60
20	Petroleum Corporation of Jamaica	21.07.10	The procurement of Air Handling Units and Associate Controls.	PCJ	Carrier Interamerica Corporation	Goods	ST	US \$281,291.00
21	Petroleum Company of Jamaica Limited	21.07.10	The procurement of Domestic Cylinders.	PCJ	E.F.G. Industries Limited	Goods	ST	US \$324,967.05
22	Petrojam Limited	21.07.10	Direct Contracting for the provision of Inspection Services of Dock Pipelines.	Petjam	Dacon Inspection Services	Services	DC	US \$360,000.00
23	Petrojam Limited	21.07.10	The supply of Dock Piping Materials.	Petjam	TSC Supply Company	Goods	LT	US \$1,475,976.12

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24	Petrojam Limited	21.07.10	The supply of EKT Subsea Cable for power and communication to Petrojam's Limited Docking Facility.	Petjam	OCS Electrical	Goods	LT	US \$140,000.00
25	Petrojam Limited	04.08.10	Emergency procurement for the supply of six (6) replacement Pressure Vessels/Drums for Petrojam Limited's Refinery Shutdown.	Petjam	H.C. Vidal Limited (Canada)	Goods	DC	US \$172,000.00
26	Petrojam Limited	04.08.10	The haulage of Petroelum Products to Petrojam Limited's customers throughout the island of Jamaica for a period of two (2) years. The fixed delivery rates per zone are as follows; Round Town - J\$0.43/litre, Central J\$1.06/litre and Western J\$1.79/litre.	Petjam	Billbay Limited	Services	ST	No contract sum endorsed
27	Petrojam Limited	04.08.10	The haulage of Petroelum Products to Petrojam Limited's customers throughout the island of Jamaica for a period of two (2) years. The fixed delivery rates per zone are as follows; Round Town - J\$0.43/litre, Central J\$1.06/litre and Western J\$1.79/litre.	Petjam	Alrem Services Limited	Services	ST	No contract sum endorsed
28	Petrojam Limited	04.08.10	The haulage of Petroelum Products to Petrojam Limited's customers throughout the island of Jamaica for a period of two (2) years. The fixed delivery rates per zone are as follows; Round Town - J\$0.43/litre, Central J\$1.06/litre and Western J\$1.79/litre.	Petjam	Nick's Haulage Contractors Limited	Services	ST	No contract sum endorsed
29	Petrojam Limited	04.08.10	The haulage of Petroelum Products to Petrojam Limited's customers throughout the island of Jamaica for a period of two (2) years. The fixed delivery rates per zone are as follows; Round Town - J\$0.43/litre, Central J\$1.06/litre and Western J\$1.79/litre.	Petjam	Sal's Trucking Limited	Services	ST	No contract sum endorsed
30	Petrojam Limited	04.08.10	The haulage of Petroelum Products to Petrojam Limited's customers throughout the island of Jamaica for a period of two (2) years. The fixed delivery rates per zone are as follows; Round Town - J\$0.43/litre, Central J\$1.06/litre and Western J\$1.79/litre.	Petjam	O'Lando Denham Transport Company Limited	Services	ST	No contract sum endorsed

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31	Petrojam Limited	25.08.10	The provision of Corroded Piping Replacement Part 1 or the Petrojam Limited's Kingston Refinery.	Petjam	Tankweld Limited	Works	ST	15,289,844.00
32	Petrojam Limited	25.08.10	The provision of Corroded Piping Replacement Part 11 for the Petrojam Limited's Kingston Refinery.	Petjam	Supreme Mechanical Company Limited	Works	ST	17,817,507.28
33	Petrojam Limited	22.09.10	Variation to the existing contract for the provision of Security Management Services.	Petjam	Security Advisory Management Services	Services	SS	7,251,499.04

MINISTRY OF FINANCE AND THE PUBLIC SERVICE

1	Ministry of Finance and the Public Service	20.01.10	The provision of Janitorial Services.	GOJ	Minott Janitorial Services Limited	Services	ST	18,777,480.00
2	Culture, Health, Arts, Sports & Education (Chase)	27.01.10	The completion of construction at the St. Agnes Basic School, Buff Bay, Portland.	CHASE	Donaldson Enterprise Limited	Works	ST	12,892,110.00
3	Culture, Health, Arts, Sports & Education (Chase)	27.01.10	Renovation and Extension works at the Bagatelle Basic School in the parish of Clarendon.	CHASE	Melody Heavy Equipment & Construction Limited.	Works	ST	11,280,318.00
4	Culture, Health, Arts, Sports & Education (Chase)	03.02.10	The construction of the Portland Resource Centre, Passley Garden, Portland	CHASE	G.M & Associates Limited	Works	ST	48,345,227.00
5	Culture, Health, Arts, Sports & Education (Chase)	10.03.10	The construction of the Canewood Resource Centre.	CHASE	Ronham & Associates Limited	Works	ST	21,164,079.94
6	Ministry of Finance and the Public Service	10.03.10	The Upgrade and Installation of Private Branch Exchange (PBX) with Voice Over Internet Protocol (VOIP).	GOJ	Fujitsu Caribbean (Ja.) Limited	Services	LT	US \$1,072,257.68

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7	Bank of Jamaica	24.03.10	The supply, installation and commissioning of a HVAC Concourse Chiller.	GOJ	CAC 2000 Limited	Works	ST	11,160,665.47
8	Bank of Jamaica	28.04.10	The provision of Catering Services for a period of two (2) years, 2010 - 2012.	BOJ	Chung's Catering Services Limited	Services	ST	103,227,862.50
9	Bank of Jamaica	05.05.10	Sole Source Procurement for the renewal of Software Maintenance Contract for the International Comprehensive Banking System (ICBS) Software for a period of five (5) years.	BOJ	Fiserv Solutions Inc.	Services	SS	US \$722,745.17
10	Caymanas Track Limited	09.06.10	The supply of Audio Video Transmission Services.	CTL	Roberts Communication Network (RCN)	Services	ST	US \$928,400.00
11	Culture, Health, Arts, Sports & Education (Chase)	30.06.10	The proposed renovation works to the Barbary Hall Cultural and Community Centre.	CHASE	L.C. Housing Extensions Limited	Works	ST	11,800,000.00
12	Ministry of Finance and the Public Service	17.11.10	The provision of Security Services at the Ministry of Finance and Public Services Head Office, 30 National Heroes Circle, Kingston 4.	GOJ	King Alarm Limited	Services	ST	33,862,800.00
13	Ministry of Finance & the Public Service	08.12.10	The procurement of Electronic Document Management and Imaging System.	GOJ	Xsomo International Limited	Goods	LT	US \$389,995.00
MINISTRY OF HEALTH AND THE ENVIRONMENT								
1	Registrar General's Department	13.01.10	The provision of local Courier Service.	RGD	Barnaby's Courier	Services	ST	13,190,000.00
2	University Hospital of the West Indies	13.01.10	Sole Source procurement for the supply and installation of vacuum regulators and oxygen bottles.	UHWI	Arel Limited	Works	SS	5,800,725.00
3	University Hospital of the West Indies	03.02.10	Sole Source Procurement for the supply of medical gases for a period of two (2) years.	UHWI	Industrial Gases Limited	Goods	SS	92,537,613.27

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
4	Ministry of Health	24.02.10	The procurement of Blood Bags.	GOJ	Scientific and Medical Supplies	Goods	LT	26,599,600.00
5	South East Regional Health Authority	24.02.10	The supply and installation of an Ultrasound/Echocardiogram Machine at the Bustamante Hospital for Children.	CHASE	Arel Limited	Goods	ST	US \$192,884.77
6	Ministry of Health	24.02.10	Procurement of Male Latex Condoms for the National HIV-STI programme.	GLOBAL	Suretex Limited	Goods	ST	US \$190,880.00
7	University Hospital of the West Indies	03.03.10	Sole Source Procurement for the supply of Sutures.	GOJ	A.A. Laquis (Jamaica) Limited	Goods	SS	US \$212,515.00
8	Ministry of Health	24.03.10	Sole Source Procurement for repairs to Air Conditioning Unit at the National Public Health Laboratory.	GOJ	CAC 2000 Limited	Works	SS	9,322,626.25
9	University Hospital of the West Indies	07.04.10	The supply of Medical Gases.	GOJ	IGL Limited	Goods	SS	92,537,613.27
10	University Hospital of the West Indies	14.04.10	The supply and installation of a Mobile Extra Corporeal Shock Wave Lithotripter Machine.	GOJ / CHASE	Uni-Med Health Care Limited	Goods	ST	US \$297,966.00
11	South East Regional Health Authority	14.04.10	The provision of printing paper (legal and letter size packs).	GOJ	Productive Business Solutions Limited	Goods	ST	11,216,922.24
12	Registrar General's Department	02.06.10	The provision of Courier Services for the delivery of packages of certificates on a door to door basis in the parishes of Manchester and Clarendon, Zone 9.	RGD	Eagle Courier Services	Services	ST	12,511,280.00
13	Registrar General's Department	02.06.10	The provision of Courier Services for the delivery of packages of certificates on a door to door basis in the parishes of Trelawny, St. James and Hanover, Zone 11.	RGD	Eagle Courier Services	Services	ST	12,086,600.00
14	Ministry of Health	02.06.10	Directing Contracting for the procurement of Reagents and Consumables for CD4 FACS Calibur Machine for the period 2010 - 2011.	Global	Becton Dickinson and Company	Goods	DC	US \$160,812.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
15	University Hospital of the West Indies	09.06.10	Direct Contracting for the procurement of Haemodialysis Machines.	GOJ	Medical Products Limited	Goods	DC	US\$ 148,000.00
16	South East Regional Health Authority	09.06.10	The renovation of Block J at the Mandeville Regional Hospital.	GOJ	Build-Rite Construction Company Limited	Works	ST	135,226,375.90
17	Southern Regional Health Authority	30.06.10	The procurement of Cleaning and Portering Services for the May Pen Hospital.	GOJ	Jac-Den Enterprise	Services	ST	102,835,181.00
18	Child Development Agency	07.07.10	The procurement of Private Security Services.	GOJ	Guardsman Limited	Services	ST	29,102,865.00
19	Registrar General's Department	01.09.10	Sole Source Procurement for the supply of 375,000 sheets of Security Paper.	RGD	Giesecka and Devrient	Goods	SS	21,100,000.00
20	Ministry of Health	01.09.10	Sole Source Procurement for the supply of a replacement X-Ray Table for the Computerized Tomography (CT) Unit at the Kingston Public Hospital.	GOJ	Philips Medical System	Goods	SS	US \$144,058.84
21	Western Regional Health Authority	13.10.10	The Supply and Installation of Medical Gas Consoles.	GOJ	Industrial Gases Limited	Goods		11,965,965.54
22	Ministry of Health	17.11.10	The procurement of Antiretroviral Drugs (ARVs) for the National HIV/STI Programme.	GLOBAL	Matrix Laboratories Limited	Goods	OT	174,488,848.77
23	Ministry of Health	17.11.10	The procurement of Antiretroviral Drugs (ARVs) for the National HIV/STI Programme.	GLOBAL	Hetero Drugs Limited	Goods	OT	16,474,329.97
24	Ministry of Health	17.11.10	The procurement of Antiretroviral Drugs (ARVs) for the National HIV/STI Programme.	GLOBAL	Ranbaxy Laboratories	Goods	OT	48,164,934.27
25	Registrar General's Department	17.11.10	The provision of International Courier Service.	RGD	Go Global (Ja.) Limited	Services	ST	13,079,195.48
26	National Laboratory Services	24.11.10	Sole Source Procurement for the supply of Reagents.	GOJ	DiaMed Caribbean Inc.	Goods	SS	US \$635,837.00

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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 INDUSTRY, INVESTMENTS AND COMMERCE								
1	Factories Corporation of Jamaica Limited	24.02.10	The provision of Insurance Brokerage and Coverage Services for the period 2010 - 2012.	GOJ	Marathon Insurance Brokers Limited	Services	OT	37,248,335.00
2	Bureau of Standards, Jamaica	21.04.10	Sole Source Procurement to conduct repairs to a highly specialized primary reference standard, Cesium 4065C/076.	GOJ	Symmetricon	Works	SS	US \$35,526.00
3	Bureau of Standards, Jamaica	12.05.10	The procurement of a Universal Tensile Testing Machine.	GOJ	Tinius Olsen Testing Machine Company Inc.	Goods	LT	US \$223,654.00
4	Bureau of Standards, Jamaica	15.09.10	The provision of Health Insurance Services for a period of two (2) years.	GOJ	Guardian Life Limited	Services	LT	14,118,600.00
MINISTRY OF LABOUR AND SOCIAL SECURITY								
1	Ministry of Labour & Social Security	03.03.10	Variation to 2472 for the enhancement of management information system at contractors office in India and MLSS offices island-wide in Jamaica.	GOJ	PriceWaterhouse Coopers (PWC)	Services	ST	US\$270,269.00
2	Ministry of Labour & Social Security	05.05.10	Consultancy Services for Process Re-engineering of the Pension Payment Process.	IBRD	IOS Partners Inc.	Services	OT	US \$372,305.00
3	Ministry of Labour & Social Security	28.07.10	The provision of Consultancy Services for an Impact Evaluation of the Programme of Advancement through Health and Education (P.A.T.H).	IBRD	Sanigest Internacional	Services	OT	US \$593,350.00
4	Ministry of Labour & Social Security	01.12.10	The provision of Consultancy Services to conduct a study on Consumption Patterns and Coping Strategies of P. A. T. H.	IDB	U.W.I. Consulting	Services	OT	US \$124,000.00

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MINISTRY ON NATIONAL SECURITY								
1	Ministry of National Security	13.01.10	Sole Source Procurement for the provision of training in Customer Service through the Community Security Initiative (CSI) Social Intervention Programme.	MNS	Rise Life Management	Services	SS	5,883,599.00
2	Ministry of National Security	13.01.10	Sole Source Procurement for the provision of training in cosmetology, barbering, photography, videography, customer service and housekeeping through the Community Security Initiative (CSI) Social Intervention Programme.	MNS	Children First	Services	SS	7,770,000.00
3	Ministry of National Security - Citizen and Justice Program	03.02.10	Infrastructure Works (Phase 1) at the Tamarind Farm Adult Correctional Facility in the parish of St. Catherine.	GOJ	TankWeld Construction Company Limited	Works	ST	115,064,403.35
4	Ministry of National Security	24.02.10	The Construction of a Firearms Tactical Training Unit, Jamaica Police Academy.	GOJ	Chin's Construction Company Limited	Works	ST	127,104,415.30
5	Ministry of National Security	10.03.10	Sole Source Procurement for the provision of Video Recording Interview Training of fifteen (15) officers assigned to the Centre for Investigation of Sexual Offences & Child Abuse (CISOCA).	DFID	Tony Bulter Limited	Services	SS	US \$31,836.82
6	Ministry of National Security	17.03.10	Sole Source Procurement of an additional Mobile Forensic Specialty Vehicle for the Jamaica Constabulary Force (JCF).	GOJ	Stewart Industrial	Goods	SS	US \$87,950.00
7	Ministry of National Security	24.03.10	Renewal of contract for preventative and rehabilitative maintenance of the Jamaica Constabulary Force (JCF) Automated Palm & Fingerprint System.	GOJ	Sagem Sécurité (France)	Services	SS	30,152,655.00
8	Passport, Immigration and Citizenship Agency (PICA)	28.04.10	Sole Source Procurement for the supply of three hundred and fifty thousand (350,000) blank passport books.	GOJ	Canadian Bank Note Company Limited	Goods	SS	US \$1,532,000.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
9	Ministry of National Security - Citizen and Justice Program	12.05.10	The Procurement of Computers, Software, Network Cabling and Related Equipment.	IDB	Medianet Limited	Goods	LT	US \$179,088.24
10	Ministry of National Security - Jamaica Constabulary Force	26.05.10	Sole Source Procurement of sensitive items.	GOJ		Goods	SS	US \$478,500.00
11	Ministry of National Security	23.06.10	Variation to the existing contract for the construction of Police Station building at Alexandria in St Ann.	GOJ	Sharecon Construction Limited	Works	ST	7,220,115.00
12	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	Maddens Funeral Home	Services	ST	The storage rates for bodies is J\$875.00.
13	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	Robert's Funeral Home	Services	ST	The storage and post mortem rates for bodies are J\$1000 and \$5000 respectively.
14	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	Doyley's Funeral Home	Services	ST	The storage rates for bodies is J\$350.00.
15	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	Mizpah Funeral Home	Services	ST	The storage and post mortem rates for bodies are J\$900.00 and \$3000.00 respectively.
16	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	St. Michael's Funeral Home	Services	ST	The storage and post mortem rates for bodies are J\$500.00 and \$3000.00 respectively.

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17	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	Witter & Sons Company Limited	Services	ST	The storage rates for bodies is J\$850.00.
18	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	Bent's Southfield	Services	ST	The storage and post mortem rates for bodies are J\$250.00 and \$1500.00 respectively.
19	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	Bent's Santa Cruz	Services	ST	The storage and post mortem rates for bodies are J\$250.00 and \$2000.00 respectively.
20	Jamaica Constabulary Force (JCF)	08.09.10	The Procurement of Island-wide Funeral Home/Morgue Services for a period of one (1) year.	GOJ	C. Brown and Sons	Services	ST	The post mortem rates for bodies is J\$1500.00.
21	Ministry of National Security	15.09.10	Follow on contract for the procurement of Scene of Crime Training for members of the Jamaica Constabulary Force.	GOJ	Hayden Baldwin (Forensic Enterprise Inc)	Services	SS	US \$143,600.00
22	Firearm Licensing Authority	22.09.10	The procurement of a High Security Identification Card System	GOJ	3M Inter America Jamaica Division	Goods	LT	US \$386,500.00
23	Electoral Office of Jamaica	22.09.10	Sole Source Procurement for the supply of Ballots.	GOJ	CODE Incorporated of Canada	Goods	SS	US \$131,365.56
24	Ministry of National Security	03.11.10	Direct Contracting for the procurement of sensitive items.	GOJ		Goods	DC	US \$367,090.00
25	Electoral Office of Jamaica	01.12.10	The provision of Security Services to the Electoral Commission of Jamaica for a period of two (2) years.	GOJ	Vanguard Security Limited	Services	ST	25,123,310.00

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26	Ministry of National Security - Citizen Security and Justice Programme (CSJP)	08.12.10	The procurement for the delivery of violence prevention services to residents of the Kingston Metropolitan Area (KMA), Zone 2 - Trench Town, Denham Town and Hannah Town.	IADB	Kingston Restoration Company	Services	OT	29,000,000.00
27	Ministry of National Security - Citizen Security and Justice Programme (CSJP)	08.12.10	The procurement for the delivery of violence prevention services to residents of the Kingston Metropolitan Area (KMA), Zone 3 - Fletcher's Land, Allman Town and Parade Gardens.	IADB	Rise Life Management	Services	OT	28,955,784.00
28	Ministry of National Security - Citizen Security and Justice Programme (CSJP)	08.12.10	The procurement for the delivery of violence prevention services to residents of the Kingston Metropolitan Area (KMA), Zone 4 - Mountain View and Rockfort.	IADB	Youths Opportunities Unlimited	Services	OT	28,981,580.00
MINISTRY OF TOURISM								
1	Jamaica Vacations Limited (JAMVAC)	11.08.10	Co-Sponsorship - (Airlift) Revenue Guarantee	JAMVAC / GOJ	US Airways	Services		US \$1,000,000.00
2	Jamaica Vacations Limited (JAMVAC)	11.08.10	Co-Sponsorship - (Airlift) Seat Support	JAMVAC / GOJ	Westjet	Services		CA \$200,000.00
MINISTRY OF TRANSPORT AND WORKS								
1	Jamaica Urban Transit Company Limited	03.02.10	Variation for the Provision for Security services for two (2) years at JUTC locations. Twickenham Park, Rockfort, Portmore, Ashenheim Road, Church St, Spanish Town layby and Half Way Tree.	JUTC	Protection & Security Limited	Services	ST	37,456,675.00
2	Airports Authority of Jamaica	03.02.10	The supply and installation of Electrical Equipment at the Boscobel Aerodrome.	AAJ	Synergy Engineering Limited	Works	OT	23,967,075.41

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3	National Works Agency	10.02.10	Follow on contract - River Training Works at Yallahs River, St. Thomas under the Transportation Infrastructure Rehabilitation Programme.	IADB	Gabion & Structure Co Limited	Works	SS	15,625,000.00
4	Port Authority of Jamaica	10.02.10	Direct Contracting for the provision of market and feasibility study for the Tinson Pen Logistics Development.	PAJ	Drewry Shipping Consultants	Services	DC	US \$82,000.00
5	National Works Agency	24.02.10	Variation for the design, fabrication, supply and construction of nineteen (19) bridges - R.A. Murray Bridge Programme.	GOJ / WAN	R.A. Murray International	Works	ST	US \$5,758,033.00
6	Aeronautical Telecommunications Limited	24.02.10	Sole Source Procurement for the provision of radar training of ten (10) technicians.	GOJ	Raytheon Canada	Services	SS	CA \$159,613.00
7	National Works Agency	24.02.10	The supply of Galvanized Wires for River Training Works (Transportation Infrastructure Rehabilitation Programme).	IADB	Kingston industrial Agencies Limited	Goods	ST	US \$191,580.00
8	Norman Manley International Airports Limited	24.02.10	The provision of Landside Security Services.	NMIA	Protection & Security Limited	Services	OT	149,940,000.00
9	Aeronautical Telecommunications Limited	03.03.10	Sole Source Procurement for the provision of flight check services on the Instrument Landing System (ILS).	GOJ	Selex System Integrati	Services	SS	US \$25,127.00
10	Norman Manley International Airports Limited	03.03.10	Sole Source Procurement for the supply of an Aircraft Rescue and Fire Fighting Vehicle (ARFFV) for the Norman Manley International Airport.	GOJ	Oshkosh Truck Inc.	Goods	DC	US \$1,150,000.00
11	National Works Agency	10.03.10	Road Surfacing (Micro Surfacing Works) Works in the communities of Havendale and Hughenden in the parish of St. Ann.	GOJ	Valley Slurry Seal (Caribbean) Limited	Works	ST	138,571,664.00
12	National Works Agency	10.03.10	Consulting Services for Master Drainage Study (Re: Transportation Infrastructure Rehabilitation Programme).	IADB	Stanley Consultants	Services	OT	US \$696,804.08

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13	Port Authority of Jamaica	24.03.10	Direct Contracting for a follow on contract for the procurement of sixty (60) Bridgestone 1400 x 24 #3 VCH IDU Tyres for Kingston Container Terminal.	PAJ	Mitsui & Company Limited	Goods	DC	US \$92,160.00
14	Ministry of Transport & Works	31.03.10	The supply and implementation of VOIP PBX Telephone System.	GOJ	Digicel Jamaica Limited	Goods	ST	12,778,206.33
15	Norman Manley International Airports Limited	14.04.10	Variation to the existing contract for the construction of the Arrival Forecourt, Shopping Arcade and Tour Bus Shed at Norman Manley Airport.	EIB / CDB	Tank Weld Construction Company Limited	Works	ST	28,478,897.00
16	Jamaica Urban Transit Company Limited	12.05.10	The provision of Insurance Services for a period of three (3) years.	JUTC	Allied Insurance Brokers Limited	Services	ST	48,056,658.00
17	Jamaica Civil Aviation Authority	12.05.10	Sole Source Procurement 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	US \$19,999,974.00
18	National Works Agency	02.06.10	Variation to the existing contract for the Northern Coastal Highway- improvement of 5 km of the Bogue main another road between Fairfield also at Reading intersection from 2 to 4 lanes St. James (Segment 1A).	OPEC	Surrey Paving & Aggregate Limited	Works	ST	697,627,876.12
19	Norman Manley International Airports Limited	23.06.10	Direct Contracting for the procurement of X-Ray Machines.	NMIA	Smith's Detection Limited	Goods	DC	US \$238,743.00
20	National Works Agency	07.07.10	The provision of Security Services for the National Works Agency's Kingston Metropolitan Region (KMTR) Offices for a period of two (2) years.	GOJ	Quest Security Services Limited	Services	ST	17,621,040.00
21	National Works Agency	07.07.10	The provision of Security Services for the National Works Agency's Western Region Offices for a period of two (2) years.	GOJ	Atlas Protection Limited	Services	ST	11,686,356.00

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22	Jamaica Social Investment Fund	14.07.10	The Construction of End of Time Basic School in the parish of St. Andrew.	EU	D. Bisasor and Associates Limited	Works	ST	19,490,000.00
23	Transport Authority	14.07.10	The procurement of Fleet Vehicles, five (5) Double Cab Pick Ups.	GOJ	Vehicles and Supplies Limited	Goods	ST	US \$125,395.00
24	Transport Authority	14.07.10	The procurement of Fleet Vehicles, five (5) Motor Buses.	GOJ	Toyota (Jamaica) Limited	Goods	ST	US \$113,222.00
25	National Works Agency	21.07.10	The supply of a Project Resource Management System.	IDB	Illuminat Jamaica Limited	Services	ST	12,890,514.00
26	Ministry of Energy & Mining	04.08.10	Consultancy Services for the provision a package of energy efficiency opportunities in the Public Sector to facilitate investment.	IADB	PA Government Services	Services	OT	US \$281,335.00
27	National Works Agency	11.08.10	The supply of 300mm L.E.D. Traffic Signal Lamp Modules.	RMF	Machinery and Services Limited	Goods	ST	14,029,500.00
28	Norman Manley International Airports Limited	18.08.10	Sole Source Procurement for the extension of the covered walkway at the Arrival Forecourt of Norman International Airport.	NMIA	PALGAG Caribbean Limited	Works	SS	US \$320,000.00
29	Aeronautical Telecommunications Limited	01.09.10	Sole Source Procurement for the supply of Microwave Radios with upgraded microwave links.	GOJ	AVIAT Networks	Goods	SS	US \$548,910.00
30	National Works Agency	01.09.10	Consultancy Services for the Palisadoes Shoreline Protection Works.	GOJ	CEAC Solutions Company Limited	Services	SS	US \$253,130.35
31	National Works Agency	15.09.10	The Construction of random rubble wall, parapet wall, preparatory and regular works including resurfacing with asphaltic concrete works to the Malvern Road, Southfield, St. Elizabeth. (Road Maintenance Fund Program).	GOJ	CAB Construction & Haulage Company Limited	Works	ST	13,076,384.64
32	Norman Manley International Airports Limited	22.09.10	The supply and installation of Canopies for the Covered Walkways at the Arrival Forecourt at the Norman Manley International Airport.	EIB / CDB	PALAG Caribbean Limited	Works	SS	US \$320,000.00

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33	Port Authority of Jamaica	22.09.10	Direct Contracting for a follow on contract for the procurement of fifty - six (56) 1200R24*3 VCH IDU Tyres for the Kingston Container Terminal.	PAJ	Mitsui & Co Limited	Goods	DC	US \$70,112.00
34	Port Authority of Jamaica	22.09.10	Direct Contracting for the procurement of two (2) Reach Stakers for the Kingston Container Terminal.	PAJ	Cargotec USA Inc.	Goods	DC	US \$1,204,972.00
35	Jamaica Urban Transit Company (JUTC)	22.09.10	The provision of External Auditing and Tax Services for the Jamaica Urban Transit Company Limited for a period of three (3) years.	GOJ	PriceWaterhouse Coopers (PWC)	Services	ST	10,370,464.00
36	Port Authority of Jamaica	06.10.10	The procurement of Tug Boat Services.	PAJ	Coloured Fin Limited	Services	OT	US \$310,847.00
37	Jamaica Urban Transit Company Limited	06.10.10	The extension of contract for the provision of General Insurances Services.	GOJ	Marathon Insurance Brokers Limited	Services	SS	14,945,568.00
38	Jamaica Urban Transit Company Limited	06.10.10	The procurement of spare parts.	GOJ	Incavel Onibus, Brazil	Goods	SS	10,345,553.85
39	Ministry of Justice	13.10.10	The proposed works at the old NCB building and Supreme Court at King Street, in the parish of Kingston.	GOJ	M.L.O. Services Limited	Works	LT	399,962,371.54
40	Port Authority of Jamaica	27.10.10	The repair of Paver Block Pavement at Gordon Cay, Kingston Container Terminal - Phase 2.	PAJ	C.A.B. Construction	Works	ST	48,820,090.00
41	Jamaica Urban Transit Company Limited	27.10.10	The provision of Group Life and Accidental Death and Dismemberment (AD & D) Insurance for a period of three (3) years.	GOJ	Sagcor Life Jamaica Limited	Services	LT	13,934,428.00
42	National Works Agency	27.10.10	Emergency procurement for Rehabilitation Works to the Falmouth Cruise Ship Pier Transitional Area.	GOJ	General Paving Co Limited	Works	DC	36,607,591.96
43	Port Authority of Jamaica	10.11.10	The provision of Tug Dry Docking Services for the Port Authority of Jamaica's vessels.	PAJ	North Florida Shipyards, Inc.	Services	SS	US \$170,001.00

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44	Norman Manley International Airports Limited	17.11.10	The supply of Specialized ARFF Equipment (Rescue Boat, Rescue Platforms and Trailer) for the Norman Manley International Airport.	NMIA	Jamaica Marine World International (JMWI)	Goods	ST	US \$567,473.00
45	Jamaica Urban Transit Company (JUTC)	24.11.10	The provision of Group Health Insurance Coverage.	GOJ	Sagcor Life Jamaica Limited	Services	LT	53,691,552.00
46	Port Authority of Jamaica	08.12.10	The renewal of software update licences and support (proprietary software).	PAJ	Oracle Corporation	Goods	SS	16,575,795.27
47	Port Authority of Jamaica	08.12.10	The renewal of software update licences and support (proprietary software).	PAJ	Cosmos NV	Goods	SS	43,306,654.17
48	Port Authority of Jamaica	08.12.10	The renewal of software update licences and support (proprietary software).	PAJ	Port Computer Services (PCS)	Goods	SS	206,001,051.69
49	Transport Authority	08.12.10	The procurement of a Voice Over Internet Protocol (VoIP) Enterprise Communication System.	GOJ	Digicel Jamaica Limited	Services	ST	10,585,737.95
50	Norman Manley International Airports Limited	15.12.10	The Construction of Reinforced Concrete Water Tank at the Norman Manley International Airport.	EIB / CDB	Kier Construction Limited	Works	ST	22,273,695.00
51	Norman Manley International Airports Limited	22.12.10	Variation to existing contract for the modification of Hydrant Fuel system at the Airport. Palisadoes Road, Kingston.	EIB / CDB	Kinley Construction Group Limited	Works	LT	US \$336,930.00
MINISTRY OF WATER AND HOUSING								
1	National Water Commission	13.01.10	Sole Source Procurement for the supply of Aluminum Sulphate.	NWC	Industrial Chemical Co Limited	Goods	SS	10,736,640.00
2	Housing Agency of Jamaica Limited	20.01.10	The rehabilitation of Infrastructure Works at Shaw Park Heights in the parish of St. Ann.	TEF	Construction Solutions Limited	Works	ST	13,646,400.00
3	Housing Agency of Jamaica Limited	20.01.10	The rehabilitation of Infrastructure Works at Lilliput in the parish of St. James (Phase 2).	TEF	Construction Solutions Limited	Works	ST	23,843,640.00

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4	Housing Agency of Jamaica Limited	27.01.10	Infrastructure Works at Mona, Section 1, St. Andrew.	JMB	Y.P. Seaton & Associates Limited	Works	LT	175,672,373.00
5	Housing Agency of Jamaica Limited	27.01.10	The Construction of 100 Starter Units at Portmore Villas, St. Catherine - Phase 2B.	NHT	Buildrite Construction Co Limited	Works	SS	157,338,000.00
6	Housing Agency of Jamaica Limited	27.01.10	Sole Source Procurement for Maintenance Services for Mortgage Management Software for a period of four (4) years.	HAI	Dynamic Interface Systems Corporation (DISC)	Services	SS	US \$85,004.00
7	National Water Commission	03.02.10	Sole Source Procurement of Computer Hardware for a Disaster Recovery Plan.	NWC	IBM World Wide Trade (Jamaica)	Goods	SS	US \$145,738.03
8	Ministry of Water & Housing	10.03.10	Sole Source Procurement for the Construction of 48 Dwelling Housing Units, Albion Tenement, Montego in the parish of St. James.	GOJ	Seal Investment Company Limited	Works	SS	89,444,112.88
9	Housing Agency of Jamaica Limited	31.03.10	The Construction of 132 two (2) Bedroom Houses and Attendant Infrastructure to include the construction of roadways, installation of Water Supply and Storm Water Drainage Systems at Westmeade in the parish of St. Catherine.	NHT	Y.P. Seaton & Associates Company Limited	Works	ST	663,867,750.00
10	Housing Agency of Jamaica Limited	31.03.10	The Construction of 118 two (2) Bedroom Houses and Attendant Infrastructure to include the construction of roadways, installation of water supply and storm water drainage systems at Mineral Heights in the parish of Clarendon.	NHT	Build-Rite Construction Company Limited	Works	OT	620,348,367.83
11	National Water Commission	31.03.10	Sole Source Procurement for the supply of Aluminum Sulphate.	NWC	Industrial Chemical Co Limited	Goods	SS	10,800,000.00
12	National Water Commission	07.04.10	The supply of Uniforms (Jeans Pants) for Supervisory and Pre-Supervisory Staff.	NWC	Fabric Consultants Limited	Goods	ST	17,953,292.00

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13	National Water Commission	07.04.10	The supply of Uniforms (Oxford, Polo and Cotton Shirts) for Supervisory and Pre-Supervisory Staff.	NWC	Sun Island Limited	Goods	ST	16,050,943.70
14	National Water Commission	07.04.10	The supply of Uniforms (Manufactured Solid and Printed Materials and Belts) for Supervisory and Pre-Supervisory Staff.	NWC	Designs by Marc Limited	Goods	ST	21,805,388.80
15	National Water Commission	28.04.10	Variation to the existing contract for the provision of Engineering Services for the Kingston Metropolitan Area Water Supply Project.	GOJ / JBIC	Nippon Koei Company Limited /Montgomery Watson Harza (MWH) (U.K) Limited	Services		US \$2,500,000.00
16	National Water Commission	28.04.10	The provision of Engineering and Construction Supervision Services for the National Water Commission's Bulk Meter Installation Programme.	NWC	N.O. Whyte & Associates Limited	Services	ST	11,713,368.21
17	National Water Commission	28.04.10	The supply of two (2) 23 Ton Crane Trucks.	NWC	IMCA Jamaica Limited	Goods	ST	US \$490,896.14
18	National Water Commission	28.04.10	The supply of two (2) 3 Ton Crane Trucks.	NWC	Jamaica Industrial Equipment	Goods	ST	US \$157,368.00
19	Housing Agency of Jamaica Limited	05.05.10	Sole Source Procurement for the Design and Construction of 108, two (2) Bedroom Townhouses and related infrastructure at Congreve Park Manor, Portmore, St. Catherine.	NHT	West Indies Home Contractors Limited (WHICON)	Works	SS	802,168,363.38
20	Ministry of Water & Housing	12.05.10	Sole Source Procurement for the implementation of Infrastructure Works at Darlingford, Manchioneal in the parish of Portland.	GOJ	Millers Electrical & Construction Company Limited	Works	SS	11,217,112.50
21	National Water Commission	02.06.10	The Construction, Testing and Commissioning of pipeline at the proposed Mansfield Water Supply Project, Ocho Rios, St. Ann.	NWC	Champion Equipment & Supplies Limited	Works	ST	10,818,785.00
22	National Water Commission	02.06.10	Direct Contracting for the procurement of Liquid Chlorine.	NWC	Jones Chemicals Inc.	Goods	DC	25,000,000.00

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
23	Housing Agency of Jamaica Limited	02.06.10	Follow on contract for the rehabilitation of Infrastructure Works (Phase 2) at Shaw Park Heights in the parish of St. Ann.	TEF	Construction Solutions Limited	Works	SS	16,937,374.00
24	National Water Commission	02.06.10	The supply of Aluminum Sulphate.	NWC	Industrial Chemical Company Limited	Goods	ST	44,181,504.00
25	National Water Commission	09.06.10	Direct Contracting for the procurement of Liquid Chlorine.	NWC	Jones Chemicals Inc.	Goods	DC	US \$946,800.00
26	Housing Agency of Jamaica Limited	21.07.10	The provision of Group Health Insurance Coverage for a period of three (3) years, 2010-2011 to 2012-2013.	HAJ	Sagcor Life Jamaica Limited	Services	LT	12,637,500.00
27	National Water Commission	04.08.10	The installation of twenty-three (23) Electromagnetic Flow-meters for the Kingston Water and Sanitation Project.	IADB	HDB Construction Limited	Works	OT	13,114,985.97
28	National Water Commission	04.08.10	The rehabilitation/upgrading of the Distribution Network of the Christiana/Spaldings Water Supply Scheme (Package A).	NWC	Bajad Limited	Works	ST	13,914,134.00
29	National Water Commission	04.08.10	The rehabilitation/upgrading of the Distribution Network of the Christiana/Spaldings Water Supply Scheme (Package B).	NWC	Bajad Limited	Works	ST	20,068,030.00
30	Housing Agency of Jamaica Limited	11.08.10	Consultancy Services to prepare and obtain pre-checked Subdivision Plans for Luana Gardens Phase 4 in the parish of St. Elizabeth.	HAJ	Duel Thames	Services	LT	15,640,500.00
31	National Water Commission	08.09.10	The procurement of Oracle RDBMS and Associated Support for Disaster Recovery Planning (DRP) Site for National Water Commission's Information System.	IADB	Fujitsu Caribbean (Ja.) Limited	Goods	ST	US \$258,416.98
32	Ministry of Water & Housing	08.09.10	Follow on 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	19,327,870.69

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
33	National Water Commission	08.09.10	The procurement of IP Business Communication Manager and Associated Licenses, Installation & Support Services, Re: Kingston Water and Sanitation Project.	IADB	Cable and Wireless Limited T/A LIME	Goods	ST	US \$127,398.44
34	Housing Agency of Jamaica Limited	06.10.10	The construction of Infrastructure for two hundred and seventy (270) serviced lots and two (2) bedroom housing units at Boscombe, in the parish of St. Mary.	NHT	N.F. Barnes Construction and Equipment Company Limited	Works	OT	802,522,476.00
35	Housing Agency of Jamaica Limited	06.10.10	The proposed Phase 3 of the Stadium Gardens housing development for the construction of fifty (50) two (2) bedroom townhouses and attendant infrastructure in the parish of St. Andrew.	NHT	Alcar Construction and Haulage Company Limited	Works	OT	349,854,520.00
36	Ministry of Water & Housing	03.11.10	The installation of Electrical Distribution System at West Albion, St. Thomas under the Rural Electrification Programme - Hurricane Gustav Relocation Project.	GOJ	Rural Electrification Programme Limited	Services	LT	13,500,000.00
37	National Irrigation Commission Limited	10.11.10	The preparation of a Business Strategy Plan for the National Irrigation Commission Limited	IADB / GOJ	Delloitte & Touché	Services	OT	12,784,854.00
38	National Irrigation Commission Limited	10.11.10	The supply of Irrigation Pipes & Fittings for New Forrest/Duff in the parish of Manchester.	GOJ	Jamaica Drip Irrigation Limited	Goods	OT	100,067,416.48
39	Central Wastewater Treatment Co Limited	24.11.10	The provision of Insurance Coverage.	GOJ	Allied Insurance Brokers Limited	Services	ST	US \$246,250.00
40	Housing Agency of Jamaica Limited	24.11.10	Rehabilitation of Infrastructure at Lilliput Phase 3 in the parish of St. James.	TEF	D.R. Foote Construction Limited	Works	LT	190,096,630.00
41	Housing Agency of Jamaica Limited	24.11.10	VARIATION to the existing contract for the rehabilitation of Infrastructure Works at Lilliput in the parish of St. James (Phase 2).	TEF	Construction Solutions Limited	Works	LT	2,329,250.00

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
42	National Irrigation Commission Limited	24.11.10	The supply and Installation of three (3) Deepwell Pumps, Motors, Variable Speed Drives and the construction of Pumphouses at the New Forrest/Duff House Irrigation System in the parish of Manchester.	IDB	Y.P. Seaton & Associates Company Limited	Works	ST	77,316,434.20
43	National Irrigation Commission Limited	15.12.10	The development of a Production Well at New Forest/Duff House Irrigation System in the parish of St. Elizabeth.	GOJ / IDB	Jamaica Wells & Services Company Limited	Works	ST	32,522,432.89
44	National Water Commission	22.12.10	The provision of Security Services for the National Water Commission's Offices in Zone 1 (St. Catherine, St. Mary, Portland, Manchester, St. Elizabeth, Westmoreland, Hanover, St. James, Trelawny & St. Ann).	NWC	Vanguard Security Services Limited	Services	ST	254,838,782.16
45	National Water Commission	22.12.10	The provision of Security Services for the National Water Commission's Offices in Zone 2 (Kingston, St. Andrew & St. Thomas).	NWC	Ranger Security Company Limited	Services	ST	81,896,885.25
46	National Water Commission	22.12.10	The provision of Security Services for the National Water Commission's Offices in Zone 3 (Kingston, St. Andrew, St. Thomas and Clarendon).	NWC	Alpha Security Services	Services	ST	60,764,373.37
47	National Water Commission	22.12.10	Sole Source Procurement for the provision of Internal Audit Co-sourcing Services.	NWC	PriceWaterhouse Coopers (PWC)	Services	SS	29,855,355.00
MINISTRY OF YOUTH, SPORT AND CULTURE								
1	Jamaica National Heritage Trust	27.01.10	The Renovation of the New Seville Heritage Park Great House & Coach House.	TEF	Bajad Limited	Works	ST	39,957,335.00
2	Ministry of Youth, Sports and Culture	24.02.10	Direct Contracting for the procurement of seven (7) Servers.	GOJ	Dell Inc.	Goods	DC	5,001,835.82

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
OFFICE OF THE CABINET								
1	Office of the Cabinet	24.11.10	Consultancy Services to assist with the capacity building of the Performance Monitoring and Evaluation Unit (PMEU) to support and deliver and improved Performance Monitoring and Evaluation System across Government.	IADB	Werner Meier	Services	OT	US \$126,485.00
2	Office of the Cabinet	16.12.10	Direct Contracting of Project Management Services for the LNG Project for a period of three (3) months.	GOJ	Mr. Ernest Megginson	Services	DC	US \$105,000.00
OFFICE OF THE PRIME MINISTER								
1	National Housing Trust	20.01.10	The construction of civil infrastructure for the development of housing estate at Nashville in the parish of St Mary.	NHT	Nakash Construction & Equipment Company Limited	Works	ST	40,408,155.90
2	National Housing Trust	27.01.10	Infrastructure Works (Phase 1) at the Perth Housing Development in the parish of Manchester.	NHT	Buildrite Construction Company Limited	Works	ST	606,807,345.00
3	Jamaica Social Investment Fund	03.02.10	Sole Source Procurement for the development of a web based crime observatory.	JSDF / WB	Mona Geoinformatics Institute	Services	SS	US \$130,000.00
4	Development Bank of Jamaica Ltd	03.03.10	The provision of Audit Services for a period of five (5) years.	DBJ	KPMG	Services	ST	21,721,000.00
5	National Housing Trust	10.03.10	The provision of Infrastructure Works at Providence Housing Development, Phase 11 in the parish of St. James.	NHT	Alcar Construction & Haulage Company Limited	Works	ST	205,059,056.00
6	Office of the Prime Minister	10.03.10	The provision of Janitorial Services for a period of three (3) years.	GOJ	Manpower and Maintenance Limited	Services	ST	18,103,930.00

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
7	National Housing Trust	31.03.10	The provision of Security Services at the National Housing Trust Head Office, 4 Park Boulevard, Kingston 5.	NHT	Quest Security Limited	Services	ST	57,672,725.01
8	Planning Institute of Jamaica	31.03.10	Sole Source Procurement for the supply and installation of an Air Handling Unit.	GOJ	Arel Limited	Works	SS	5,470,752.00
9	Jamaica Social Investment Fund	31.03.10	Integrated Infrastructure Works (Phase 2) at Africa, in the parish of St. Catherine.	IBRD / GOJ	Alcar Construction and Haulage Company Limited	Works	ST	89,347,430.00
10	Jamaica Social Investment Fund	31.03.10	Integrated Infrastructure Works at Big Lane, Central Village in the parish of St. Catherine.	IBRD / GOJ	Bacchus Engineering Works Limited	Works	ST	26,402,650.00
11	Jamaica Social Investment Fund	31.03.10	The upgrading of roads at Jarrett Lane, Kingston.	EU / GOJ	Alcar Construction and Haulage Company Limited	Works	ST	13,468,960.00
12	Jamaica Social Investment Fund	31.03.10	The Construction of a Multi-Purpose Court and Football Field at the March Pen Community Centre in the parish of St. Catherine.	EU / GOJ	Marshall Construction Company Limited	Works	ST	30,708,521.00
13	Jamaica Social Investment Fund	31.03.10	The Construction of five (5) classrooms at the Retreat and Junior High School in the parish of St. Mary.	EU / GOJ	Alfastructure Structures & Roofing Limited	Works	ST	19,952,250.00
14	Jamaica Social Investment Fund	31.03.10	The fabrication and delivery of twelve (12) Waste Garbage Skips to inner city communities.	EU / IBRD	Matrix Engineering Limited	Works	ST	10,450,000.00
15	Office of Disaster and Emergency	07.04.10	Consultancy Services for Risk Assessment and the Development of Risk Management in Urban Coastal Towns (Ocho Rios, Black River and Savanna-La-Mar).	IADB / GOJ	Smith Warner International Limited	Services	OT	US \$283,000.00
16	Jamaica Social Investment Fund	07.04.10	The installation of approximately 586m of 100mm (PVC) pressure line along with fittings and the reinstatement of the road surface in Federal Gardens, Collie Smith Drive.	IBRD / ERL	Alcar Construction and Haulage Company Limited	Works	ST	18,792,487.00

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
17	Jamaica Social Investment Fund	07.04.10	The rehabilitation of the Homestead Community Centre in the parish of St. Catherine.	GOJ / EUPRP	Marshall Construction Company Limited	Works	ST	33,875,018.50
18	Jamaica Social Investment Fund	07.04.10	The construction of Stormwater Drainage in Flankers, St. James.	IBRD / GOJ	Sharecon Construction Limited	Works	ST	48,652,430.00
19	Jamaica Social Investment Fund	07.04.10	Integrated Infrastructure Works at Lauriston in the parish of St. Catherine.	IBRD / GOJ	Sharecon Construction Limited	Works	ST	27,368,050.00
20	Jamaica Social Investment Fund	07.04.10	The rehabilitation of Moore Town Road in the parish of Portland.	GOJ / EUBSP	Contraxx Enterprise Limited	Works	ST	36,776,700.00
21	Jamaica Social Investment Fund	07.04.10	The rehabilitation of Portland Cottage Road in the parish of Clarendon.	IBRD / GOJ	Sharecon Construction Limited	Works	ST	34,526,640.00
22	National Solid Waste Management Authority	07.04.10	Direct Contracting for the procurement of two (2) specialized vehicles.	GOJ	Safebro Industrial Supplies	Goods	DC	US \$47,950.00
23	National Solid Waste Management Authority	14.04.10	Direct Contracting for repairs to a D10 Tractor.	GOJ	Irons Mechanical Services Limited	Services	DC	7,580,000.00
24	National Solid Waste Management Authority	14.04.10	The leasing of Heavy Equipment (D10 Bulldozer) for the Riverton Disposal Site.	GOJ	General Maintenance & Construction Services Limited	Services	LT	74,460,000.00
25	National Solid Waste Management Authority	14.04.10	The leasing of Heavy Equipment (D9 Bulldozer) for the Riverton Disposal Site.	GOJ	Heathenson Limited	Services	LT	33,288,000.00
26	National Solid Waste Management Authority	14.04.10	The leasing of Heavy Equipment (966 Front-End Loader) for the Riverton Disposal Site.	GOJ	Wayne Rich Limited	Services	LT	12,095,000.00
27	National Solid Waste Management Authority	21.04.10	The leasing of Heavy Equipment (D8 Bulldozer) for the Riverton Disposal Site.	GOJ	General Maintenance & Construction Services Limited	Services	LT	29,270,000.00

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
28	National Solid Waste Management Authority	21.04.10	The leasing of Heavy Equipment (D8 Bulldozer) for the Retirement Disposal Site.	GOJ	Wayne Rich Limited	Services	LT	27,740,000.00
29	Jamaica Social Investment Fund	28.04.10	The provision of Emergency Response Equipment for the Jamaica Fire Brigade Rescue Operations.	GOJ / IBRD	National Safety Limited	Goods	ST	20,800,786.00
30	Urban Development Corporation	28.04.10	The provision of Audit Services for a period of five (5) years.	UDC	Urban Development Corporation	Services	OT	90,374,585.00
31	Jamaica Social Investment Fund	26.05.10	Sole Source Procurement of Consultancy Services for the development of an Integrated Crime and Violence Information System.	IBRD	Mona Geoinformatics Institute	Services	SS	11,686,204.00
32	Jamaica Social Investment Fund	26.05.10	The construction of three (3) standard size classroom at the Albion Basic School in the parish of St. James.	EU / GOJ	Marshall Construction Company Limited	Works	ST	29,737,735.00
33	Jamaica Social Investment Fund	26.05.10	The rehabilitation of 0.8km of the Harbour Road roadway in parish of Kingston.	EU / GOJ	Alcar Construction and Haulage Company Limited	Works	ST	13,237,980.00
34	National Housing Trust	02.06.10	The provision of Infrastructure Works for the development of a Parking Facility at the National Housing Trust's Montego Bay Branch Office.	NHT	Marshall Construction Company Limited	Works	ST	12,931,520.00
35	National Housing Trust	02.06.10	The construction of six (6) three (3) bedroom townhouses and the associated Infrastructure Works at 2A Mark Way, Cherry Gardens in the parish of St. Andrew.	NHT	Prime Development Limited	Works	ST	141,709,450.40
36	National Housing Trust	16.06.10	Variation to the existing contract for the Construction of Boundary Walls at the Twickenham Park Housing Development in St. Catherine.	NHT	P. A. Lawson Engineering & Construction Limited	Works	ST	10,630,681.50
37	Jamaica Social Investment Fund	23.06.10	The rehabilitation of the Melrose Primary and Junior School in the parish of St. Andrew.	EU	Lewins Hardware Limited	Works	ST	15,200,000.00

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
38	Jamaica Social Investment Fund	23.06.10	The Construction of three (3) standard size classroom at the Sydenham Basic School in the parish of St. Catherine.	IBRD	Ricam Construction Co Limited	Works	ST	16,518,656.75
39	National Housing Trust	07.07.10	The provision of Infrastructure Works at Creighton Hall Housing Development, St. Thomas.	NHT	Build-Rite Construction Company Limited	Works	ST	165,844,556.50
40	National Housing Trust	21.07.10	The provision of Architectural and Engineering Services for the Design and Construction Monitoring of Renovation Works at 45 East Queen Street and 79A East Street Kingston.	NHT	Apec Consultants Limited	Services	ST	12,593,640.00
41	St. Mary Parish Council	28.07.10	The renovation/extension of the Road and Works Department Offices, Port Maria in the parish of St. Mary.	GOJ	Skymar Construction Company Limited	Works	ST	21,204,188.05
42	National Housing Trust	28.07.10	Architectural and Engineering Services for the Design and Construction Monitoring of approximately one hundred and ninety-eight (198) housing units and the associated infrastructure works at the Ruthen Road Housing Development.	NHT	A.G. Lowe Architect	Services	ST	80,814,400.00
43	Jamaica Social Investment Fund	04.08.10	The rehabilitation of the Windward Road Primary and Junior High School in the parish of Kingston.	EU / PRP 11	Alcar Construction & Haulage Co Limited	Works	ST	15,671,259.50
44	Jamaica Social Investment Fund	04.08.10	The construction of a four (4) classroom block at the Effortville Basic School in the parish of Clarendon.	EU / PRP 11	Marshall Construction Company Limited	Works	ST	26,597,220.00
45	Jamaica Social Investment Fund	04.08.10	The construction of four (4) standard classroom blocks at the Constant Spring Primary and Junior High School in the parish of St. Andrew	EU / PRP 11	Marshall Construction Company Limited	Works	ST	28,053,638.00
46	Jamaica Social Investment Fund	04.08.10	The construction of a four (4) classroom block at the Newlands Basic School in the parish of St. Catherine.	EU / PRP 11	Marshall Construction Company Limited	Works	ST	30,393,850.00

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# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
47	National Housing Trust	11.08.10	Variation to the existing contract for Consultants to provide construction monitoring services for Twickenham Park Housing Development Phase 1.	NHT	Hytech Associates Limited	Services	SS	5,115,042.15
48	National Housing Trust	11.08.10	Variation to the existing contract for the Construction of Three (3) Bedroom Townhouses with associated infrastructure at 4 - 6 Salisbury Avenue, Barbican, St. Andrew.	NHT	M & M Jamaica Limited	Works	ST	25,069,788.31
49	National Housing Trust	18.08.10	The Construction of the Trench Town Commercial Centre.	NHT	O.K. Damani Construction Company Limited	Works	ST	56,286,123.04
50	Department of Local Government	18.08.10	Direct Contracting for the Construction of a new Residential Ward at the Hanover Infirmary.	GOJ	Free Form Factory Limited	Works	DC	27,160,356.79
51	National Housing Trust	18.08.10	The Construction of the Trench Town Basic School.	NHT	O.K. Damani Construction Company Limited	Works	ST	20,640,634.27
52	Bank of Jamaica	01.09.10	The procurement of Water Treatment Services for the Cooling Towers at the Bank of Jamaica for a period of three (3) years.	BOJ	Chem Quip Water Treatment Limited	Services	ST	15,591,505.00
53	Urban Development Corporation	01.09.10	Sole Source Procurement for the provision of Consultancy Services for the Development of the Water Supply System at the Caymanas Estate.	UDC	Dairy Springs Limited	Services	SS	20,202,245.00
54	Urban Development Corporation	01.09.10	The supply of Desktops, CAD Workstation Notebook, Multimedia Projects and Software for UDC Offices Island-wide.	UDC	Innovative Corporate Solutions Limited	Goods	OT	26,746,257.60
55	E-Learning Jamaica Co Limited (MMT)	06.10.10	Variation to the existing contract for Technology Integration Training and development for 4000 secondary teachers and tutors in teachers colleges.	GOJ	Mico University College	Services	SS	US \$372,997.28
56	Statistical Institute of Jamaica	27.10.10	The procurement of services for the printing and processing of questionnaires for the Population and Housing Census 2011.	GOJ	Xsomo International Limited	Services	OT	89,384,400.00

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
57	Golden Age Home Limited	27.10.10	Direct Contracting for the procurement of Catering Services at the Golden Age Home for a period of one (1) year, 2010 - 2011.	GOJ	Golden Age Kitchens Limited	Services	DC	The endorsed rates were \$209.60 per day for three meals and \$45.00 per special dietary meal.
58	National Housing Trust	27.10.10	The Construction of Marine Terminal Wall at the Longville Park Housing Development, Phase 3, Bodles in the parish of St. Catherine.	NHT	Jamaica Wells & Services Limited	Works	ST	21,240,464.65
59	Jamaica Social Investment Fund	03.11.10	The Construction of six (6) standard classrooms at the St. Patrick's Primary School in the parish of St. Andrew.	EU	Sharecon Construction Limited	Works	ST	28,641,025.00
60	National Land Agency	03.11.10	The provision of services for Cadastral Surveying of Land Settlement Schemes at Lennox, Portland.	GOJ	Llewelyn Allen & Associates	Services	ST	12,094,524.00
61	Urban Development Corporation	10.11.10	The procurement of Electrical Installation at the Simon Bolivar Cultural Centre.	GOJ	Synergy Engineering Limited	Works	ST	15,655,068.11
62	National Housing Trust	17.11.10	The design and Construction of infrastructure and housing units for the Hellshire Housing Development, Phase 4.	NHT	Ashtrom Building Systems Limited	Works	DC	1,199,390,744.00
63	National Solid Waste Management Authority	24.11.10	Sole Source Procurement for supply of Renault Compactor Truck.	GOJ	Ian K. (Agencies) Limited	Goods	SS	US \$138,412.00
64	Urban Development Corporation	01.12.10	Sole Source Procurement for the supply of Used Shipping Containers to the Urban Development Corporation (UDC).	UDC	Kingston Logistics Centre Limited	Goods	SS	24,750,000.00
65	National Housing Trust	01.12.10	Sole Source Procurement for the provision of Land Surveying Services for the Twickenham Park Housing Development, Central Village in the parish of St. Catherine.	NHT	Llewelyn Allen & Associates	Services	SS	18,251,765.13

NCC ENDORSED CONTRACTS 2010 ALL

# OF PROJ.	GOVERNMENT AGENCY	NCC ENDORM. DATE	CONTRACT DESCRIPTION	FUND TYPE	CONTRACTOR	TYPE OF PROCUREMENT	PROCUREMENT METHOD	CONTRACT VALUE (\$)
66	National Housing Trust	01.12.10	Road and Drainage Works for the National Housing Trust's Frimley Housing Project, Meyersfield, Little London in the parish Westmoreland.	NHT	Sanjon Asphaltting Company Limited	Works	SS	10,188,585.00
67	Jamaica Social Investment Fund	08.12.10	The expansion and rehabilitation of the Haddington Basic School in the parish of Hanover.	CDB / GOJ	Sharecon Construction Limited	Works	ST	26,845,557.00
68	Urban Development Corporation	15.12.10	Sole Source Procurement for the provision of Marketing and Management Services for the Montego Bay Convention Centre.	UDC	SMG	Services	SS	20,639,188.00
69	Office of the Prime Minister	15.12.10	Sole Source Procurement for the renewal of Microsoft Enterprise Agreement for a period of three (3) years.	GOJ	Microsoft Licensing G.P.	Services	SS	US \$3,330,222.00
70	Jamaica Social Investment Fund	22.12.10	The Construction of a Playground and rehabilitation of the Glendevon Primary and Junior High School in the parish of St. James.	CDB / GOJ	Alcar Construction and Haulage Company Limited	Works	ST	32,527,225.00
71	National Water Commission	22.12.10	The provision of Courier Delivery Services for the parish of St. Catherine for a period of two (2) years.	NWC	Don-Cross Services Company Limited	Services	ST	18,037,440.00

APPENDIX V - CONSTRUCTION CONTRACTS MONITORED

Project #	1					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries			Project Name	Roads Rehabilitation Project in Portland, Clarendon and Hanover	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Portland
Comments						
<p>The Invitation to Tender was advertised on February 24, 2010. Tenders were to be submitted by March 12, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>On April 9, 2010, the procurement process was aborted.</p>						
Status	The Procurement process was aborted					

Project #	2					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture & Fisheries (MoAF)			Project Name	Gustav Farm Roads Rehabilitation Project No: 2010T001- Cranefield to Darlington	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 22,736,593.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Portland
Comments						
<p>The Invitation to Tender 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 pre-qualify for projects which were located in the parishes of Portland, Clarendon, St. Elizabeth, St. Andrew, St. Thomas and Hanover.</p> <p>Pre-qualification documents were to be submitted by May 14, 2010 at 10:00 a.m., to be followed by a scheduled Ceremony for the opening of the Pre-Qualification submissions at 10:15 a.m.</p> <p>Eleven (11) Pre-qualification documents were received. Upon evaluation of the Pre- Qualification Questionnaires, the eleven (11) Contractors were deemed responsive.</p> <p>The MoAF wrote to the NCC and requested permission to utilise the Limited Tender Procurement Methodology to invite the eleven (11) responsive Contractors to submit proposals. The request was granted by the NCC at its meeting of July 14, 2010.</p> <p>By way of a letter which was dated August 10, 2010, the eleven (11) pre-qualified bidders were invited to tender on the project.</p> <p>Tenders were to be submitted by September 10, 2010, at 10:00 a.m., to be 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>Upon evaluation of the tenders, a preferred bidder was identified and, recommended for the award of contract.</p> <p>As at December 31, 2010, all requisite approvals had been received and the award of contract was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the award of contract was pending.					

Project #	3					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries (MoAF)			Project Name	Gustav Farm Roads Rehabilitation Project - Guava Ridge to Flamstead	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-10	2010-11-20	2010-12-06	2010-12-15	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 17,808,350.00	J\$ 23,000,000.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<p>The Invitation to Tender 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 pre-qualify for projects which were located in the parishes of Portland, Clarendon, St. Elizabeth, St. Andrew, St. Thomas and Hanover.</p> <p>Pre-qualification documents were to be submitted by May 14, 2010 at 10:00 a.m., to be followed by a scheduled Ceremony for the opening of the Pre-Qualification submissions at 10:15 a.m.</p> <p>Eleven (11) Pre-qualification documents were received. Upon evaluation of the Pre- Qualification Questionnaires, eleven (11) Contractors were deemed responsive.</p> <p>The MoAF wrote to the NCC and requested permission to utilise the Limited Tender Procurement Methodology to invite the eleven (11) responsive Contractors to submit proposals to participate in the construction phase of the project. The request was granted by the NCC at its meeting of July 14, 2010.</p> <p>By way of a letter which was dated August 10, 2010, the eleven (11) pre-qualified bidders were invited to tender on the project.</p> <p>Tenders were to be submitted by September 10, 2010, at 10:00 a.m., to be 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>Upon evaluation of the tenders, a preferred bidder was identified and, recommended for the award of contract. The requisite approvals were received accordingly.</p> <p>As at December 31, 2010, all requisite approvals had been received and the award of contract was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the award of contract was pending.					

Project #	4					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries			Project Name	Gustav Farm Roads Rehabilitation Project - Hodges and Spring Vale	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-05-14	2010-11-26	2010-12-01	2010-12-08	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 19,169,600.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Elizabeth
Comments						
<p>The Invitation to Tender 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 pre-qualify for projects which were located in the parishes of Portland, Clarendon, St. Elizabeth, St. Andrew, St. Thomas and Hanover.</p> <p>Pre-qualification documents were to be submitted by May 14, 2010 at 10:00 a.m., to be followed by a scheduled Ceremony for the opening of the Pre-Qualification submissions at 10:15 a.m.</p> <p>Eleven (11) Pre-qualification documents were received. Upon evaluation of the Pre-Qualification Questionnaires, eleven (11) Contractors were deemed responsive.</p> <p>The MoAF wrote to the NCC and requested permission to utilise the Limited Tender Procurement Methodology to invite the eleven (11) responsive Contractors to submit proposals to participate in the construction phase of the project. The request was granted by the NCC at its meeting of July 14, 2010.</p> <p>By way of a letter which was dated August 10, 2010, the eleven (11) pre-qualified bidders were invited to tender on the project.</p> <p>Tenders were to be submitted by September 10, 2010, at 10:00 a.m., to be 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>Upon evaluation of the tenders, a preferred bidder was identified and, recommended for the award of contract.</p> <p>As at December 31, 2010, all requisite approvals had been received and the award of contract was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the award of contract was pending.					

Project #	5					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries			Project Name	Construction of Block Wall Fence at Norman Manley International Airport	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 5,893,941.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on February 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction or Building Maintenance - Grade 4 and higher, were invited to submit tenders. Tenders were to be submitted by February 12, 2010.</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>Subsequently, all bidders were informed of the termination of the procurement process, by way of letter which was dated August 24, 2010.</p>						
Status	The procurement process was terminated.					

Project #	6					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries			Project Name	Roof Repairs at Norman Manley International Airport, Export Complex	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on February 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction or Building Maintenance - Grade 4 and higher, were invited to submit tenders. Tenders were to be submitted by February 12, 2010.</p> <p>Subsequently, all bidders were informed of the termination of the procurement process, by way of letter which was dated August 24, 2010.</p>						
Status	The procurement process was terminated.					

Project #	7					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries (MoAF)			Project Name	Gustav Farm Road Rehabilitation Project - Bangor Ridge to Spring Hill	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-05-14	2010-12-06	2010-12-13	2010-12-15	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 16,359,750.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Portland
Comments						
<p>The Invitation to Tender 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 pre-qualify for projects which were located in the parishes of Portland, Clarendon, St. Elizabeth, St. Andrew, St. Thomas and Hanover.</p> <p>Pre-qualification documents were to be submitted by May 14, 2010 at 10:00 a.m., to be followed by a scheduled Ceremony for the opening of the Pre-Qualification submissions at 10:15 a.m.</p> <p>Eleven (11) Pre-qualification documents were received. Upon evaluation of the Pre- Qualification Questionnaires, the eleven (11) Contractors were deemed responsive.</p> <p>The MoAF wrote to the NCC and requested permission to utilise the Limited Tender Procurement Methodology to invite the eleven (11) responsive Contractors to submit proposals to participate in the construction phase of the project. The request was granted by the NCC at its meeting of July 14, 2010.</p> <p>By way of a letter which was dated August 10, 2010, the eleven (11) pre-qualified bidders were invited to tender on the project.</p> <p>Tenders were to be submitted by September 10, 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>Upon evaluation of the tenders, a preferred bidder was identified and, recommended for the award of contract.</p> <p>As at December 31, 2010, all requisite approvals had been received and the award of contract was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	Procurement process ongoing					

Project #	8					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries (MoAF)			Project Name	Gustav Farm Road Rehabilitation Project - Peters Hill and Clifton Hill	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-05-14	2010-12-06	2010-12-13	2010-12-15	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 16,967,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Portland
Comments						
<p>The Invitation to Tender 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 pre-qualify for projects which were located in the parishes of Portland, Clarendon, St. Elizabeth, St. Andrew, St. Thomas and Hanover.</p> <p>Pre-qualification documents were to be submitted by May 14, 2010 at 10:00 a.m., to be followed by a scheduled Ceremony for the opening of the Pre-Qualification submissions at 10:15 a.m.</p> <p>Eleven (11) Pre-qualification documents were received. Upon evaluation of the Pre-Qualification Questionnaires, eleven (11) Contractors were deemed responsive.</p> <p>The MoAF wrote to the NCC and requested permission to utilise the Limited Tender Procurement Methodology to invite the eleven (11) responsive Contractors to submit proposals to participate in the construction phase of the project. The request was granted by the NCC at its meeting July 14, 2010.</p> <p>By way of a letter which was dated August 10, 2010, the eleven (11) pre-qualified bidders were invited to tender on the project.</p> <p>Tenders were to be submitted by September 10, 2010, at 10:00 a.m.</p> <p>Three (3) proposals were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation of the tenders, a preferred bidder was identified and, recommended for the award of contract.</p> <p>As at December 31, 2010, all requisite approvals had been received and the award of contract was pending.</p>						
Status	As at the time of this report, the award of contract was pending.					

Project #	9					
Ministry / Agency	Ministry of Agriculture and Fisheries / National Irrigation Commission Limited (NIC)			Project Name	Construction of Water Users Association Building/NIC Office Building	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-18	2010-01-08	2010-01-08	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 11,890,476.50	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Manchester
Comments						
Documents provided by the Procuring Entity indicated that subsequent to the Head of Entity's Approval, the procurement process was cancelled owing to a lack of funding.						
Status	The procurement process was cancelled.					

Project #	10					
Ministry / Agency	Ministry of Agriculture and Fisheries / National Irrigation Commission Limited (NIC)			Project Name	Development of Production Well	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-08	2010-11-26	2010-11-26	2010-12-15	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 29,878,629.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Elizabeth
Comments						
<p>The Invitation to Tender was advertised on September 15, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Well Drilling Grade 2, were invited to submit tenders by October 8, 2010.</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>Upon evaluation of the tenders, a preferred bidder was identified and, recommended for the award of contract.</p> <p>As at December 31, 2010, all requisite approvals had been received and the award of contract was pending.</p>						
Status	As at the time of this report, the award of contract was pending.					

Project #	11					
Ministry / Agency	Ministry of Agriculture and Fisheries / National Irrigation Commission Limited (NIC)			Project Name	Supply and Installation of Three (3) Irrigation Deepwell Pumps, Motors, Variable Speed Drives and the Construction of Pumphouses at the New Forrest/Duff House Irrigation System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-05	2010-10-26	2010-10-26	2010-11-24	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 80,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Manchester
Comments						
<p>The Invitation to Tender was advertised on May 19, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering, Electrical Engineering or Mechanical Works Grade 1, were invited to submit tenders by July 2, 2010. However, the tender return and opening date was revised by way of an addendum issued on June 21, 2010 and July 2, 2010, which extended the date for submission of Tenders, to August 05, 2010.</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>Upon evaluation of the tenders, a preferred bidder was identified and, recommended for the award of contract.</p> <p>As at December 31, 2010, all requisite approvals had been received and the award of contract was pending.</p>						
Status	As at the time of this report, the award of contract was pending.					

Project #	12					
Ministry / Agency	Ministry of Agriculture and Fisheries / National Irrigation Commission Limited (NIC)			Project Name	The Supply and Installation of Pumping Equipment - Jungle West Well	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-26	2010-05-21	2010-06-07	0000-00-00	0000-00-00	2010-07-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Jamaica Drip Irrigation Limited	J\$ 13,000,000.00	J\$ 7,305,170.54	0000-00-00	0000-00-00	J\$ 0.00	Clarendon
Comments						
<p>The Invitation to Tender was advertised on March 07, 2010. Contractors registered with the National Contracts Commission (NCC), "List of Government Suppliers of Irrigation Pumps" or in Civil Engineering, Electrical Engineering or Mechanical Works in Grades 3 or higher, were invited to submit tenders by March 26, 2010.</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 as specified in the Tender Document and the lowest evaluated bidder recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>The site was handed over to the Contractor on September 9, 2010. However, start-up of the Works was delayed by three (3) months, owing to the installation of JPS Transformers to supply electricity to the Irrigation Pumps. Consequently, the Contractor was granted three (3) months extension of time. The project is scheduled to commence in 2011.</p> <p>The OCG will continue to monitor the project.</p>						
Status	As at the time of this report, implementation of the project was pending.					

Project #	13					
Ministry / Agency	Ministry of Agriculture and Fisheries / National Irrigation Commission Ltd. (NIC)			Project Name	Salem Fishing Beach	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-22	2010-07-27	2010-07-27	0000-00-00	0000-00-00	2010-04-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
G.W. Irrigation & Construction Company Limited	J\$ 3,889,868.00	J\$ 3,772,617.00	2010-04-09	2011-01-14	J\$ 3,034,710.32	Saint Ann
Comments						
<p>The Invitation to Tender was advertised on April 1, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 4 or higher, were invited to submit tenders by April 22, 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>Upon evaluation, the lowest evaluated bidder was recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>Documents obtained by the OCG indicated that work commenced on April 9, 2010, with contract duration of 18 weeks.</p> <p>As at December 31, 2010, the project was 90% complete.</p> <p>The OCG will continue to monitor the project.</p>						
Status	As at the time of this report, the contract was 90% complete.					

Project #	14					
Ministry / Agency	Ministry of Education / College of Agriculture, Science & Education (CASE)			Project Name	Repairs to Roof of Walkways at CASE	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-07-21
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Miller's Electric and Construction Company Limited	J\$ 1,030,008.60	J\$ 1,019,292.50	2010-07-28	2010-08-20	J\$ 871,035.67	Portland
Comments						
<p>The Invitation to Tender was advertised on March 15, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction and Building Maintenance and Roofing Grades 1-4, were invited to submit tenders by April 6, 2010.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. The contract subsequently awarded.</p> <p>Head of Entity and Procurement Committee approvals were not evidenced for the subject contract award.</p> <p>Documents obtained by the OCG indicated that the project progressed satisfactorily.</p> <p>There were variations to the contract, in the amount of \$47,305.00. The variation, however, did not result in an increase in the contract sum, as the variation amount was deducted from the Contingency Sum.</p> <p>Partial completion was achieved on August 20, 2010.</p> <p>Documents obtained by the OCG, indicated that as at September 13, 2010, the project was satisfactorily completed.</p>						
Status	The project has been completed.					

Project #	15					
Ministry / Agency	Ministry of Education / Heart Trust/NTA			Project Name	Expansion of the Food Preparation Laboratory and Staff Facilities	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-11	2010-02-02	2010-02-09	2010-06-02	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 96,647,045.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Ann
Comments						
<p>The Invitation to Tender was advertised on November 22, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Construction Grade 1 were invited to submit tenders by January 4, 2010. The close of tender was however extended to January 11, 2010.</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 evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>All requisite approvals were obtained. However, subsequent to the endorsement of the contract award recommendation, the procurement process was suspended as a result of a repositioning exercise at the HEART Trust/NTA, to make the organisation more relevant to the needs of the stakeholders.</p>						
Status	The procurement process was suspended.					

Project #	16					
Ministry / Agency	Ministry of Education / Heart Trust/NTA			Project Name	Installation of Floor Finishes	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 9,349,700.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on December 1, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Interior Construction Works (Grade 1-3) were invited to submit tenders by December 20, 2010.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements as outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	17					
Ministry / Agency	Ministry of Education / Human Employment and Resource Training/HEART Trust/NTA			Project Name	Warehouse Storage Facility	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-20	2010-11-16	2010-11-19	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 13,464,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on August 25, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction or Systems Building (Grade 3) were invited to submit tenders by September 20, 2010.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements as outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the evaluation criteria outlined in the Tender Document and a preferred bidder identified.</p> <p>As at December 31, 2010, the National Contracts Commission's (NCC's) endorsement of the recommended bidder was being sought.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, NCC endorsement was awaited.					

Project #	18					
Ministry / Agency	Ministry of Education / Jamaica Library Service			Project Name	Construction of Retaining Wall & Storm Water Drains	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-30	2010-10-06	2010-10-06	0000-00-00	0000-00-00	2010-11-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
K & R Associates	J\$ 4,329,925.00	J\$ 3,893,630.00	2010-11-24	2011-03-24	J\$ 0.00	Manchester
Comments						
<p>The Invitation to Tender was advertised on July 11, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-4, were invited to submit tenders by July 30, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>Construction activities have commenced with the fabrication of steel reinforcement being approximately 90% complete. However, due to existing sewer drains the Contractor experienced difficulties in excavating to reduced levels, for some sections of wall foundation.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 25% complete.					

Project #	19					
Ministry / Agency	Ministry of Education/ Jamaica Library Service			Project Name	Renovations of the Restrooms and Kitchens	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-15	2010-08-19	2010-08-19	0000-00-00	0000-00-00	2010-10-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Otiga Engineering Company Limited	J\$ 4,900,000.00	J\$ 4,221,475.00	2010-11-13	2011-01-08	J\$ 0.00	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on February 21, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction or Building Maintenance Grades 1-4, were invited to submit tenders by March 15, 2010.</p> <p>Thirteen (13) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>As at December 31, 2010, Works on all activities had commenced and were progressing in accordance with the work schedule.</p> <p>The Office of the Contractor General (OCG) will continue to monitor this project.</p>						
Status	As at the time of this report, the project was approximately 85% complete.					

Project #	20					
Ministry / Agency	Ministry of Education/ Jamaica Library Service			Project Name	Roof Repairs to the Manchester Parish Library	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-04	2010-08-04	2010-08-04	0000-00-00	0000-00-00	2010-08-13
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
S-Contractors & Associates Limited	J\$ 4,812,075.00	J\$ 3,515,000.00	2010-10-04	2010-10-29	J\$ 3,215,000.00	Manchester
Comments						
<p>The Invitation to Tender was advertised on May 09, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction or Building Maintenance Grades 1-4 were invited to submit tenders by May 28, 2010 but was extended to June 4, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>The project was completed within the scheduled completion period and is currently in its three (3) months Defect Liability Period.</p>						
Status	The project is completed.					

Project #	21					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Rehabilitation of School 2010 -2011, St. Christopher School for the Deaf	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-22	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Ann
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction - Grades 1-4 or Building Maintenance - Grades 3-4, were invited to submit tenders by November 22, 2010.</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>As at December 31, 2010 the evaluation process was ongoing.</p> <p>The Office of the Contractor General (OCG) will continue to monitor this project.</p>						
Status	As at the time of this report, the procurement process was ongoing.					

Project #	22					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Construction of Four (4) Classroom Blocks - Penwood High School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Force Account	2009-10-30	0000-00-00	2010-01-25	2010-06-09	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Various Contractors	J\$ 0.00	J\$ 8,000,000.00	2010-09-06	2011-01-19	J\$ 7,207,152.00	Kingston
Comments						
<p>The project was initially tendered utilising the Selective Tender Procurement Methodology. Tenders were opened on October 30, 2009.</p> <p>Upon evaluation, a preferred bidder was recommended for the award of contract.</p> <p>On January 27, 2010 the National Contracts Commission (NCC) endorsed the recommendation from the Sector Committee to reject the award of contract to the highest bidder.</p> <p>On February 3, 2010 NCC endorsed the award of contract to lowest tenderer, in the amount J\$16,410,045.00.</p> <p>By way of letter which was dated May 7, 2010, the Ministry stated that it was unable to sign the contract endorsed by the NCC due to a reduction of the funding. The Ministry sought the approval of the NCC to allow the school to undertake the project with grant funding from the Ministry, using the staff of the Ministry to supervise the Works.</p> <p>On June 9, 2010, the NCC endorsed the Ministry's request to utilise Force Account. The NCC in granting permission, stipulated conditions to be applied in execution of same.</p> <p>Based on the utilisation of Force Account, a single Contractor was not engaged. Documents reviewed indicated that up to seven (7) companies were engaged at different stages of construction, to carry out the works.</p> <p>As at December 31, 2010, there was a request from the School to the Ministry indicating that the funding (J\$8.0M) provided was practically exhausted and additional funding was required. The project was about fifty percent (50%) completed.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 50% complete.					

Project #	23					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Proposed Completion of Two (2) Classrooms - Guy's Hill High School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-04	2010-11-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Motex Construction Company Limited	J\$ 5,460,518.00	J\$ 5,008,750.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Pre-qualify was advertised on September 12, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction - Grades 1-4, were invited to submit tenders by October 4, 2010.</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 specified in the Tender Document and a preferred bidder recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the procurement process was ongoing.					

Project #	24					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009-2010 - Wakefield Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-01-20	0000-00-00	0000-00-00	0000-00-00	2010-02-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Tropical Metal Products Limited	J\$ 712,662.00	J\$ 510,630.00	2010-03-12	2010-03-29	J\$ 531,860.00	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Head of Entity's approval was not evidenced for the subject contract award.</p> <p>Records indicate that the project incurred a net variation of \$21,230.00.</p> <p>The project was given Practical Completion on March 29, 2010.</p>						
Status	The project is completed.					

Project #	25					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of School 2009 – 2010 - Smith Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-02-03	0000-00-00	0000-00-00	0000-00-00	2010-04-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
E & W Construction Limited	J\$ 9,850,081.00	J\$ 7,136,570.00	2010-04-12	2010-07-06	J\$ 8,756,127.00	Clarendon
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Head of Entity's approval was not evidenced for the subject contract award.</p> <p>Records indicate that the project incurred a net variation of \$1,619,425.25.</p> <p>The project was given Practical Completion on July 6, 2010.</p>						
Status	The project is completed.					

Project #	26					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009-2010 - Belle Caslte Primary & Infant	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-02-03	0000-00-00	0000-00-00	0000-00-00	2010-03-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Marshall Construction Company Limited	J\$ 2,244,615.00	J\$ 2,030,820.00	2010-03-15	2010-04-09	J\$ 1,948,420.00	Portland
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Head of Entity approval was not evidenced for the subject contract award.</p> <p>Records indicate that the project was given Practical Completion on April 9, 2010 and was completed within budget.</p>						
Status	The project is completed.					

Project #	27					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009-2010 - Elliot Primary & Infant School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-02-03	0000-00-00	0000-00-00	0000-00-00	2010-03-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Alfrasure Structures & Roofing Limited	J\$ 365,980.00	J\$ 306,935.00	2010-06-17	2010-04-12	J\$ 531,860.00	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Head of Entity's approval was not evidenced for the subject contract award.</p> <p>Records indicate that the project incurred a net variation of \$128,666.00.</p> <p>The project was given Practical Completion on July 6, 2010.</p>						
Status	Project completed					

Project #	28					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009-2010 - Hillside Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-01	2010-07-28	2010-07-29	0000-00-00	0000-00-00	2010-07-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Miller's Electric & Construction Company Limited	J\$ 5,542,000.00	J\$ 4,943,590.00	2010-07-28	2010-09-15	J\$ 3,800,940.00	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on March 21, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 or Building Maintenance Grade 3, were invited to submit tenders by April 1, 2010.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>The project was given Practical Completion on September 15, 2010.</p>						
Status	As at the time of this report, Practical Completion had been achieved.					

Project #	29					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009 - 2010 - Port Antonio Infant School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-03-17	0000-00-00	0000-00-00	0000-00-00	2010-03-25
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Melody Heavy Equipment & Construction	J\$ 3,312,153.00	J\$ 2,036,370.00	2010-03-31	2010-05-06	J\$ 2,006,723.20	Portland
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Head of Entity approval was not evidenced for the subject contract award.</p> <p>The project was given Practical Completion on May 6, 2010.</p> <p>Records indicate that there was a negative net variation, in the amount of \$29,646.80.</p>						
Status	The project is completed.					

Project #	30					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009-2010 - Riverside	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-02-03	0000-00-00	0000-00-00	0000-00-00	2010-03-11
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Artrog Construction Company	J\$ 11,739,905.00	J\$ 8,480,187.00	2010-04-05	2010-06-08	J\$ 9,292,664.00	Hanover
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Head of Entity approval was not evidenced for the subject contract award.</p> <p>Records indicate that the project incurred a net variation of \$812,477.00</p> <p>The project was given Practical Completion on August 9, 2010, approximately two (2) months after the scheduled completion.</p>						
Status	The project is completed.					

Project #	31					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009 - 2010 - Drews Avenue Primary & Infant School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-03-12	0000-00-00	0000-00-00	0000-00-00	2010-04-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Alfrasure Structures & Roofing Limited	J\$ 2,886,264.00	J\$ 2,162,800.00	2010-04-13	2010-06-21	J\$ 2,637,087.00	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Head of Entity approval was not evidenced for the subject contract award.</p> <p>Records indicate that the project incurred a net variation of \$474,287.00,</p> <p>The project was given Practical Completion on May 21, 2010.</p>						
Status	The project is completed.					

Project #	32					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009 - 2010 - Walkers Wood Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-01-20	0000-00-00	0000-00-00	0000-00-00	2010-03-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
D. Bisasor and Associates	J\$ 880,332.00	J\$ 884,360.00	2010-03-22	2010-04-01	J\$ 1,060,896.00	Saint Ann
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Head of Entity's approval was not evidenced for the subject contract award.</p> <p>Documents obtained by the OCG indicated that a six (6) week 'Extension of Time' was granted.</p> <p>The project was completed four (4) months after the scheduled completion date and incurred a net variation of \$176,536.00.</p> <p>The project was given Practical Completion on August 11, 2010.</p>						
Status	The project is completed.					

Project #	33					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009-2010, Esher Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-22	2010-06-22	2010-08-04	0000-00-00	0000-00-00	2010-08-04
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Tropical Metal Products Limited	J\$ 4,976,100.00	J\$ 3,155,321.92	2010-08-19	2010-10-29	J\$ 3,655,179.92	Hanover
Comments						
<p>The Invitation to Tender was advertised on May 23, 2010. Contractors registered with the National Contracts Commission (NCC), in the Categories of Building Construction - Grades 1-4 and Building Maintenance - Grades 3-4, were invited to submit tenders by June 22, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract duly awarded.</p> <p>Records indicate that the project incurred a net variation of \$499,858.00, which was approved by the Head of Entity on October 29, 2010. The variation resulted in a revised contract sum of \$3,655,179.92.</p> <p>The project was scheduled to be completed on October 13, 2010 but was actually completed on October 29, 2010.</p>						
Status	The project is completed.					

Project #	34					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009 – 2010 - Fair Prospect Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-02-03	0000-00-00	0000-00-00	0000-00-00	2010-03-04
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
L.C Housing Extension Limited	J\$ 5,960,295.00	J\$ 3,824,555.40	2010-03-12	2010-05-07	J\$ 3,813,917.80	Portland
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</p> <p>Ten (10) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract subsequently awarded.</p> <p>Head of Entity's approval was not evidenced for the subject contract award.</p> <p>Documents obtained by the OCG indicated that a twenty-eight (28) day 'Extension of Time' was granted.</p> <p>There was a negative net variation of \$10,637.60.</p> <p>The project was given Practical Completion on June 5, 2010.</p>						
Status	The project is completed.					

Project #	35					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009 - 2010 - Jericho All Age School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-02-03	0000-00-00	0000-00-00	0000-00-00	2010-03-11
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Artrog Construction Company	J\$ 10,712,233.00	J\$ 9,516,985.25	2010-04-05	2010-06-30	J\$ 11,624,425.25	Hanover
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance Grades 1-3, were invited to submit tenders by December 16, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract subsequently awarded.</p> <p>Head of Entity's approval was not evidenced for the subject contract award.</p> <p>Documents obtained by the OCG indicated that a three (3) week 'Extension of Time' was granted.</p> <p>Records indicate that the project incurred a net variation of \$2,107,440.00.</p> <p>The project was given Practical Completion on August 9, 2010.</p>						
Status	The project is completed					

Project #	36					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009 – 2010 - Prospect Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-05-12	0000-00-00	0000-00-00	0000-00-00	2010-03-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Melody Heavy Equipment & Construction	J\$ 5,718,859.15	J\$ 4,008,810.00	2010-04-12	2010-05-30	J\$ 4,570,393.00	Manchester
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction (Grade 1-3) and or Building Maintenance (Grade 3), were invited to submit tenders by December 16, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract subsequently awarded.</p> <p>Head of Entity approval was not evidenced for the subject contract award.</p> <p>Records indicate that the project incurred a net variation of \$561,583.00.</p> <p>The project was given Practical Completion on June 30, 2010, which was approximately one (1) month after the scheduled completion date.</p>						
Status	The project is completed.					

Project #	37					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2009 – 2010 - Seaside Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-16	2010-01-20	0000-00-00	0000-00-00	0000-00-00	2010-03-11
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Melody Heavy Equipment & Construction	J\$ 3,879,965.00	J\$ 2,838,150.00	2010-03-15	2010-04-23	J\$ 2,816,649.50	Portland
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 1-3 and or Building Maintenance (Grade 3), were invited to submit tenders by December 16, 2009.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. The Procurement Committee's approval was obtained and the contract subsequently awarded.</p> <p>Head of Entity's approval was not evidenced for the subject contract award.</p> <p>Records indicate that the project incurred a negative net variation of \$21,500.50.</p> <p>The project was given Practical Completion on April 23, 2010.</p>						
Status	The project is completed.					

Project #	38					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	Rehabilitation of Schools 2010 -2011 - Tivoli Gardens High School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 40,361,864.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on August 22, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-2, were invited to submit tenders by September 22, 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>Upon evaluation, the preferred bidder was recommended for the award of contract.</p> <p>As at December 31, 2010, the requisite approvals were being awaited.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	39					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Rehabilitation of Schools 2010-2011, Construction of Super-Structure for Proposed Three (3) Classroom Pre-Fabricated Steel Framed Building at Foga Road High School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-10	2010-09-01	2010-09-01	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 6,064,176.00	J\$ 6,305,915.00	2010-09-06	2010-11-02	J\$ 6,274,025.14	Clarendon
Comments						
<p>The Invitation to Tender was advertised on July 25, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Steel Erection & Steel Fabrication Grades 1-3, were invited to submit tenders by August 10, 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>Upon evaluation, the sole bidder was recommended for the award of contract.</p> <p>The scheduled completion date was not achieved as additional Electrical Works, at a value of \$ 157,587.80, was required to be done. The project was given Practical Completion on December 13, 2010.</p> <p>As at December 31, 2010, the project achieved Practical Completion.</p>						
Status	As at the time of this report, Practical Completion had been achieved					

Project #	40					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Rehabilitation of Schools 2010-2011, Norman Manley High School, Kingston (Boundary Wall Construction)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Categories of Building Construction, Grades 1-4 or Building Maintenance, Grades 3-4, were invited to submit tenders by November 22, 2010.</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, 2010, the evaluation process was ongoing</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the evaluation process was ongoing					

Project #	41					
Ministry / Agency	Ministry of Education/ Ministry of Education			Project Name	The Renovation and Extension of Existing Facility To Be Used As a Special High School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-29	0000-00-00	2010-11-19	2010-12-01	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 51,607,955.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Elizabeth
Comments						
<p>The Invitation to Tender was advertised on September 26, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-2 was invited to submit tenders by October 29, 2010.</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>Upon evaluation, a preferred bidder was recommended for the award of contract.</p> <p>There is no evidence of Procurement Committee's approval.</p> <p>As at December 31, 2010, the Cabinet's approval of the contract award recommendation was being sought.</p> <p>The Office of the Contractor General (OCG) will continue to monitor this procurement process.</p>						
Status	As at the time of this report, Cabinet approval was awaited.					

Project #	42					
Ministry / Agency	Ministry of Education/ Ministry of Education (MoE)			Project Name	Rehabilitation of Schools 2009-2010, Goshen Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-01	2010-08-26	2010-08-04	0000-00-00	0000-00-00	2010-08-04
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
L.C. Housing Extensions Limited	J\$ 4,615,000.00	J\$ 3,924,575.00	2010-08-04	2010-09-29	J\$ 4,465,830.00	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on March 21, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 3, were invited to submit tenders by April 1, 2010.</p> <p>Six (6) 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 as specified in the Tender Document and the lowest evaluated bidder was recommended for the award of contract.</p> <p>The requisite approvals were obtained and the contract was duly awarded. Subsequent to the award of contract, the Contractor visited the site and determined that some of the 'quantities' indicated on the Bill of Quantities submitted with the tender, were inadequate owing to unforeseen demolition and reconstruction Works that were required to be done to prescribed sections of the building. The requisite approvals for the additional Works were sought and subsequently received on October 14, 2010. This resulted in a net variation of \$2,392,577.00. The contract sum was revised to \$6,317,152.00 as a result.</p> <p>The project was given Practical Completion on December 21, 2010.</p>						
Status	The project in Defects Liability period.					

Project #	43					
Ministry / Agency	Ministry of Education/ Ministry of Education (MoE)			Project Name	Rehabilitation of Schools 2009 - 2010, Manchioneal All Age School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-01	2010-07-26	2010-07-28	0000-00-00	0000-00-00	2010-07-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Artog Construction Co. Limited	J\$ 7,860,190.00	J\$ 5,821,525.00	2010-08-05	2010-11-05	J\$ 5,474,439.50	Portland
Comments						
<p>The Invitation to Tender was advertised on March 21, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3, were invited to submit tenders by April 1, 2010.</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 specified in the Tender Document and the lowest evaluated bidder was recommended for the award of contract.</p> <p>The requisite approvals were gained and the contract was subsequently awarded.</p> <p>The project was given Practical Completion on December 21, 2010.</p>						
Status	As at the time of this report the project was 95% complete.					

Project #	44					
Ministry / Agency	Ministry of Education/ Ministry of Education (MoE)			Project Name	Rehabilitation of Schools 2009-2010 - New Roads All Age School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-01	2010-04-26	2010-04-29	2010-05-05	0000-00-00	2010-07-02
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N.R. Diaram Construction Limited	J\$ 14,919,000.00	J\$ 10,997,379.00	2010-07-02	2010-11-19	J\$ 9,854,379.00	Westmoreland
Comments						
<p>The Invitation to Tender was advertised on March 21, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3, were invited to submit tenders by April 1, 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>A detailed evaluation was conducted in accordance with the evaluation criteria as specified in the Tender Document and the lowest evaluated bidder was recommended for the award of contract.</p> <p>All requisite approvals were gained and the contract was duly awarded.</p> <p>The project was given Practical Completion on December 15, 2010.</p>						
Status	As at the time of this report the project was completed.					

Project #	45					
Ministry / Agency	Ministry of Education/ Ministry of Education (MOE)			Project Name	Rehabilitation Works for Reach All Age and Infant School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-22	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-07-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Millers Electric and Construction Company Limited	J\$ 9,080,590.00	J\$ 7,676,680.00	0000-00-00	0000-00-00	J\$ 7,508,839.60	Portland
Comments						
<p>The Invitation to Tender was advertised on May 23, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 1-4 or Building Maintenance, Grade 3-4 were invited to submit tenders by June 11, 2010. However, as a result of civil unrest and the declaration of a 'State of Emergency' in the Kingston and St. Andrew locality, the period for the collection of Tender Documents was extended from June 9, 2010 to June 18, 2010. An addendum was issued on June 06, 2010, which extended the date for the submission of Tenders, to June 22, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract. The contract was subsequently awarded.</p> <p>The Procurement Committee's or Head of Entity's approval was not evidenced for the subject contract award.</p> <p>At the end of the reporting period, the project was reported to have been completed on November 05, 2010.</p>						
Status	The project was completed.					

Project #	46					
Ministry / Agency	Ministry of Education/ Ministry of Education (PESP)			Project Name	Expression of Interest, Building Construction Firms to Build Schools	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-16	0000-00-00	0000-00-00	2010-09-29	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 289,936,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<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 Expressions of Interest by December 16, 2009.</p> <p>Four (4) Pre-qualification Documents were received, opened and verified in accordance with the eligibility requirements which were outlined in the Pre-qualification Document.</p> <p>A detailed evaluation was conducted in accordance with the established evaluation criteria, as specified in the Pre-qualification Document and three (3) Contractors were recommended for invitation to tender on the project.</p> <p>Consequently, Invitations to Tender on the project were extended to the three (3) Contractors by way of letters which were dated July 12, 2010. Tenders were to be submitted by August 16, 2010 at 2:00 p.m., to be followed by the Tender Opening Ceremony, scheduled for 2:15 p.m.</p> <p>Upon evaluation of the tenders submitted, the lowest evaluated bidder was recommended for the award of contract.</p> <p>The Procurement Committee's and Head of Entity's approval was not evidenced for the subject contract award.</p> <p>As at December 31, 2010, Cabinet approval was being sought.</p>						
Status	As at the time of this report, Cabinet approval was awaited.					

Project #	47					
Ministry / Agency	Ministry of Education/ Ministry of Education - Region 4			Project Name	Rehabilitation of Knockalva Agricultural School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 18,982,065.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Hanover
Comments						
<p>The Invitation to Tender was advertised on July 25, 2010. Contractors registered with the National Contracts Commission (NCC), in the Categories of Building Construction, Grades 1-3 or Building Maintenance, Grade 3, were invited to submit tenders by August 17, 2010.</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 established evaluation criteria, as specified in the Tender Document and the lowest evaluated bidder was recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The Office of the Contractor General (OCG) will continue to monitor this procurement.</p>						
Status	As at the time of this report, the procurement process was ongoing					

Project #	48					
Ministry / Agency	Ministry of Education/ Ministry of Education, Region 2			Project Name	Construction Repairs at Skibo Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-27	2009-05-27	2009-07-27	2009-08-05	0000-00-00	2009-10-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Eastern St. Thomas Construction Company Limited	J\$ 13,645,000.00	J\$ 12,286,306.63	2009-11-02	2010-05-25	J\$ 12,286,306.63	Portland
Comments						
<p>The Invitation to Tender was advertised on March 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-3 and or Building Maintenance 1-4, were invited to submit tenders by March 27, 2009.</p> <p>Seventeen (17) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project was completed on time and within budget.</p>						
Status	The project was completed.					

Project #	49					
Ministry / Agency	Ministry of Education/ Ministry of Education, Region 2			Project Name	Renovation Works to Rock Hall All Age School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-27	2009-08-05	2009-09-28	0000-00-00	0000-00-00	2009-11-03
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Stone Plus Limited	J\$ 9,700,000.00	J\$ 7,060,034.00	2009-11-03	2010-08-24	J\$ 4,317,879.10	Portland
Comments						
<p>The Invitation to Tender was advertised on March 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Maintenance, Grades 1-3, were invited to submit tenders by March 27, 2009.</p> <p>Twenty Two (22) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract. The contract was subsequently awarded.</p> <p>The Head of Entity's approval was not evidenced for the subject contract award.</p> <p>Documents obtained by the OCG indicated that the project in general did not progress in a diligent manner and the workmanship was poor in some trades.</p> <p>Practical Completion was achieved on August 24, 2010, approximately four (4) months after the scheduled completion date.</p>						
Status	The project was completed.					

Project #	50					
Ministry / Agency	Ministry of Finance and the Public Service/ The Culture, Health, Arts, Sports and Education (CHASE) Fund			Project Name	Renovation of the Barbary Hall Cultural and Community Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-05	2010-06-11	2010-06-18	2010-06-30	0000-00-00	2010-07-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
LC Housing Extensions Limited	J\$ 13,110,859.00	J\$ 11,800,000.00	2010-08-16	2010-12-16	J\$ 8,482,722.59	Saint Elizabeth
Comments						
<p>The Invitation to Tender was advertised on January 17, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 3, were invited to submit tenders by February 5, 2010.</p> <p>Ten (10) Tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project was delayed by (1) week due to heavy rains experienced in October 2010.</p> <p>The Office of the Contractor General (OCG) will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 90% complete.					

Project #	51					
Ministry / Agency	Ministry of Education/ University of Technology			Project Name	Supply & Installation of an Elevator for the Faculty of Engineering & Computing	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2007-04-27	2007-11-19	2007-11-19	2008-02-20	0000-00-00	2008-09-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Danem Engineering Limited	J\$ 20,950,580.18	J\$ 25,232,726.00	2008-11-18	2010-03-10	J\$ 25,584,288.20	Kingston
Comments						
<p>The Invitation to Tender was advertised on April 8, 2007. Contractors registered with the National Contracts Commission (NCC), in the Categories of Building Construction, Elevator, Escalator and Moving Walkways, Electrical Works, Heating Ventilation, Air Conditioning and Refrigeration - Grade 3 or higher, were invited to submit tenders by April 27, 2007.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project commenced on September 26, 2008 and achieved Practical Completion on March 10, 2010.</p>						
Status	The project was completed.					

Project #	52					
Ministry / Agency	Ministry of Education/ University of Technology, Jamaica (UTECH)			Project Name	Proposed Students Union Relocation Project	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 8,506,515.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on September 22, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Works, indicating a minimum of Grade 4 rating were invited to submit tenders by October 20, 2010.</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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The Office of the Contractor-General (OCG) will continue to monitor this project.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	53					
Ministry / Agency	Ministry of Education/ University of Technology, Jamaica (UTech)			Project Name	Waterproofing to Administrative Building & Calvin McKain Library	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-29	2010-12-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 2,377,076.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on October 10, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Roofing, Grade 4 or above were invited to submit tenders by October 29, 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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The Office of the Contractor-General (OCG) will continue to monitor this project.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	54					
Ministry / Agency	Ministry of Education/ University of Technology, Jamaica			Project Name	Expansion and Modification to the Proposed Admissions Building	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-26	2010-08-07	2010-08-08	0000-00-00	0000-00-00	2010-08-18
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
C P Specialist Limited	J\$ 6,924,979.00	J\$ 8,197,130.00	2010-09-02	2010-12-31	J\$ 5,573,858.30	Kingston
Comments						
<p>The Invitation to Tender was advertised on March 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Maintenance or Building Construction, Grade 3 or higher, were invited to submit tenders by March 26, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>As at December 31, 2010, the project was approximately 98% complete.</p>						
Status	As at the time of this report, the project was 98% complete.					

Project #	55					
Ministry / Agency	Ministry of Education/ University of Technology, Jamaica			Project Name	Painting to Buildings in Zone 2	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-12	2010-05-31	2010-05-14	0000-00-00	0000-00-00	2010-05-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
New Era Fencing Limited	J\$ 2,406,179.00	J\$ 2,100,00.00	2010-06-14	2010-06-23	J\$ 1,419,398.30	Kingston
Comments						
<p>The Invitation to Tender was advertised on January 27, 2010. Contractors registered with the National Contracts Commission (NCC), in the Categories of Building Maintenance, Building Construction, Painting and Decorating - Grade 4 or higher, were invited to submit tenders by February 12, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>The project was completed as scheduled.</p>						
Status	The project was completed.					

Project #	56					
Ministry / Agency	Ministry of Education/ University of Technology, Jamaica			Project Name	Renovation and Expansion - Mustard Seed Building	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-04	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 20,044,336.90	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on February 18, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 3 or higher, were invited to submit tenders by March 4, 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>Documents received by the OCG indicated that the procurement process was terminated.</p>						
Status	The procurement process was aborted.					

Project #	57					
Ministry / Agency	Ministry of Education/ University of Technology, Jamaica			Project Name	Renovation and Expansion School of Hospitality and Tourism	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/a	J\$ 149,103,676.40	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised in April 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building construction Grade 1 were invited to submit tenders by May 10, 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>Documents obtained by the OCG, indicated that, as at December 31, 2010, the procurement process was ongoing.</p>						
Status	As at the time of this report, the procurement process was ongoing					

Project #	58					
Ministry / Agency	Ministry of Education/ University of Technology, Jamaica			Project Name	Renovation of Lecture Theatre 23 & Modify Lighting in Lecture 9 at The University of Technology	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-07-17	2009-08-26	2009-08-26	0000-00-00	0000-00-00	2009-09-18
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Eagle Construction Limited	J\$ 2,070,000.00	J\$ 1,992,100.00	2009-10-17	2010-05-20	J\$ 1,881,891.55	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on June 29, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Maintenance or Building Construction Grade 4 or higher were invited to submit tenders by July 17, 2009.</p> <p>Fourteen (14) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Practical Completion was achieved on May 20, 2010.</p>						
Status	As at the time of this report, the project was completed.					

Project #	59					
Ministry / Agency	Ministry of Energy and Mining/ Petrojam Limited			Project Name	Waste-Water Treatment Plant (WWTP) Design and Equipment Supply	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 1,573,623.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on December 1, 2010. Contractors registered with the National Contracts Commission (NCC), in the Categories of General Supplies and/or Industrial, Construction Equipment and Machinery, were invited to submit tenders by December 15, 2010.</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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	60					
Ministry / Agency	Ministry of Energy and Mining/ Petroleum Corporation of Jamaica			Project Name	FSRU LNG Regasification Terminal and Natural Gas Transportation System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-02-15	2010-04-14	0000-00-00	2010-05-05	2010-06-14	
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 450,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The National Contracts Commission (NCC) by way of letter which was dated November 5, 2009, granted the Petroleum Corporation of Jamaica (PCJ) permission to utilise the Limited Tender Procurement Methodology to invite nine (9) companies to submit Proposals for the subject project. Four (4) companies declined to participate.</p> <p>Five (5) potential bidders were invited to submit tenders. Tenders were to be submitted by January 5, 2010, but the deadline was extended to February 15, 2010.</p> <p>Two (2) proposals were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. However, the PCJ, by way of letter, which was dated February 21, 2010, informed the OCG that a third tender was received by way of e-mail, which was dated February 15, 2010. The OCG, under cover of letter which was dated February 24, 2010, advised the PCJ that, in accordance with the provisions of the Tender Document, the tender which was submitted, should be rejected. The PCJ complied with the directives.</p> <p>A detailed evaluation was conducted and a preferred bidder was identified and recommended for the award of contract. The PCJ, in a letter which was dated May 5, 2010, wrote to the NCC requesting permission to enter into negotiations with the preferred bidder in relation to the financing, building, owning and operation of the FSRU LNG project. The NCC subsequently granted permission on May13, 2010.</p> <p>As at December 31, 2010, all approvals had been received and the PCJ was in negotiations with the preferred bidder.</p> <p>The Office of the Contractor-General (OCG) will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was ongoing.					

Project #	61					
Ministry / Agency	Ministry of Energy and Mining/ Petroleum Corporation of Jamaica (PCJ)			Project Name	Refurbishing of Solar Water Heating System Serving the Main Block of Wards of the Princess Margaret Hospital	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-15	2010-03-18	2010-04-12	0000-00-00	0000-00-00	2010-04-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Isratech Jamaica Limited	J\$ 900,000.00	J\$ 652,742.10	2010-04-19	2010-05-31	J\$ 574,413.05	Saint Thomas
Comments						
<p>The Invitation to Tender was advertised on February 28, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Services were invited to submit tenders by March 5, 2010.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, the preferred bidder was recommended for the award of contract and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project was completed and the Takeover Certificate issued on April 26, 2010.</p>						
Status	The project was completed.					

Project #	62					
Ministry / Agency	Ministry of Finance and the Public Service/ Cultural, Health, Arts, Sports, Education (CHASE) Fund			Project Name	Renovation of the Riversdale Cultural and Community Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-05	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 9,427,829.99	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on July 11, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 4 and higher, were invited to submit tenders by August 5, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was ongoing					

Project #	63					
Ministry / Agency	Ministry of Finance and the Public Service/ Culture Health Arts Sports and Education (C.H.A.S.E) Fund Limited			Project Name	Proposed Modification and Addition to St. Agnes Basic School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-27	2010-01-20	2010-01-20	2010-01-27	0000-00-00	2010-03-05
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Donaldson Enterprise Limited	J\$ 15,679,313.72	J\$ 12,894,110.00	2010-03-15	2010-07-15	J\$ 11,008,030.72	Portland
Comments						
<p>The Invitation to Tender was advertised on November 01, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 4, were invited to submit tenders by November 27, 2010.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>The project was given Practical Completion on July 23, 2010.</p>						
Status	The project was completed.					

Project #	64					
Ministry / Agency	Ministry of Finance and the Public Service/ Culture, Health, Arts, Sports & Education Fund (C.H.A.S.E) Limited			Project Name	Upgrade of Conveniences and Dining Area at Carron Hall	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-21	2010-07-06	2010-08-03	0000-00-00	0000-00-00	2010-08-05
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
RICAM Construction	J\$ 5,301,000.00	J\$ 4,818,945.94	2010-08-16	2010-10-18	J\$ 4,621,725.35	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on May 10, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 4, were invited to submit tenders by May 21, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>The project received Practical Completion on November 18, 2010.</p>						
Status	The project was completed.					

Project #	65					
Ministry / Agency	Ministry of Finance and the Public Service/ Culture, Health, Arts, Sports, Education (CHASE) Fund			Project Name	Construction of Cataboo Basic School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2009-06-11
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Caribbean Development & Management Company Limited	J\$ 10,815,915.75	J\$ 9,524,738.00	2009-06-29	2009-11-30	J\$ 9,180,014.14	Saint Elizabeth
Comments						
<p>The Invitation to Tender was advertised on February 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 3 and higher were invited to submit tenders by March 6, 2009.</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>Upon evaluation, the lowest evaluated bid was recommended for the award of contract and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project was not completed on time due mainly to the poor performance of the Contractor as it relates to quality of workmanship and timely progress of the works. Consequently, Practical Completion was achieved on February 13, 2010, approximately two and a half (2.5) months after the scheduled completion date.</p>						
Status	The project was completed.					

Project #	66					
Ministry / Agency	Ministry of Finance and the Public Service/ Culture, Health, Arts, Sports, Education (CHASE) Fund			Project Name	Renovation and Expansion of God Bless Basic School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2009-09-21
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
United Equipment Rental & Construction Limited	J\$ 6,380,593.00	J\$ 7,580,710.00	2009-10-05	2010-02-05	J\$ 7,993,716.25	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on June 7, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 4, were invited to submit tenders by June 26, 2009.</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 evaluation, the lowest evaluated bid was recommended for the award of contract.</p> <p>The Procurement Committee's and Head of Entity's approval were not evidenced for the subject contract award.</p> <p>Documents obtained by the OCG indicated that the project was delayed owing to civil unrest and the school's inability to hand over a section of the building to the Contractor, for the works to be done. The project incurred a net variation of \$561,403.00, as a result of re-measured works which were undertaken. Practical completion was issued on March 24, 2010.</p>						
Status	The project was completed.					

Project #	67					
Ministry / Agency	Ministry of Finance and the Public Service/ Culture, Health, Arts, Sports, Education (CHASE) Fund Limited			Project Name	Renovation & Expansion of the Bagatelle Basic School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-22	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 7,722,062.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Clarendon
Comments						
<p>This project was previously awarded to Melody Heavy Equipment & Construction Company Limited. The contract was however terminated effective on October 13, 2010 owing to unauthorised closure of the site by the Contractor. The procurement opportunity was subsequently re-tendered.</p> <p>The Invitation to Tender was advertised on October 5, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 3 and higher, were invited to submit tenders by October 22, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The Office of the Contractor General (OCG) will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was ongoing.					

Project #	68					
Ministry / Agency	Ministry of Finance and the Public Service/ Fiscal Services Limited			Project Name	Car Park Renovation and Paving	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-19	2010-05-04	2010-04-20	0000-00-00	0000-00-00	2010-05-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
IAR Jamaica Limited	J\$ 3,114,904.00	J\$ 4,380,477.89	2010-06-05	2010-07-10	J\$ 5,261,108.30	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on March 4, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Road surfacing - Asphaltic Concrete Works were invited to submit tenders by March 19, 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>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>The scheduled completion date was not achieved due to a variation to the contract, to facilitate additional paving to one of the three (3) Car Parks. This resulted in an additional cost of \$988,000.00 and a revised contract sum of \$5,368,477.89.</p> <p>Practical completion was achieved on October 8, 2010.</p>						
Status	The project was completed.					

Project #	69					
Ministry / Agency	Ministry of Finance and the Public Service/ Ministry of Finance and Public Service			Project Name	Construction of Container Officer Offices and Storage	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-29	2009-11-24	2009-12-11	2009-12-16	0000-00-00	2010-01-20
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Eastern St. Thomas Construction Company Limited	J\$ 15,700,000.00	J\$ 13,748,127.03	2010-01-21	2010-07-21	J\$ 2,783,030.20	Kingston
Comments						
<p>October 11, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction (Grade 3) were invited to submit tenders by October 29, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>It was noted that during the execution of the project, the Contractor encountered delays as a result of changes to the scope of works. The scope of works was revised based on recommendations from the Jamaica Fire Brigade, prior to the final approval by the Planning Authority.</p> <p>Documents obtained by the OCG indicated that the Ministry and the Contractor disagreed on costs associated with some of works to be undertaken as it relates to the revised scope of works, and as such, the matter was referred to the Ministry's Legal Officer, who recommended that the contract be terminated.</p> <p>The OCG will continue to monitor this contract.</p>						
Status	The project is being executed.					

Project #	70					
Ministry / Agency	Ministry of Finance and the Public Service/ Tax Administration Services Department (TASD)			Project Name	The Procurement and Installation of Retractable Belt Stanchions, May Pen Revenue Service Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-25	2009-07-07	2009-08-07	0000-00-00	0000-00-00	2009-08-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lock Safe and Vault Limited	J\$ 2,250,000.00	US\$ 19,893.00	2009-12-19	2010-02-23	US\$ 19,893.00	Clarendon
Comments						
<p>The Invitation to Tender was advertised on November 28, 2008. Contractors registered with the National Contracts Commission (NCC), in the Category of Goods and Services, were invited to submit tenders by January 9, 2009. The deadline for submission was however extended to February 27, 2009.</p> <p>No tenders were received at the close of tender. The procurement opportunity was subsequently re-tendered. Bids were to be submitted by March 25, 2009.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, the sole bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project was delayed, as all the retractable belts supplied, were not similar (in colour). Time was therefore lost whilst awaiting the required replacements.</p> <p>The project was completed on February 23, 2010.</p>						
Status	The project was completed.					

Project #	71					
Ministry / Agency	Ministry of Finance and the Public Service / Tax Administration Services Department (TASD)			Project Name	The Procurement and Installation of Retractable Belt Stanchions, Montego Bay Revenue Service Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-25	2009-07-07	2009-08-07	0000-00-00	0000-00-00	2009-08-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lock Safe and Vault Limited	J\$ 3,500,000.00	US\$ 25,678.00	2009-12-19	2010-02-22	US\$ 23,110.20	Saint James
Comments						
<p>The Invitation to Tender was advertised on November 28, 2008. Contractors registered with the National Contracts Commission (NCC), in the Category of Goods and Services, were invited to submit tenders by January 9, 2009. The deadline for submission was however extended to February 27, 2009.</p> <p>No tenders were received at the close of tender. The procurement opportunity was subsequently re-tendered. Bids were to be submitted by March 25, 2009.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, the sole bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project was delayed, as all the retractable belts supplied, were not similar (in colour). Time was therefore lost whilst awaiting the required replacements.</p> <p>The project was completed on February 23, 2010.</p>						
Status	The project was completed.					

Project #	72					
Ministry / Agency	Ministry of Finance and the Public Service / Tax Administration Services Department (TASD)			Project Name	The Procurement and Installation of Retractable Belt Stanchions, Spanish Town Revenue Service Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-25	2009-07-07	2009-08-07	0000-00-00	0000-00-00	2009-08-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lock Safe and Vault Limited	J\$ 2,250,000.00	US\$ 19,720.00	2009-12-19	2010-02-22	US\$ 19,720.00	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on November 28, 2008. Contractors registered with the National Contracts Commission (NCC), in the Category of Goods and Services, were invited to submit tenders by January 9, 2009. The deadline for submission was however extended to February 27, 2009.</p> <p>No tenders were received at the close of tender. The procurement opportunity was subsequently re-tendered. Bids were to be submitted by March 25, 2009.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, the sole bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project was delayed, as all the retractable belts supplied, were not similar (in colour). Time was therefore lost whilst awaiting the required replacements.</p> <p>The project was completed on February 22, 2010.</p>						
Status	The project was completed					

Project #	73					
Ministry / Agency	Ministry of Finance and the Public Service / Tax Administration Services Department (TASD)			Project Name	The Procurement and Installation of Retractable belt Stanchions, St. Andrew Revenue Services Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-25	2009-07-07	2009-08-07	0000-00-00	0000-00-00	2009-08-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lock Safe and Vault Limited	J\$ 3,000,000.00	US\$ 35,177.00	2009-12-19	2010-02-24	US\$ 35,177.00	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on November 28, 2008. Contractors registered with the National Contracts Commission (NCC), in the Category of Goods and Services, were invited to submit tenders by January 9, 2009. The deadline for submission was however extended to February 27, 2009.</p> <p>No tenders were received at the close of tender. The procurement opportunity was subsequently re-tendered. Bids were to be submitted by March 25, 2009.</p> <p>One (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, the sole bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project was delayed, as all the retractable belts supplied, were not similar (in colour). Time was therefore lost whilst awaiting the required replacements.</p> <p>The project was completed February 23, 2010.</p>						
Status	The project was completed.					

Project #	74					
Ministry / Agency	Ministry of Health and Environment/ South East Regional Health Authority			Project Name	Repairs and Renovation Works at Seaview Gardens Health Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-23	2010-05-12	2010-05-12	0000-00-00	0000-00-00	2010-05-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Premium Construction Services	J\$ 11,227,066.40	J\$ 8,783,244.80	2010-06-02	2010-09-03	J\$ 7,225,183.88	Kingston
Comments						
<p>The Invitation to Tender was advertised on February 28, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction (all Grades) and Building Maintenance (Grade 3 only) were invited to submit tenders by March 23, 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>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that as at December 31, 2010, the project was delayed by three (3) months and was 93% complete.</p> <p>The OCG will continue to monitoring this project.</p>						
Status	As at the time of this report, the project was 93% complete.					

Project #	75					
Ministry / Agency	Ministry of Health and Environment/ South East Regional Health Authority			Project Name	Renovation of Sewage Treatment Plant	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Champion Industrial Equipment & Supplies Limited	J\$ 2,778,389.55	J\$ 2,761,608.47	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on May 12, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering were invited to submit tenders by May 31, 2010.</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>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>As at December 31, 2010, preparations were being made for the implementation of the contract.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	76					
Ministry / Agency	Ministry of Health and Environment/ South East Regional Health Authority			Project Name	Renovation Works at Olympic Gardens Health Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Another Star is Born (ASB) Construction Limited	J\$ 12,587,742.00	J\$ 9,918,444.20	2010-03-01	2010-07-31	J\$ 8,389,256.77	Kingston
Comments						
<p>November 15, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction (Grades 1, 2 and 3 only) were invited to submit tenders by December 9, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that implementation of some works on the project was delayed, due to the preparation of the electrical drawing and Bill of Quantities by the Entity. Additional time was lost due to the approval process for the additional funds of \$2,666,297.80, required to carry out the necessary works. The variation was approved by the Head of Entity on December 31, 2010.</p> <p>Consequently, a request was made, for a six (6) week 'Extension of Time'. The extension of time would result in the completion date being in February 2011.</p> <p>As at December 31, 2010, the project was 72% complete.</p> <p>The OCG will continue to monitor the execution of this project</p>						
Status	As at the time of this report, the project was 72% complete.					

Project #	77					
Ministry / Agency	Ministry of Health and Environment/ South East Regional Health Authority			Project Name	Repairs to Roof and Interior of Building at Port Morant Health Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
VIP & P Enterprises	J\$ 8,690,199.00	J\$ 5,294,451.75	2010-06-14	2010-08-31	J\$ 1,748,248.07	Saint Thomas
Comments						
<p>The Invitation to Tender was advertised on October 7, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building construction (All Grades) and Building Maintenance (Grade 3 only) were invited to submit tenders by November 5, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG 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 and indicated a thirty (30) day termination notice as per clause 2.6.1 of the Contract, if remedial steps were not taken.</p> <p>As at December 31, 2010, the project was approximately four (4) months beyond the scheduled completion date and 65% complete.</p> <p>The OCG will continue to monitor this contract.</p>						
Status	As at the time of this report, the project was 65% complete.					

Project #	78					
Ministry / Agency	Ministry of Health and Environment/ Southern Regional Health Authority			Project Name	Craighead Health Centre Cottage Renovation	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,642,614.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Manchester
Comments						
Documentation obtained by the OCG, indicated that subsequent to the Tender Opening Ceremony, the procurement process was aborted.						
Status	Procurement process aborted					

Project #	79					
Ministry / Agency	Ministry of Health and Environment/ Southern Regional Health Authority			Project Name	Mandeville Regional Hospital - Block "J" Electrical Installation Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-19	2010-12-08	2010-12-10	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 20,361,062.33	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Manchester
Comments						
<p>The Invitation to Tender was advertised on September 19, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Electrical Works (Grades 1-3) were invited to submit tenders by October 13, 2010.</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, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	80					
Ministry / Agency	Ministry of Health and Environment/ Southern Regional Health Authority			Project Name	Mile Gully Health Centre Refurbishing	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-12	2010-05-07	2010-05-07	0000-00-00	0000-00-00	2010-06-07
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
RICAM Construction Limited	J\$ 11,161,615.99	J\$ 9,572,134.11	2010-06-14	2010-08-16	J\$ 7,965,973.54	Manchester
Comments						
<p>The Invitation to Tender was advertised on January 17, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction and Building Maintenance (Grades 1-4) were invited to submit tenders by February 12, 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>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG, indicated that the Contractor was granted a fourteen (14) day 'Extension of Time' (EOT) during the execution of the works, which incurred a net variation of J\$ 4,904.90.</p> <p>Practical Completion was achieved on October 19, 2010, approximately one (1) month after the scheduled completion date.</p>						
Status	The project was completed.					

Project #	81					
Ministry / Agency	Ministry of Health and Environment/ Western Regional Health Authority (WRHA)			Project Name	Refurbishment of the Obstetrics & Gynaecology Theatre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 14,151,400.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The Invitation to Tender was advertised on April 21, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction and Building Maintenance Grade 4, were invited to submit tenders by May 18, 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>During the evaluation process it was realised that the bidder, did not provide information in accordance with the Tender Document. In this regard, the Procuring Entity sought permission from the National Contracts Commission (NCC) to approach the bidder for the relevant information. The NCC at its meeting of November 10, 2010, offered no objection to the Procuring Entity requesting the required information from the bidder. The information was thus requested and duly furnished by the bidder.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The Office of the Contractor-General (OC-G) will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was ongoing.					

Project #	82					
Ministry / Agency	Ministry of Industry, Investment and Commerce/ Factories Corporation of Jamaica Limited			Project Name	Roof Replacement Garmex Freezone Building No. 3	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-26	0000-00-00	2009-07-21	2009-09-16	0000-00-00	2009-11-02
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Tropical Metal Products Limited	J\$ 24,722,950.00	J\$ 20,923,931.00	2009-11-16	2010-03-19	J\$ 19,926,8,854.01	Kingston
Comments						
<p>The Invitation to Tender was advertised on April 26, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction or Roofing Grades 1 or 2, were invited to submit tenders by May 25, 2010.</p> <p>Thirteen (13) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>The project was granted Practical Completion on February 12, 2010, which was prior to the scheduled completion date.</p>						
Status	The project was completed.					

Project #	83					
Ministry / Agency	Ministry of Industry, Investment and Commerce/ Factories Corporation of Jamaica Limited			Project Name	The Design-Build Agreement for Two (2) Office Buildings at Naggo Head Industrial Complex	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-30	2010-09-23	2010-09-15	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 850,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on June 17, 2010. Contractors registered with the National Contracts Commission (NCC), were invited to submit tenders by July 7, 2010.</p> <p>Thirteen (13) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>Documents obtained by the OCG indicated that on October 27, 2010 and November 17, 2010, submissions were made to the NCC regarding increase payment for the Consultant. The NCC rejected the request on both occasions, as it was determined that the Consultant had a 'Fixed Priced and not Percentage based' contract.'</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	84					
Ministry / Agency	Ministry of Justice/ Ministry of Justice			Project Name	Repairs to Roof and Windows at the Lucea Courthouse	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 5,414,409.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Hanover
Comments						
<p>The project was initially tendered in 2009. However, as a result of concerns raised by the Procurement Committee regarding the eligibility of some tenders, the procurement process was aborted and re-tendered in 2010.</p> <p>The Invitation to Tender was advertised on November 8, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Roofing Grade 3, were invited to submit tenders by November 13, 2009.</p> <p>Tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	85					
Ministry / Agency	Ministry of National Security/ Ministry of National Security			Project Name	Construction of a Firearm Tactical Training Unit, Jamaica Police Academy	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-10	0000-00-00	0000-00-00	2010-02-24	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 119,566,139.10	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Tender 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 tenders by December 10, 2009.</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 evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>Documents obtained by the OCG, indicated that as at December 31, 2010, the procurement process was delayed owing to financial constraints.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement process was delayed owing to financial constraints.					

Project #	86					
Ministry / Agency	Ministry of National Security/ Ministry of National Security			Project Name	Repair and Renovation Work to Chapelton Police Station	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-02-24	2009-10-01	2009-10-01	0000-00-00	0000-00-00	2009-11-04
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
B.W. Thompson Construction	J\$ 5,328,812.25	J\$ 4,743,564.00	2009-11-09	2010-02-06	J\$ 6,092,466.64	Clarendon
Comments						
<p>The Invitation to Tender was advertised on February 4, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Maintenance Grade 4, were invited to submit tenders by February 24, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project incurred a net variation of \$1,348,902.64.</p> <p>Upon request, the Contractor was granted six (6) weeks Extension of Time, which extended the contract completion date to March 22, 2010. This date, was however, not met.</p> <p>Practical Completion was granted on April 26, 2010.</p>						
Status	The project was completed.					

Project #	87					
Ministry / Agency	Ministry of Tourism / Devon House Development Limited			Project Name	Main House Restoration - Renovation Phase 2, Interior Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-12-17	0000-00-00	2009-06-01	2009-07-01	0000-00-00	2009-08-25
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Interior Construction Limited	J\$ 12,500,000.00	J\$ 10,376,748.90	2009-08-31	2009-10-12	J\$ 10,070,622.71	Saint Andrew
Comments						
<p>As at the end of the 2009 reporting period, this project was 85% complete and was two (2) months behind its scheduled completion, with practical completion scheduled for January 2010.</p> <p>Records reviewed, indicated that the contractor was granted Practical Completion on January 11, 2010, three (3) months after the scheduled completion date.</p>						
Status	Project is completed					

Project #	88					
Ministry / Agency	Ministry of Transport and Works/ Airports Authority Jamaica (AAJ)			Project Name	Boscobel Aerodrome Runway Redevelopment - Supply and Installation of Electrical Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-09-07	2010-01-19	0000-00-00	2010-02-03	0000-00-00	2010-03-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Synergy Engineering Limited	J\$ 26,418,800.00	J\$ 23,967,075.41	2010-03-01	2010-05-28	J\$ 14,731,928.25	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on August 16, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Electrical Works Grade 2, were invited to submit tenders by September 7, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project incurred a net variation of \$6,037,000.00.</p> <p>Practical Completion was received on December 1, 2010.</p>						
Status	The project was completed.					

Project #	89					
Ministry / Agency	Ministry of Transport and Works/ Airports Authority of Jamaica (AAJ)			Project Name	Boscobel Aerodrome Runway Redevelopment - Supply and Installation of Perimeter Fence for Eastern & Western of Runway	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-14	2010-02-02	0000-00-00	0000-00-00	0000-00-00	2010-01-13
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Island Woods Development	J\$ 8,953,500.00	J\$ 6,733,132.00	2010-01-18	2010-03-22	J\$ 8,473,550.53	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on January 3, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Fencing Grade 4, were invited to submit tenders by January 14, 2010.</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 evaluation, the preferred bidder was recommended for the award of contract and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project incurred a net variation of \$2,563,258.35.</p> <p>Practical Completion was received on June 30, 2010.</p>						
Status	As at the time of this report, the project was 95% complete.					

Project #	90					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission (NWC)			Project Name	Luana - Sandy Ground/ Brampton Water Supply Project	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 20,022,726.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Elizabeth
Comments						
<p>The Invitation to Tender was advertised on October 5, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Pipe Laying or Civil Engineering Grade 2, were invited to submit tenders by November 11, 2010.</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>Upon evaluation, the preferred bidder was recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	91					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Construction of Random Rubble Retaining Wall at Roach Gully	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 23,843,600.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Thomas
Comments						
<p>The Invitation to Tender was advertised on November 28, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering Works Grades 1-3, were invited to submit tenders by December 20, 2010.</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>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report the procurement process was at the evaluation stage.					

Project #	92					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Construction of the Bus Simulator Building at the Caribbean Maritime Institute	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-05-28	0000-00-00	2008-08-18	2008-06-18	2008-08-18	2008-11-13
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Nubian 1 Construction Company Limited	J\$ 34,554,270.00	J\$ 32,825,505.00	2008-09-23	2008-12-23	J\$ 35,441,722.25	Kingston
Comments						
<p>At the end of the 2009 reporting period, this project was 95% complete. The completion date was revised to June 2010, which was dependent on the availability of funding. Documents obtained by the OCG however, indicated that the revised completion date was not met.</p> <p>The project was officially handed over to the client on March 5, 2010. However, as at December 31, 2010, a Certificate of Completion had not been issued, as a result of issues regarding outstanding payments and incomplete works, relative to Sanitary Fixtures, Plumbing and Electrical Installation and External Works.</p> <p>The OCG is not satisfied with the performance of the NWA regarding the project's completion. As at December 31, 2010, there was still the issue of outstanding payments to the Contractor, and closure to the project.</p> <p>The Office of the Contractor-General (OCG) will continue to monitor this project.</p>						
Status	Contract is 95% complete					

Project #	93					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Construction of the Johns Hall Box Culvert	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-02-13	0000-00-00	0000-00-00	2009-03-25	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 65,711,250.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>Subsequent to the Tender Opening Ceremony, which was held on February 13, 2009, the Ministry of Transport and Works advised the OCG that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). JDIP is a Bilateral Agreement between the Governments of China and Jamaica and is therefore exempted from the Government of Jamaica Procurement Guidelines.</p> <p>The Contractor with responsibility for the implementation of the programme is China Harbour Engineering Company Limited (CHEC).</p> <p>Documents obtained by the OCG, indicated that there were changes to the Scope of Works, which resulted in additional works at an increased cost of \$384,026,081.51.</p> <p>The works commenced on November 18, 2010, with a scheduled completion period of twelve (12) months.</p> <p>The OCG will continue to monitor this project.</p>						
Status	The project is being implemented under the Jamaica Development Infrastructure Programme (JDIP).					

Project #	94					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Emergency Hurricane Gustav Repair Work – Woodford – Maryland Square	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2009-02-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2009-03-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Asphaltic Concrete Enterprise Limited	J\$ 75,350,779.18	J\$ 73,372,417.18	2009-05-11	2010-01-29	J\$ 72,486,225.74	Saint Andrew
Comments						
<p>The National Works Agency (NWA) utilised the Limited Tender Procurement Methodology " Contracting under Emergency Circumstance", Sub-Section No: S-2040 item (F) of the Revised Government of Jamaica Public Sector Procurement Procedures Handbook. Tenders were to be submitted on February 13, 2009, at 1:00 p.m., which was to be followed by a Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements outlined in the Tender Document.</p> <p>Upon evaluation, the preferred bidder was recommended for the award of contract.</p> <p>The National Contracts Commission endorsed the recommendation for the contract award.</p> <p>Records reviewed indicated that this project achieved Practical Completion on January 29, 2010.</p>						
Status	Practical Completion					

Project #	95					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Installation of Traffic Signals - Industrial Terrace and Spanish Town Road - Denham Town Primary	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-29	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 6,440,694.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on December 12, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Electrical Works Grades 1-4, were invited to submit tenders by December 28, 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>As at the December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	96					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Installation of Traffic Signals - Negril - Package B	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 7,423,653.75	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Westmoreland
Comments						
<p>The Invitation to Tender was advertised on November 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Electrical Works Grades 1-4, were invited to submit tenders by December 13, 2010.</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 the December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	97					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Installation of Traffic Signals Pechon Street and Port Royal Street, Water Lane	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 6,684,984.15	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on December 12, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Electrical Works were invited to submit tenders by December 28, 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>As at the December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	98					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency (NWA)			Project Name	Micro Surfacing Works in the Kingston Metropolitan Region	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<p>Subsequent to the Tender Opening Ceremony, which was held on November 23, 2009, the NWA advised the OCG that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). JDIP is a Bilateral Agreement between the Governments of China and Jamaica and is therefore exempted from the Government of Jamaica Procurement Guidelines.</p> <p>The Contractor with responsibility for the implementation of the programme, is China Harbour Engineering Company Limited (CHEC).</p> <p>The National Works Agency (NWA), informed the OCG that work on the project commenced on October 4, 2010, and is scheduled to be completed on October 4, 2011, at a cost of \$138,571,664.00.</p> <p>As at December 31, 2010, approximately 18% of the works was completed.</p> <p>The OCG will continue to monitor this project.</p>						
Status	Project is being implemented under the Jamaica Development Infrastructure Programme (JDIP).					

Project #	99					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Negril to Sheffield Drainage Improvement Work - Phase 1	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 65,560,139.55	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Westmoreland
Comments						
<p>The Invitation to Tender was advertised on November 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Works Grade 1 to 2, were invited to submit tenders by December 15, 2010.</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>As at the December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	100					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Refurbishing of the National Land Agency Regional Office	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-12-05	2009-01-20	2009-01-20	0000-00-00	0000-00-00	2009-01-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
West Bay Construction and Design Consultants Limited	J\$ 6,141,504.00	J\$ 5,500,000.00	2009-02-04	2009-03-04	J\$ 8,667,646.88	Saint James
Comments						
<p>As at the end of the 2009 reporting period, this project was 97% complete and had incurred net variations of approximately J\$3.4 M. On two (2) occasions, 'Extension of Time' was granted and the project completion date was revised to January 2010. This date was, however, not achieved, and consequently, after continued poor performance, the service of the Contractor was terminated in June 2010.</p> <p>The National Works Agency along with the National Land Agency, subsequently assumed responsibility for completion of the outstanding works and duly completed the works. Practical Completion was granted on December 6, 2010.</p>						
Status	The project was completed.					

Project #	101					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Rehabilitation for Roads and Storm Water Damage Works at Newport West, Port Bustamante	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-29	0000-00-00	0000-00-00	2009-12-16	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 20,188,450.00	Kingston
Comments						
<p>Subsequent to the endorsement by the NCC of the contract award recommendation on December 16, 2009, the NWA advised the OCG that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). JDIP is a Bilateral Agreement between the Governments of China and Jamaica and is therefore exempted from the Government of Jamaica Procurement Guidelines.</p> <p>The Contractor with responsibility for the implementation of the programme is China Harbour Engineering Company Limited (CHEC).</p> <p>The National Works Agency (NWA), informed the OCG that work on the project commenced on November 15, 2010, and is scheduled to be completed on November 15, 2011, at a cost of \$255,886,367.00.</p> <p>The OCG will continue to monitor the execution of this project.</p>						
Status	Project is being implemented under the Jamaica Development Infrastructure Programme (JDIP)					

Project #	102					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Repairs to Reinforced Concrete Roof, Gordon House	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 6,495,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on August 15, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grades 1-4, were invited to submit tenders by September 10, 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>The sole tender that was submitted was approximately 43.3% above the Engineer's Estimate.</p> <p>As at the December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	103					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Road Maintenance Fund - Queens Drive	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-05	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 81,887,153.51	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>Subsequent to the Tender Opening held on January 5, 2010, the NWA advised the OCG that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). JDIP is a Bilateral Agreement between the Governments of China and Jamaica and is therefore exempted from the Government of Jamaica Procurement Guidelines.</p> <p>The Contractor with responsibility for the implementation of the programme is China Harbour Engineering Company Limited (CHEC).</p> <p>The National Works Agency (NWA), informed the OCG that CHEC had engaged Surrey Paving and Aggregates Company Limited as a Sub-Contractor on the project and that the works commenced on October 25, 2010, and is scheduled to be completed on October 24, 2011, at a cost of \$82,542,900.00.</p> <p>As at December 31, 2010, the project was 40% complete.</p> <p>The NWA also informed the OCG that there will be a variation due to an increase in the scope of works.</p> <p>The OCG will continue to monitor this project.</p>						
Status	Project is being implemented under the Jamaica Development Infrastructure Programme (JDIP)					

Project #	104					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Road Maintenance Programme (Dump - Highgate Hall and Skull Point - Devon Roads)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-21	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 116,330,569.70	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Manchester
Comments						
<p>Subsequent to the Tender Opening held on December 21, 2009, the NWA advised the OCG that the project would be executed under the Jamaica Development Infrastructure Programme (JDIP). JDIP is a Bilateral Agreement between the Governments of China and Jamaica and is therefore exempted from the Government of Jamaica Procurement Guidelines.</p> <p>The Contractor with responsibility for the implementation of the programme is China Harbour Engineering Company Limited (CHEC).</p> <p>The National Works Agency (NWA) informed the OCG that work on the project commenced on October 4, 2010 and is scheduled to be completed on October 4, 2011, at a cost of \$124,614,556.00.</p> <p>As at December 31, 2010, the project was 15% complete.</p> <p>The OCG will continue to monitor this project.</p>						
Status	Project is being implemented under the Jamaica Development Infrastructure Programme (JDIP)					

Project #	105					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Rural Roads Rehabilitation Project Phase II	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Clarendon
Comments						
<p>The Pre-Qualification exercise commenced on May 22, 2009, and has been completed.</p> <p>Documents obtained by the OCG, indicated that as at December 31, 2010, the National Works Agency (NWA) was in the process of completing land acquisition activities and has engaged two (2) Land Surveying companies to complete Phase I of the land acquisition process.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, Pre-Tender activities were being undertaken.					

Project #	106					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Scott's Cove to Belmont, Asphaltic Concrete Road Resurfacing Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 301,382,859.84	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Westmoreland
Comments						
<p>The Invitation to Tender was advertised on November 28, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Surfacing Asphaltic Concrete Works were invited to submit tenders by December 23, 2010.</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, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	107					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Supply of Galvanized Wires	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-21	2010-01-25	2010-01-28	2010-02-24	0000-00-00	2010-04-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Kingston Industrial Agencies Limited	US\$ 276,969.67	US\$ 191,580.00	2010-04-08	2010-06-07	US\$ 204,449.43	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on November 15, 2009; Contractors registered with the National Contracts Commission (NCC), in the Suppliers Category of Galvanized Wires, were invited to submit tenders by December 14, 2009, but was extended to December 21st, 2009.</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 evaluation, the preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the procured goods were received in an acceptable condition and within the scheduled time. However, an additional cost of J\$1,151,814.00 was incurred, as a result of an increase in the foreign exchange rate at the time of payment.</p>						
Status	The project was completed.					

Project #	108					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Supply, Installation and Commissioning of Kitchen Equipment at the Central Sorting Office	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-19	2010-09-16	2010-09-20	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 9,850,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on February 13, 2010. Contractors registered with the National Contracts Commission (NCC), were invited to submit tenders by February 19, 2010.</p> <p>One (1) tender were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained.</p> <p>As at December 31, 2010, the Contractor was in the process of providing the requisite Bond and Insurances to facilitate the signing of the contract.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, award of the contract was pending.					

Project #	109					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Thermoplastic Centre Line Road Markings - Package A	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-12-19	2009-01-12	2009-01-12	0000-00-00	0000-00-00	2009-01-27
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Micro Surfacing Limited	J\$ 6,789,128.80	J\$ 7,261,835.50	2009-08-03	2009-10-05	J\$ 6,631,813.00	All Island
Comments						
<p>Subsequent to the contract signing on January 27, 2009, the National Works Agency (NWA) reported that as a result of outstanding sums owed to the Contractor from previous projects, the project experienced a six (6) months delay. Construction activities commenced on August 3, 2009.</p> <p>Package A Locations:</p> <p><u>St. Catherine</u></p> <p>a. Municipal Boulevard (Portmore); and</p> <p>b. Mandela Highway at Caymanas to Jose Marti High School (both carriage ways)</p> <p><u>St. Ann</u> - Faith's Pen to Walkers Wood</p> <p><u>Clarendon</u> - Sandy Bay to Four Paths</p> <p><u>Manchester</u> - Williamsfield to Greenvale</p> <p>The project was scheduled to be completed within sixty (60) days, however, the completion date was revised to March 1, 2010, resulting from:</p> <ol style="list-style-type: none"> 1. Roads scheduled to be marked were also scheduled for repairs; 2. Completion of road rehabilitation works; 3. Water logged areas; and 4. Construction activities by the respective utility companies. <p>The project was completed on the revised completion date of March 1, 2010.</p>						
Status	The project was completed.					

Project #	110					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Thermoplastic Centre Line Road Markings - Package B	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-12-19	2009-01-12	2009-01-12	0000-00-00	0000-00-00	2009-01-27
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Micro Surfacing Limited	J\$ 8,717,413.91	J\$ 9,321,579.50	2009-08-03	2009-10-05	J\$ 8,515,858.00	All Island
Comments						
<p>Subsequent to the contract signing on January 27, 2009, the NWA reported that as a result of outstanding sums owed to the Contractor from previous projects, the project experienced a six (6) months delay. Construction activities commenced on August 3, 2009.</p> <p>Package B Locations</p> <p><u>St. Elizabeth</u> - Gutters to Scott Cove</p> <p><u>Westmoreland</u> - Scotts Cove to Sheffield</p> <p>The project was scheduled to be completed within sixty (60) days, however, the completion date was revised to March 1, 2010, resulting from:</p> <ol style="list-style-type: none"> 1. Roads scheduled to be marked were also scheduled for repairs; 2. Completion of road rehabilitation works; 3. Water logged areas; and 4. Construction activities by the respective utility companies. <p>The project was completed on the revised completion date of March 1, 2010</p>						
Status	The project was completed.					

Project #	111					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Transportation Infrastructure Rehabilitation Programme - River Training Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	2009-12-02	0000-00-00	2010-02-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Sean D Construction Limited	J\$ 0.00	J\$ 15,625,000.00	2010-02-26	2010-06-30	J\$ 14,404,731.88	Saint Thomas
Comments						
<p>This project is a follow-on contract to the 2007 Atlantic Hurricane Season - IDB Funded Restoration Works, Yallahs River Training Works, which was initially awarded on July 18, 2008 and completed on February 28, 2009.</p> <p>At the end of the 2009 reporting period, the OCG reported that, by way of letter dated 2009 May 18, the National Works Agency (NWA) requested permission from the National Contracts Commission (NCC) to utilise the Direct Contracting Procurement Methodology to award an additional contract in the sum of J\$4,652,624.69 to Sean D Construction Limited. This was to complete an additional 152 metres of Protective Works, on each side of the river channel. The NCC endorsed the request on May 27, 2009.</p> <p>The National Works Agency (NWA) again wrote to the NCC on October 27, 2009, advising that the additional works previously endorsed by the NCC, were not implemented, owing to budgetary constraints. The NCC was further advised, that based on a new loan agreement with the Inter American Development Bank (IDB), an additional 425 metres of Protective Works (including the 152 metres which was not implemented) was to be implemented. In this regard, the NWA again requested the endorsement of the NCC to utilise the Direct Contract Procurement Methodology, to award the contract for the completion of 212.5 metre River Training Protective Works, to Sean D Construction Limited in the sum of \$15,625,000.00.</p> <p>The follow-on project was completed on May 31, 2010.</p>						
Status	The project was completed.					

Project #	112					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Transportation Infrastructure Rehabilitation Programme - River Training Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	2009-12-02	0000-00-00	2010-03-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Surrey Paving and Aggregates Limited	J\$ 0.00	J\$ 15,625,000.00	2010-03-19	2010-09-19	J\$ 14,404,731.88	Saint Thomas
Comments						
<p>This project is a follow-on contract to the 2007 Atlantic Hurricane Season - IDB Funded Restoration Works, Yallahs River Training Works, which was initially awarded on July 18, 2008 and completed on February 28, 2009.</p> <p>At the end of the 2009 reporting period, the OCG reported that, by way of letter dated 2009 May 18, the National Works Agency (NWA) requested permission from the National Contracts Commission (NCC) to utilise the Direct Contracting Procurement Methodology to award an additional contract in the sum of J\$4,652,624.69 to Surrey Paving and Aggregates Limited. This was to complete an additional 152 metres of Protective Works, on each side of the river channel. The NCC endorsed the request on May 27, 2009.</p> <p>National Works Agency (NWA) again wrote to the NCC on October 27, 2009, advising that the additional works, previously endorsed by the NCC, were not implemented, owing to budgetary constraints. The NCC was further advised, that based on a new loan agreement with the Inter American Development Bank (IDB) an additional 425m of Protective Works (including the 152m which was not implemented) was to be implemented. In this regard, the NWA again requested the endorsement of the NCC to utilise the Direct Contract Procurement Methodology, to award the contract for the completion of 212.5m River Training Protective Works, to Surrey Paving and Aggregates Limited the in the sum of \$15,625,000.00.</p> <p>The follow-on project was completed on May 31, 2010.</p>						
Status	The project was completed.					

Project #	113					
Ministry / Agency	Ministry of Transport and Works/ National Works Agency			Project Name	Transportation Infrastructure Rehabilitation Programme - Yallahs River Training Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	2009-12-02	0000-00-00	2010-02-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
L & K Construction Limited	J\$ 0.00	J\$ 15,625,000.00	2010-02-26	2010-08-26	J\$ 14,404,731.88	Saint Thomas
Comments						
<p>This project is a follow-on contract to the 2007 Atlantic Hurricane Season - IDB Funded Restoration Works, Yallahs River Training Works, which was initially awarded on July 18, 2008 and completed on February 28, 2009.</p> <p>At the end of the 2009 reporting period, the OCG reported that, by way of letter dated 2009 May 18, the National Works Agency (NWA) requested permission from the National Contracts Commission (NCC) to utilise the Direct Contracting Procurement Methodology to award an additional contract in the sum of J\$4,652,624.69 to L & K Construction Limited. This was to complete an additional 152 metres of Protective Works, on each side of the river channel. The NCC endorsed the request on May 27, 2009.</p> <p>National Works Agency (NWA) again wrote to the NCC on October 27, 2009, advising that the additional works, previously endorsed by the NCC, were not implemented, owing to budgetary constraints. The NCC was further advised, that based on a new loan agreement with the Inter American Development Bank (IDB) an additional 425m of Protective Works (including the 152m which was not implemented) was to be implemented. In this regard, the NWA again requested the endorsement of the NCC to utilise the Direct Contract Procurement Methodology, to award the contract for the completion of 212.5m River Training Protective Works, to L & K Construction Limited the in the sum of \$15,625,000.00.</p> <p>The follow-on project was completed on May 31, 2010.</p>						
Status	The project was completed.					

Project #	114					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Transportation Infrastructure Rehabilitation Programme - Yallahs River Training Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	0000-00-00	2010-02-10	0000-00-00	2010-03-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Gabion & Structures Limited	J\$ 15,625,000.00	J\$ 15,625,000.00	2010-03-19	2010-09-19	J\$ 14,404,731.88	Saint Thomas
Comments						
<p>The project is a follow-on contract to the 2007 Atlantic Hurricane Season - IDB Funded Restoration Works, Yallahs River Training Works, which was initially awarded on July 18, 2008 and completed on February 28, 2009.</p> <p>At the end of the 2009 reporting period, the OCG reported that, by way of letter dated 2009 May 18, the National Works Agency (NWA) requested permission from the National Contracts Commission (NCC) to utilise the Direct Contracting Procurement Methodology to award an additional contract in the sum of J\$4,652,624.69 to Gabion & Structures Limited. This was to complete an additional 152 metres of Protective Works, on each side of the river channel. The NCC endorsed the request on May 27, 2009.</p> <p>National Works Agency (NWA) again wrote to the NCC on October 27, 2009, advising that the additional works, previously endorsed by the NCC, were not implemented, owing to budgetary constraints. The NCC was further advised, that based on a new loan agreement with the Inter American Development Bank (IDB) an additional 425m of Protective Works (including the 152m which was not implemented) was to be implemented. In this regard, the NWA again requested the endorsement of the Commission to utilise the Direct Contract Procurement Methodology, to award the contract for the completion of 212.5m River Training Protective Works, to Gabion & Structures Limited the in the sum of \$15,625,000.00.</p> <p>The follow-on project was completed on May 31, 2010.</p>						
Status	The project was completed.					

Project #	115					
Ministry / Agency	Ministry of Transport and Works / National Works Agency (NWA)			Project Name	Fern Gully Restoration & Rehabilitation Programme Stage III- Civil Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Ann
Comments						
<p>The NWA advised that the project was included under the Jamaica Development Infrastructure Programme (JDIP). This programme is as a result of a Bilateral Agreement between the Government of China and the Government of Jamaica (GOJ) and is exempted from the GOJ Procurement Guidelines.</p> <p>The contractor with responsibility for the implementation of the programme is China Harbour Engineering Company Limited (CHEC).</p> <p>The NWA has further advised that the project is scheduled to commence in the 2011 Financial Year.</p> <p>The OCG will continue to monitor this project.</p>						
Status	Project is to be implemented under the Jamaica Development Infrastructure Programme (JDIP)					

Project #	116					
Ministry / Agency	Ministry of Transport and Works/ The Montego Bay Metro Limited			Project Name	Renovation Works - Re-roofing and Bathroom Refurbishing at the Montego Bay Depot, Bogue Industrial Estate, Whitesand Beach P.O., Montego Bay	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-05-21
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
G C Construction Limited	J\$ 7,218,080.00	J\$ 6,981,324.94	2010-06-01	2010-07-31	J\$ 7,704,247.40	Saint James
Comments						
<p>The Invitation to Tender was advertised on February 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Roofing Grade 1, Building Maintenance Grade 2 and or Building Construction Grade 3, were invited to submit tenders by March 26, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained.</p> <p>The Procurement Committee and Head of Entity Approval, is not evidenced for this report.</p> <p>Documents obtained by the OCG, indicated that there were delays to a timely completion, as a result of a variation, which resulted in additional works to a section of the ceiling and partitions between the Bathroom and Vault area of the building. The project incurred a net variation of \$880,152.00.</p> <p>In a letter which was dated August 25, 2010, the Parish Manager of the National Works Agency (NWA), informed the OCG that the works were satisfactory completed as per Bills of Quantities.</p>						
Status	The project was completed.					

Project #	117					
Ministry / Agency	Ministry of Transport and Works/ The Port Authority of Jamaica (PAJ)			Project Name	Construction of Asphaltic Concrete Pavement, Montego Free Port	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-02	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 32,367,407.52	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The Invitation to Tender was advertised on July 11, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Asphaltic Concrete Works or General Road Works Grade 2, were invited to submit tenders by July 30, 2010.</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>During the analysis of the tenders, the Procuring Entity noted that the lowest tender did not include the Addendum issued, and as such, had not quoted on the same basis as the other bidders. It was thereafter realised that the lowest bidder was inadvertently omitted from the contact list and was not issued with the Addendum.</p> <p>Consequently, the Procuring Entity deemed that the process was neither transparent nor fair, and thus sought the endorsement of the NCC to abort the procurement process, return the Tender Bonds, and re-invite the companies that submitted tenders, at no additional cost for the Tender Document, and with a shortened tender period of one week. The NCC approved the request.</p> <p>The project was re-tendered and the previous bidders re-invited to submit tenders. Tenders were to be submitted by September 2, 2010 at 2:00 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	118					
Ministry / Agency	Ministry of Transport and Works/ The Port Authority of Jamaica (PAJ)			Project Name	Falmouth Cruise Ship Pier - Premise Cabling System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-12-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 260,345.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Trelawny
Comments						
<p>The Invitation to Tender was advertised on November 11, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Goods and Services were invited to submit tenders by December 23, 2010. The deadline for submission was however extended to December 28, 2010.</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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The Office of the Contractor General will continue to monitor this procurement.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	119					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency Jamaica Limited			Project Name	Infrastructure Works at Shaw Park Heights	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-24	2009-12-14	2009-12-18	2010-01-20	0000-00-00	2010-01-27
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Construction Solutions Limited	J\$ 14,983,527.00	J\$ 13,646,400.00	2010-02-08	2010-05-27	J\$ 14,475,377.82	Saint Ann
Comments						
<p>The procurement process for this project commenced in 2009. The preferred bidder was identified and recommended for the award of contract. The requisite internal approvals were obtained. The NCC endorsed the contract award recommendation in January 2010 and the contract was subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the scheduled completion date of May 27, 2010 was not achieved due to changes to the scope of works.</p> <p>Practical Completion was granted on October 22, 2010, approximately five (5) months after the scheduled completion date.</p>						
Status	The project was completed.					

Project #	120					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Infrastructure Works and Housing Construction - Mineral Heights	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2009-10-12	2010-02-24	2010-02-25	2010-03-31	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 601,588,016.88	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Clarendon
Comments						
<p>The Invitation to pre-qualify was advertised on October 8, 2008. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 1, were invited to submit completed Pre-Qualification documents by October 29, 2008.</p> <p>Nine (9) Pre-Qualification Questionnaires were received, opened and reviewed in accordance with the Pre-Qualification Document. Subsequent to the pre-qualification exercise, four (4) Contractors were invited to submit tenders.</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 submitted two (2) tenders, one of which was an alternative tender, which was subsequently rejected, as a Form of Tender and the requisite design specifications and drawings were not included in the tender package.</p> <p>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained. However, upon endorsing the contract award recommendation, the NCC recommended that the Procuring Entity negotiate with the preferred bidder, in an effort to bring the tender amount closer to the Comparable Estimate.</p> <p>The Procuring Entity subsequently took a decision to redesign the project and as such, aborted the procurement process.</p>						
Status	The procurement process was aborted.					

Project #	121					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Design & Construction No.108 - Two (2) Bedroom Townhouses and Related Infrastructure Works at Congreve Park	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Sole Source	0000-00-00	2010-03-29	2010-03-31	2010-05-05	2010-08-16	2010-09-15
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
West Indies Home Contractors Limited	J\$ 868,763,362.43	J\$ 802,168,363.38	2010-09-30	2011-09-30	J\$ 80,216,863.34	Saint Catherine
Comments						
<p>This project falls under the Ministry of Water & Housing (MoWH), 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, the MoWH on June 17, 2009, received the permission of the NCC to utilise the Sole Source Procurement Methodology to engage West Indies Home Contractors Limited (WIHCON) to execute the project.</p> <p>As at December 31, 2010, the project had progressed at a satisfactory pace and was approximately 22% completed.</p> <p>The OCG will continue to monitor the execution of the project.</p>						
Status	As at the time of this report, the project was approximately 22% complete.					

Project #	122					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Housing & Infrastructure Works at Boscobel	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-07-06	2010-08-20	2010-08-20	2010-10-06	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 759,682,437.31	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Mary
Comments						
<p>The Ministry of Water & Housing under its National Housing Programme had previously Pre-qualified Grade 1 Contractors in the Categories of Civil Engineering and Building Construction. The HAJL subsequently invited the eleven (11) Contractors who pre-qualified, to tender on the project by June 29, 2010.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite internal approvals were obtained and the recommendation endorsed by the NCC.</p> <p>As at December 31, 2010, Cabinet approval was awaited.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, Cabinet approval was pending.					

Project #	123					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Housing & Infrastructure Works at Stadium Gardens Phase III	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-06-30	2010-08-16	2010-08-16	2010-10-06	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 333,101,881.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on May 31, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 1 and Civil Engineering Works Grade 1, were invited to submit tenders by June 30, 2010.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite internal approvals were obtained and the recommendation endorsed by the NCC.</p> <p>As at December 31, 2010, Cabinet approval was awaited.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, Cabinet approval was pending.					

Project #	124					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Infrastructure Works - Melrose Mews Phase III	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-11	2009-09-28	2009-09-28	0000-00-00	0000-00-00	2009-10-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
J & H Construction Solutions Limited	J\$ 7,593,993.25	J\$ 6,325,900.00	2009-11-03	2009-12-08	J\$ 7,924,580.00	Manchester
Comments						
<p>The procurement process for this project commenced in 2009 and a preferred bidder was identified and recommended for the award of contract. The requisite internal approvals were obtained and the contract was subsequently awarded.</p> <p>Documents obtained by the OCG, indicated that an 'Extension of Time' was granted by the Procuring Entity, due to an increase in the scope of works, which extended the project's completion date. As a consequence of the variation, the contract sum increased by 25.3% or J\$1,598,680.00.</p> <p>Practical Completion was achieved on April 4, 2010.</p>						
Status	The project was completed.					

Project #	125					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Infrastructure Works at Whitehall	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2008-12-05	2009-03-09	2009-03-20	2009-05-13	2009-10-05	2009-10-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Y.P. Seaton and Associates Limited	J\$ 399,024,230.00	J\$ 283,737,461.00	2009-11-17	2010-11-16	J\$ 108,777,379.58	Westmoreland
Comments						
<p>The procurement process for this project commenced in 2008 and continued into 2009. A preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded in 2009.</p> <p>Documents obtained by the OCG, indicated that, as at December 31, 2010, the project was not completed due to the following:</p> <ol style="list-style-type: none"> Discrepancies between drawings and what existed on site and also issues with some quantities contained in the Bills of Quantities, in reference to: <ul style="list-style-type: none"> Previously installed sewer pipes were not connected to designated manholes; Blocked sewer pipes; Roads previously constructed were incorrectly positioned, which consequently affected the boundaries of several properties; Sewer laterals and water main were incorrectly located; and Construction of laterals that were omitted from several lots; An investigation into the existing infrastructure to determine a resolution to the affected areas; The redesign of several roads; Variations relating to: <ol style="list-style-type: none"> Construction of laterals; Replacement of sewer lines; Block sewer mains; Construction of manholes; Reposition of water mains encroaching on properties; and Repairs to U-drains; <p>The OCG is of the opinion that, based on occurrences on the project, it is evident that the HAJL did not carry out the requisite due diligence prior to implementation of the procurement process. As a consequence, the project has experienced variations and numerous delays, with the completion of some activities.</p> <p>The HAJL, as one of the Government of Jamaica major facilitators of housing solutions, must ensure that prior to the implementation of any procurement procedure, the requisite due diligence is done, as failure to conduct same, will result in an increase in duration of the project and ultimately, in all costs associated with the project.</p>						
Status	As at the time of this report, the project was approximately 78% complete.					

Project #	126					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Land Surveying Services - Belle Air 3 & Mount Edgecombe 5 St. Ann	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-01	2010-05-11	2010-05-17	0000-00-00	0000-00-00	2010-05-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Giplin McFarlane & Associates	J\$ 0.00	J\$ 9,661,465.00	2010-06-07	2010-11-08	J\$ 768,450.00	Saint Ann
Comments						
<p>The Invitation to Tender was advertised on March 7, 2010. Contractors were invited to submit tenders by March 31, 2010.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite internal approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG, indicated that the Housing Agency of Jamaica Limited (HAJL) did not record a Comparative Estimate at the opening of the Financial Proposals.</p> <p>As at December 31, 2010, the Contractor had completed the respective Sub-Division Layouts and was awaiting instructions from the HAJL to commence activities relating to the preparation of pre-checked Sub-Division Plans.</p> <p>The OCG has noted that the scheduled completion date has expired and work on the project is incomplete. The contract period will therefore need to be extended to facilitate completion of the project.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	127					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Pre-Checked Sub-Division Plans - Boscobel, St. Mary and Green Pond, St. James	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lofters and Associates	J\$ 0.00	J\$ 5,989,710.00	2010-07-26	2010-10-22	J\$ 318,797.50	All Island
Comments						
<p>The Invitation to Tender was advertised on June 9, 2010. Contractors were invited to submit tenders by June 18, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite internal approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG, indicated that the Housing Agency of Jamaica Limited (HAJL) did not record a Comparative Estimate at the Tender Opening Ceremony. Consequently, the OCG by way of letter dated July 22, 2010, advised the HAJL of the omission of same and its requirements under the Government of Jamaica Procurement Guidelines.</p> <p>As at December 31, 2010, preparation of the Pre-Checked Plans for both locations was placed on hold pending the commencement of the Infrastructure Contract (different contract). Additionally, an extension of time for this contract is to be agreed on, following the submission of a Work Schedule for the Infrastructure Contract.</p>						
Status	As at the time of this report, the project was approximately 5% complete.					

Project #	128					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Rehabilitation of Infrastructure at Lilliput - Phase 3	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-20	2010-10-01	2010-10-01	2010-12-24	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 229,506,259.89	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>By way of a letter which was dated December 15, 2009, the NCC gave approval to the Housing Agency of Jamaica Limited (HAJL) to utilise the Limited Tender Procurement Methodology to engage the services of a Contractor to carry out the subject contract, using contractors who were previously pre-qualified by the Ministry of Water and Housing under the National Housing Programme.</p> <p>By way of letters which was dated on August 17, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering or General Road Works Grade 1, were invited to submit tenders by September 20, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite internal approvals were obtained and the recommendation endorsed by the NCC.</p> <p>As at December 31, 2010, Cabinet approval was being sought.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the Cabinet Submission was being prepared.					

Project #	129					
Ministry / Agency	Ministry of Water and Housing/ Housing Agency of Jamaica Limited			Project Name	Topographic & Boundary Survey - Whitehall Phase 4	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-25	2010-05-11	2010-05-19	0000-00-00	0000-00-00	2010-06-07
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Andrew Bromfield & Associates	J\$ 0.00	J\$ 8,764,750.00	2010-06-09	2010-09-01	J\$ 6,757,500.00	Westmoreland
Comments						
<p>The Invitation to Tender was advertised on March 7, 2010. Contractors were invited to submit tenders by March 25, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite internal approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG, indicated that the Housing Agency of Jamaica Limited (HAJL) did not record a Comparative Estimate at the opening of the Financial Proposals.</p> <p>As at December 31, 2010, the Contractor had completed the Topographic Survey and was in the process of preparing Boundary Plans.</p> <p>The OCG has noted that the scheduled completion date has expired and work on the project is incomplete. The contract period will therefore need to be extended to facilitate completion of the project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	130					
Ministry / Agency	Ministry of Water and Housing/ Ministry of Water and Housing			Project Name	Glendevon Infrastructure Improvement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-05	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 42,574,081.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Elizabeth
Comments						
<p>The Invitation to Tender was advertised on September 15, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works and or Civil Engineering Grade 2 or higher, were invited to submit tenders by September 17, 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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was ongoing					

Project #	131					
Ministry / Agency	Ministry of Water and Housing/ Ministry of Water and Housing			Project Name	Infrastructure Works, Hague	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-02	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 16,502,713.50	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Trelawny
Comments						
<p>The Invitation to Tender was advertised on November 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works, were invited to submit tenders by December 2, 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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	132					
Ministry / Agency	Ministry of Water and Housing/ Ministry of Water and Housing			Project Name	Rehabilitation of Roads - Rough Roads	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 7,409,325.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The Ministry reported that, upon evaluation of bid received, the tender figure quoted was substantially above the Engineers Estimate and it was deemed not feasible to negotiate with the bidder. The tender was rejected and the procurement process aborted.</p>						
Status	Procurement process aborted					

Project #	133					
Ministry / Agency	Ministry of Water and Housing/ Ministry of Water and Housing			Project Name	Rehabilitation Works - Vernons Avenue	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-09	2010-03-31	2010-04-19	0000-00-00	0000-00-00	2010-04-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
A. James Construction	J\$ 6,598,625.00	J\$ 6,620,625.00	2010-05-10	2010-06-30	J\$ 6,546,755.00	Saint James
Comments						
<p>The Invitation to Tender was advertised on November 11, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works and or Civil Engineering Grade 3 or higher, were invited to submit tenders by November 8, 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>Upon evaluation, the sole bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG, indicated that the work on the project commenced as scheduled on May 10, 2010. However, activities were suspended on May 24, 2010, due to civil unrest and inclement weather. Activities resumed on July 5, 2010 and the Contractor subsequently requested an Extension of Time to the end of August 2010, which was granted by the Procuring Entity.</p> <p>Practical Completion was granted on August 9, 2010.</p>						
Status	The project was completed.					

Project #	134					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Frome Housing Development - Rehabilitation Roads & Drainage Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 17,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Westmoreland
Comments						
<p>The Invitation to Tender was advertised on December 16, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering Grade 3, were invited to submit tenders by January 6, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at December 31, 2010, award of the contract was pending.					

Project #	135					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	St. James Branch Office Parking Facility - Infrastructure Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-27	2010-04-13	2010-04-13	2010-06-02	0000-00-00	2010-06-10
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Marshall Construction Company Limited	J\$ 10,114,560.00	J\$ 12,931,520.00	2010-08-31	2010-11-30	J\$ 10,141,942.12	Saint James
Comments						
<p>The Invitation to Tender was advertised on January 3, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering works Grade 3 minimum, or General Road Works Grade 3 Minimum, were invited to submit tenders by January 11, 2010. The deadline for submission was extended to January 27, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>Documents obtained by the OCG, indicated that the works were not completed in the scheduled time, due to incomplete project information to the Contractor and inclement weather from the passage of 'Hurricane Nicole'.</p> <p>As at December 31, 2010, the Contractor had submitted a request for an 'Extension of Time' of 15 days, due to the delays.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 80% complete					

Project #	136					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Supplier of Ductile Iron Pipeline Material	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 110,530,652.78	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Clarendon
Comments						
<p>The Invitation to Tender was advertised on July 18, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Goods and Services in Hardware and Haberdashery or General Supplies or Industrial Construction Equipment and Machinery, were invited to submit tenders by August 5, 2010.</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>At the end of the reporting period, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at December 31, 2010, the procurement process was ongoing.					

Project #	137					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission			Project Name	Christiana/ Sedburgh 250 mm (10") Nominal Diameter Replacement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-21	2010-10-06	2010-10-29	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 19,844,950.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Manchester
Comments						
<p>The Invitation to Tender was advertised on June 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 tenders by July 21, 2010.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the award of contract was pending.					

Project #	138					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission			Project Name	Construction of Mona Road (Extension) and Roads Leading Off - Sanitary Collector Sewers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 38,864,021.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on August 30, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Pipe Laying and or Civil Engineering Grades 1 or 2 were invited to submit tenders by September 29, 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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	139					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission			Project Name	Construction of Western Sewage Treatment Works, Diversion Sewers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Champion Industrial Equipment & Supplies Limited	J\$ 10,005,618.04	J\$ 17,363,869.24	2010-07-05	2010-11-24	J\$ 9,195,454.09	Kingston
Comments						
<p>The procurement process for this project commenced in 2008 and continued into 2009. A preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded in 2009.</p> <p>As at the end of the 2009 reporting period, the Contractor was in the process of acquiring the requisite Insurances and Bonds. Records reviewed indicated that the Contractor was unable to acquire the requisite Performance Bond and, consequently, the National Water Commission held the Tender Bond in lieu of the Performance Bond.</p> <p>Documents obtained by the OCG, indicated that the works did not progress at the required rate of 20% monthly, due to the following conditions.</p> <ol style="list-style-type: none"> 1. Instability of the soil and resulting collapse to the sides of excavated trenches, notwithstanding the Contractor's efforts to shore the sides; and 2. High water table, resulting in extensive de-watering activities. <p>The scheduled completion has been revised to February 2011.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at December 31, 2010, the project was 70% complete.					

Project #	140					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission			Project Name	Installation of Twenty-three (23) Electromagnetic Flow Meters and Associated Enclosure Completed with Transmitter, Pressure Transducer and Logger	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-31	0000-00-00	2010-07-20	2010-08-04	0000-00-00	2010-08-23
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
HBD Construction Limited	J\$ 21,122,766.20	J\$ 13,114,985.94	2010-09-20	2011-02-28	J\$ 3,347,273.31	Kingston
Comments						
<p>The Invitation to Tender was advertised on February 15, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Pipe Laying Grade 2, were invited to submit tenders by March 16, 2010. The deadline for submission was extended to March 31, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>The Procurement Committee's approval was not evidenced for this report.</p> <p>As at December 31, 2010, the project was being executed.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 40% complete.					

Project #	141					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission			Project Name	Kingston Metropolitan Area Water Supply Project - Lot 2B - Development of New Water Source for South-East Saint Catherine - Contractors to Provide Pipeline Material & Construction Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Pre-qualify was advertised on August 4, 2010. Suitable, experienced Entities/Joint Ventures registered with the National Contracts Commission (NCC) in the Category of Civil Engineering or Pipe Laying, Grade 1, were invited to submit completed Pre-qualification Documents by August 30, 2010. The deadline was subsequently extended to September 6, 2010.</p> <p>As at December 31, 2010, the Pre-qualification exercise was completed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the procurement process was at the Pre-Tender stage.					

Project #	142					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission			Project Name	Mansfield Housing Development Water Supply Project	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-02	2010-02-01	2010-03-10	2010-06-04	0000-00-00	2010-07-10
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Champion Industrial Equipment & Supplies Limited	J\$ 8,952,290.00	J\$ 10,818,785.00	2010-09-12	2011-03-12	J\$ 9,884,497.94	Saint Ann
Comments						
<p>The Invitation to Tender was advertised on November 16, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering or Pipe Laying, Grade 2, were invited to submit tenders by December 2, 2009.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>As at December 31, 2010, the project was 95% complete.</p>						
Status	As at the time of this report, this project was 95% complete.					

Project #	143					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission			Project Name	Water Treatment Plants and 26 Water Facilities	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-07-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 7,500,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Pre-qualify was advertised on November 11, 2009. The Open Tender Procurement Methodology was utilised to invite qualified Civil Works Contractors/Firms and Joint Ventures of sound financial status, who were nationals of member countries of the Inter-American Development Bank. Completed Pre-qualification Documents were to be submitted by January 13, 2010.</p> <p>Five (5) 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, four (4) Contractors, who met the pre-qualification requirements, were recommended to be invited to tender on the project.</p> <p>All four (4) potential bidders were invited to submit tenders by July 28, 2010.</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 obtained by the OCG indicated that the tender process was aborted, as the two (2) tenders submitted were deemed to be non-responsive. Further, the scope of works would be revised and the procurement opportunity re-tendered.</p>						
Status	The procurement process was aborted.					

Project #	144					
Ministry / Agency	Ministry of Water and Housing/ National Water Commission (NWC)			Project Name	Kingston Water and Sanitation Project - Construction of Wastewater Pump Station at Darling Street	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-08-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 4,562,627.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	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.</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, who met the pre-qualification requirements, were recommended to be invited to tender on the project. All three (3) potential bidders were invited to submit tenders by August 11, 2010.</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, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor the tender process.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	145					
Ministry / Agency	Ministry of Water and Housing / Rural Water Supply Ltd			Project Name	Marlie Hill – Browns Hall – Macca Tree Pipeline Improvement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-05-22	2008-10-06	2008-12-06	2008-07-02	0000-00-00	2008-09-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Bacchus Engineering Works Ltd	J\$ 29,310,540.00	J\$ 25,985,830.50	2008-11-05	2009-03-10	J\$ 24,029,049.68	Saint Catherine
Comments						
<p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the established evaluation criteria as specified in the Tender Document. Subsequently, the bid in the sum of J\$ 25,985,830.00, which was submitted by Bacchus Engineering Works Limited, was recommended for award of contract.</p> <p>Records indicated that this project achieved Substantial Completion on March 30, 2010.</p>						
Status	Project 98 % complete					

Project #	146					
Ministry / Agency	Ministry of Youth, Sports and Culture/ Jamaica National Heritage Trust			Project Name	Construction of Boundary Fence at Historic Naval Hospital	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-15	2009-05-22	0000-00-00	0000-00-00	0000-00-00	2009-06-25
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Skymar Building Construction & Maintenance Limited	J\$ 2,346,600.00	J\$ 1,998,440.00	2009-06-29	2010-09-30	J\$ 552,836.80	Kingston
Comments						
<p>The Invitation to Tender was advertised on May 3, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Engineering Works, Grade 4 or higher, were invited to submit tenders by May 15, 2009.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. The contract was duly awarded.</p> <p>There is no evidence of the Head of Entity's approval.</p> <p>Practical Completion was granted on September 18, 2010.</p>						
Status	The project was completed.					

Project #	147					
Ministry / Agency	Ministry of Youth, Sports and Culture/ Jamaica National Heritage Trust			Project Name	Upgrading of Electrical Services to Fort Charles & Historic Naval Hospital	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-09	2010-01-22	0000-00-00	0000-00-00	0000-00-00	2010-01-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
H M Associates Limited	J\$ 5,275,288.50	J\$ 5,200,733.28	2010-02-15	2010-04-07	J\$ 2,642,310.59	Kingston
Comments						
<p>The Invitation to Tender was advertised on November 11, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 4 or higher, were invited to submit tenders by December 9, 2009.</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 evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>The Head of Entity's approval was not evidenced for this report.</p> <p>Practical Completion was achieved on April 7, 2010.</p>						
Status	The project was completed.					

Project #	148					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Bunkers Hill Basic School Construction(#71073)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-02-26	2009-06-03	0000-00-00	2009-07-01	0000-00-00	2009-09-18
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Melody Heavy Equipment & Construction	J\$ 19,861,528.85	J\$ 17,094,925.00	2009-10-02	2010-02-10	J\$ 16,967,646.50	Clarendon
Comments						
<p>The Invitation to Tender was advertised on February 1, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 3 or higher were, invited to submit tenders by March 6, 2009.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. The contract was duly awarded.</p> <p>There is no evidence of the Head of Entity's approval.</p> <p>Practical Completion was granted on February 22, 2010.</p>						
Status	The project completed.					

Project #	149					
Ministry / Agency	Office of the Prime Minister/ Jamaica Social Investment Fund			Project Name	Emergency Recovery Program Loan # 4878 – Race Course Health Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-10-23	2009-03-06	0000-00-00	0000-00-00	0000-00-00	2009-05-06
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Caribbean Electrical Company Limited	J\$ 5,945,012.67	J\$ 5,722,523.00	2009-05-20	2009-07-20	J\$ 5,607,776.78	Clarendon
Comments						
<p>The Invitation to Tender was advertised on September 28, 2008. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 4 or higher were, invited to submit tenders by October 23, 2008.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. The contract was duly awarded.</p> <p>Final Completion was achieved on February 25, 2010.</p>						
Status	The project was completed.					

Project #	150					
Ministry / Agency	Office of the Prime Minister/ Jamaica Social Investment Fund			Project Name	Fairy Hill Health Centre – Hurricane Dean (#071956)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-02-27	2009-04-16	0000-00-00	0000-00-00	0000-00-00	2009-07-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Eastern St. Thomas Construction Company Limited	J\$ 6,543,971.14	J\$ 5,257,470.00	2009-08-19	2009-11-10	J\$ 5,592,113.24	Portland
Comments						
<p>The Invitation to Tender was advertised on February 1, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 4 or higher were, invited to submit tenders by February 27, 2009.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. The contract was duly awarded.</p> <p>The Head of Entity's approval was not evidenced for this report.</p> <p>Practical Completion was achieved on January 21, 2010</p>						
Status	The project was completed.					

Project #	151					
Ministry / Agency	Office of the Prime Minister/ Jamaica Social Investment Fund			Project Name	Federal Gardens Integrated Infrastructure - Package 1	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-03	2009-06-03	0000-00-00	0000-00-00	0000-00-00	2009-08-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lewin's Hardware Limited	J\$ 4,647,665.00	J\$ 5,800,600.00	2009-09-15	2009-11-26	J\$ 5,841,756.69	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on March 1, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering and or Pipe Laying and or General Road Works, Grade 4 or higher, were invited to submit tenders by April 3, 2009.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. The contract was duly awarded.</p> <p>There is no evidence of the Head of Entity's approval.</p> <p>Practical Completion was achieved on August 31, 2010.</p>						
Status	The project was completed.					

Project #	152					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Federal Gardens Integrated Infrastructure - Package 2	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-03	2009-06-03	0000-00-00	0000-00-00	0000-00-00	2009-08-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lewin's Hardware Limited	J\$ 5,916,605.00	J\$ 5,881,660.00	2009-08-25	2009-11-26	J\$ 5,770,980.39	Saint Andrew
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. The contract was subsequently awarded.</p> <p>Documents submitted to the OCG, under cover of letter dated November 22, 2010, indicated that the project lost three (3) weeks due to heavy rainfall and eight (8) weeks due to construction works that involved the replacement of sewer mains.</p> <p>Practical Completion was achieved on August 31, 2010, approximately nine (9) months after the scheduled completion date.</p>						
Status	The project was completed.					

Project #	153					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Federal Gardens Integrated Infrastructure - Package 4	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-03	2009-06-03	0000-00-00	0000-00-00	0000-00-00	2009-07-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lewin's Hardware Limited	J\$ 7,103,605.00	J\$ 6,600,800.00	2009-08-18	2009-11-19	J\$ 6,501,077.71	Saint Andrew
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. The contract was subsequently awarded.</p> <p>Documents submitted to the OCG, under cover of letter dated November 22, 2010, indicated that the project lost three (3) weeks due to heavy rainfall and eight (8) weeks due to construction works that involved the replacement of sewer mains</p> <p>The project achieved Practical Completion on August 31, 2010; approximately 11 months after the scheduled completion date.</p>						
Status	The project was completed.					

Project #	154					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Federal Gardens Integrated Infrastructure - Package 5	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-03	2009-06-03	0000-00-00	0000-00-00	0000-00-00	2009-07-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lewin's Hardware Limited	J\$ 4,752,665.00	J\$ 5,299,900.00	2009-08-17	2009-11-18	J\$ 5,229,900.00	Saint Andrew
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. The contract was subsequently awarded.</p> <p>Documents submitted to the OCG, under cover of letter dated November 22, 2010, indicated that the project lost three (3) weeks due to heavy rainfall and eight (8) weeks due to construction works that involved the replacement of sewer mains</p> <p>The project achieved Practical Completion on August 31, 2010; approximately 11 months after the scheduled completion date.</p>						
Status	The project was completed.					

Project #	155					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Federal Gardens Integrated Infrastructure-Package 3	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-03	2009-06-03	0000-00-00	0000-00-00	0000-00-00	2009-08-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lewin's Hardware Limited	J\$ 6,928,605.00	J\$ 6,100,000.00	2009-08-26	2009-11-25	J\$ 6,177,794.61	Saint Andrew
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. The contract was subsequently awarded.</p> <p>Documents submitted to the OCG, under cover of letter dated November 22, 2010, indicated that the project lost three (3) weeks due to heavy rainfall and eight (8) weeks due to construction works that involved the replacement of sewer mains.</p> <p>The project achieved Practical Completion on August 31, 2010; approximately nine (9) months after the scheduled completion date</p>						
Status	The project was completed.					

Project #	156					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Gregory Park Primary School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-21	2010-10-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/a	J\$ 29,255,060.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on June 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 2, were invited to submit tenders by July 21, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the endorsement of the National Contracts Commission (NCC) was pending.					

Project #	157					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Mango Row Road Rehabilitation – Hurricane Dean (#071930)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-02-26	2009-05-30	0000-00-00	2009-06-17	0000-00-00	2009-09-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Contraxx Enterprises Limited	J\$ 27,343,354.80	J\$ 30,417,500.00	2009-09-30	2009-12-30	J\$ 33,187,861.00	Saint Thomas
Comments						
<p>Invitation to Tender was advertised on February 1, 2009. 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. Tenders were to be submitted by 12:00 p.m. on February 26, 2009, which was to be followed by a Tender Opening Ceremony at 12:05 p.m. the same day.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility requirements outlined in the Tender Document.</p> <p>A detailed evaluation was conducted in accordance with the established evaluation criteria as specified in the Tender Document. Subsequently the bid in the sum of J\$ 30,882,526.00, which was submitted by Contraxx Enterprise Limited, was recommended for award of contract.</p> <p>There is no evidence of the Head of Entity's approval. Other requisite approvals were gained and the contract was awarded accordingly.</p> <p>Over the period under review, reports indicated that this scheduled 3 months project, was completed.</p>						
Status	Project completed					

Project #	158					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Maranatha Ministries Basic School Construction	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-21	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/a	J\$ 32,666,635.16	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised in June 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 2 were invited to submit tenders by July 21, 2010.</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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	159					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Moore Town Road Rehabilitation	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-07	2010-03-18	2010-03-18	2010-04-07	2010-07-27	2010-09-23
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Contraxx Enterprises Limited	J\$ 38,667,390.00	J\$ 36,776,700.00	2010-10-23	2011-01-19	J\$ 21,933,780.00	Portland
Comments						
<p>The Invitation to Tender was advertised in December 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works were invited to submit tenders by January 7, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>Due to persistent inclement weather since the project's implementation, the Contractor was granted an 'Extension of Time' to March 5, 2011, to complete the works. Additionally, variations totalling \$3,015,794.24, has resulted in the contract sum being revised to \$39,792,494.24.</p> <p>The OCG will continue to monitor the execution of this project.</p>						
Status	As at the time of this report, the project was 78% complete.					

Project #	160					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Old Works Basic School Construction(#71478)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-06	2009-04-11	0000-00-00	2009-10-06	0000-00-00	2009-09-14
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Eastern St. Thomas Construction Company Limited	J\$ 13,708,839.85	J\$ 12,233,190.20	2009-09-28	2010-01-28	J\$ 11,289,100.08	Saint Catherine
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. The contract was subsequently awarded.</p> <p>The project achieved Practical Completion on April 20, 2010; approximately three (3) months after the scheduled completion date.</p>						
Status	As at the time of this report, the project was 98% complete.					

Project #	161					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Africa Drainage Phase 1 (# 072269)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-23	2010-01-28	2010-01-28	0000-00-00	0000-00-00	2010-06-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Champion Industrial Equipment Limited	J\$ 9,141,300.00	J\$ 8,506,310.00	2010-11-01	2011-02-01	J\$ 3,307,147.20	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on September 20, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering and/or General Road Works, Grade 4, were invited to submit tenders by October 23, 2009.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG, indicated that the project was approximately 44% complete.</p> <p>The OCG will continue to monitor the execution of this project.</p>						
Status	As at the time of this report, the project was 44 % complete.					

Project #	162					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Alfredo Collins Basic School Construction (#071904)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-02	2010-04-29	2010-04-29	0000-00-00	0000-00-00	2010-06-11
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Marshall Construction Company Limited	J\$ 7,862,635.04	J\$ 8,994,318.00	2010-06-22	2010-10-22	J\$ 7,699,964.08	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on February 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 4 or higher, were invited to submit tenders by March 2, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>Practical Completion was achieved on October 5, 2010.</p> <p>The Office of the Contractor-General (OCG) will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 97% complete.					

Project #	163					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Allman Town Primary School Expansion (#72389)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 13,994,443.47	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 3, were invited to submit tenders by December 13, 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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	164					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Alpha Boys' Home Rehabilitation (#72436)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 21,240,707.51	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 3, were invited to submit tenders by December 13, 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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	165					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Ballards Valley Primary School Rehabilitation (#072046)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Elizabeth
Comments						
<p>The Invitation to Tender was advertised on June 28, 2009, Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 2, were invited to submit tenders by July 22, 2009.</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>Subsequently, pursuant to Clause 33.1 of the 'Instruction to Bidders' of the Tender Document, the bidders were informed that their bid would not be accepted, their bid bond returned and that the project would be retendered.</p> <p>The Invitation to Tender was retendered on October 31, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 2 or higher were invited to re-submit tenders by November 23, 2010.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	166					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Bog Walk to Lime Walk Road Rehabilitation - Hurricane Dean (#072145)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-07-22	2009-09-22	2009-09-22	2009-12-09	0000-00-00	2010-03-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Contraxx Enterprises Limited	J\$ 33,571,987.11	J\$ 29,940,770.00	2010-03-02	2010-05-30	J\$ 31,273,289.60	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on June 28 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works Construction, Grade 2 or higher, were invited to submit tenders by July 22, 2009.</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 evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG indicated that the project incurred a net variation of \$1,332,519.60.</p> <p>Records indicated that the project in general, progressed at a satisfactory pace throughout the contract period and achieved Practical completion on May 13, 2010, which was before the scheduled completion date of May 30, 2010.</p>						
Status	The project is completed.					

Project #	167					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Bonny Gate to Preston Land Road Rehabilitation (#70980)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-02	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on November 11, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Works, Grade 2 or above were invited to submit tenders by December 2, 2010.</p> <p>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, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	168					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Called to Excellence Basic School - Completion and Equipping (#072316)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 9,875,697.06	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The Invitation to Tender was advertised on February 15, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 4 or higher were invited to submit tenders by March 18, 2010.</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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	169					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Central Village Community Centre Construction (#71621)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-01-08	2008-04-08	2008-04-08	2008-05-28	2008-10-13	2009-01-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
KSA Engineering Consultants Limited	J\$ 64,053,817.50	J\$ 53,201,570.38	2009-03-09	2010-01-26	J\$ 51,157,388.90	Saint Catherine
Comments						
<p>The procurement process for this project commenced in 2008 and continued into 2009. Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded in 2009.</p> <p>As at December 31, 2010, the project was 99.7% complete.</p>						
Status	As at the time of this report, the project was 99.7% complete.					

Project #	170					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Central Village Integrated Infrastructure - Package 4 - West Side (#72261)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Construction Solutions Limited	J\$ 25,663,370.00	J\$ 29,354,800.00	2010-04-10	2010-10-14	J\$ 16,734,141.00	Saint Catherine
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded in 2010.</p> <p>As at December 31, 2010, the project was reported as being approximately 63.0% complete.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 63.0% complete.					

Project #	171					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Central Village Integrated Infrastructure - Package 5 - Big Lane (#72303)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Bacchus Engineering Works Limited	J\$ 36,824,954.00	J\$ 26,402,650.00	2011-01-05	2011-09-11	J\$ 3,935,966.11	Saint Catherine
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded in 2010.</p> <p>Documents obtained by the OCG, indicated that work on the project is scheduled to begin in January 2011.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, commencement of the project was pending.					

Project #	172					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Comfort Baptist Basic School - Rehabilitation (#071894)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-07-22	2009-08-28	0000-00-00	2009-09-09	0000-00-00	2009-10-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Marshall Construction Company Limited	J\$ 10,723,923.34	J\$ 11,515,462.00	2009-11-18	2010-02-28	J\$ 13,042,716.02	Clarendon
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project incurred a net variation of \$2,503,900.00, which resulted in the contract sum being revised to \$14,019,362.02.</p> <p>Practical Completion was achieved on October 8, 2010.</p>						
Status	The project was completed.					

Project #	173					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Glendevon Trade Training Centre Renovation and Rehabilitation (#72488)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-01	2010-12-02	2010-12-02	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 34,539,977.96	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The Invitation to Tender was advertised on September 26, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 2 or higher were invited to submit tenders by November 1, 2010.</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, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, NCC approval was awaited.					

Project #	174					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Green Field Rural Feeder Road Rehabilitation (#72143)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-25	2009-10-22	0000-00-00	2009-12-09	0000-00-00	2010-01-11
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Contraxx Enterprises Limited	J\$ 31,416,986.30	J\$ 24,560,500.00	2010-01-15	2010-04-17	J\$ 30,343,904.40	Saint Elizabeth
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded.</p> <p>Documents obtained by the OCG indicated that the project incurred a net variation of \$8,318,700.00, which resulted in the contract sum being revised to \$32,879,200.00.</p> <p>Records indicated that the project was completed on December 24, 2010.</p>						
Status	The project was completed.					

Project #	175					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Haddington Basic School Rehabilitation and Expansion (#072039)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 23,434,630.51	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Hanover
Comments						
<p>The Invitation to Tender was advertised on May 16, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 3 or higher were invited to submit tenders by June 18, 2010.</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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	176					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Harbour Road Rehabilitation (#072251)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-18	2010-04-29	2010-04-29	2010-05-26	0000-00-00	2010-09-23
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Alcar Construction and Haulage Company Limited	J\$ 14,768,940.00	J\$ 13,237,980.00	2010-10-01	2011-02-11	J\$ 7,241,819.76	Kingston
Comments						
<p>The Invitation to Tender was advertised on February 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works, Grade 3 or higher were invited to submit tenders by March 18, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>As at December 31, 2010, the project was approximately 62.0% complete.</p> <p>The OCG will continue to monitor the execution of this project.</p>						
Status	As at the time of this report, the project was 62% complete.					

Project #	177					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Jones Town Integrated Infrastructure Package -(#71604)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-03	2009-06-03	2009-06-03	2009-07-01	2009-10-05	2009-11-20
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Alcar Construction and Haulage Company Limited	J\$ 29,711,500.00	J\$ 32,180,655.00	2010-01-25	2010-07-25	J\$ 24,903,688.95	Saint Andrew
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded.</p> <p>As at December 31, 2010, the project was approximately 80% complete.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the project was approximately 80% complete.					

Project #	178					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Lauriston Electricity Regularization Phase 1 (#72270)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-07	2010-05-17	2009-07-31	0000-00-00	0000-00-00	2010-10-04
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Arima Engineering Company Limited	J\$ 10,357,450.63	J\$ 9,174,955.65	2010-11-24	2011-04-24	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Electrical Works Grade 3 or higher, were invited to submit tenders by May 7, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG, indicated that due to the Contractor's tardiness in mobilising the requisite resources to commence the work the start-up date was revised from October 18, 2010 to November 24, 2010.</p> <p>As at December 31, 2010, no further information was available on the project.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	179					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Maverley Primary & Junior High School Expansion (#71997)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-15	2009-07-14	2009-07-14	2009-08-12	0000-00-00	2009-09-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Tankweld Construction Company Limited	J\$ 22,899,555.40	J\$ 29,204,000.00	2009-10-07	2010-03-07	J\$ 29,292,120.80	Saint Andrew
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded.</p> <p>Documents obtained by the OCG, indicated that the project was completed approximately 2.5 weeks after the scheduled completion date. Failure to meet the scheduled project completion date was mainly due to several community-related incidents which caused closure of the site and ultimately resulted in an extension of time.</p> <p>Practical Completion was achieved on March 23, 2010 and subsequent to remedial works over the defects liability period, Final Completion was issued on November 22, 2010.</p> <p>Expenditure as at December 31, 2010, indicated that variations have resulted in an increase in the Contract Sum, which was still to be finalised.</p>						
Status	As at the time of this report, the project was completed.					

Project #	180					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Poverty Reduction Programme II (PRPII) for the Development of the Constant Spring Primary & Junior High School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Marshall Construction Company Limited	J\$ 27,861,669.28	J\$ 28,053,638.00	2010-10-12	2011-02-07	J\$ 5,836,846.68	Kingston
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 2 or higher, were invited to submit tenders by May 14, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG, indicated that work on the project was approximately 35% complete.</p> <p>The OCG will continue to monitor the execution of this project.</p>						
Status	As at the time of this report, the project was 35% complete.					

Project #	181					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Poverty Reduction Programme II (PRPII) for the Development of the Windward Road Primary and Junior High School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-14	2010-03-31	2010-03-23	2010-08-04	0000-00-00	2010-09-23
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Alcar Construction & Haulage Co. Ltd.	J\$ 16,631,515.82	J\$ 15,671,259.50	2010-10-11	2011-02-11	J\$ 7,896,975.53	Kingston
Comments						
<p>The Invitation to Tender was advertised on April 11, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 2 or higher, were invited to submit tenders by May 14, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>Documents obtained by the OCG indicated that the project incurred a net variation of \$416,000.00, which resulted in the contract sum being revised to \$16,087,259.50.</p> <p>As at December 31, 2010, the project was approximately 33% complete.</p> <p>The Office of the Contractor General will continue to monitor this project.</p>						
Status	As at the time of this report, the project was being executed and was 33% complete.					

Project #	182					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund (JSIF)			Project Name	Thornton Water Supply and Storage Tank Construction (#072338)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 10,870,146.12	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Thomas
Comments						
<p>The Invitation to Tender was advertised on March 14, 2010, Contractors registered with the National Contracts Commission (NCC), in the Category of Pipe Laying, Grade 3 or higher, were invited to submit tenders by April 16, 2010, but was extended to April 23, 2010.</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, 2010, the procurement process was ongoing.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	183					
Ministry / Agency	Office of the Prime Minister / Montego Freeport Limited			Project Name	Main Access Road - Road Rehabilitation	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-29	2010-11-02	2010-11-02	0000-00-00	0000-00-00	2010-11-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Odel Allen Construction Limited	J\$ 5,900,115.00	J\$ 5,252,763.00	2010-11-15	2011-01-10	J\$ 4,577,017.35	Saint James
Comments						
<p>The Invitation to Tender was advertised on September 13, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works Grades 1-4, were invited to submit tenders by September 22, 2010. The deadline for submission of tenders was however extended to September 29, 2010, due to inadequacies identified in the Tender Document.</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>Documents obtained by the OCG, indicated that the project was completed on December 29, 2010, at a revised contract sum of \$4,951,463.00.</p>						
Status	The project was completed.					

Project #	184					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Civil Engineering Services, Hellshire Phase III Housing Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-13	2009-06-02	2009-07-24	2009-08-11	0000-00-00	2009-11-25
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Jentech Consultant Limited	J\$ 21,485,237.16	J\$ 12,367,344.04	2009-11-25	2012-06-22	J\$ 4,106,825.95	Saint Catherine
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded.</p> <p>The Consultant Contract is for a three (3) year period and is scheduled to be completed on June 22, 2012.</p> <p>Documents obtained by the OCG, indicated that, as at December 31, 2010, the project was approximately 30% complete.</p> <p>Records indicate that as at the time of this report, there were three (3) variations to the contract, which resulted in a revised contract sum of \$13,590,724.04.</p> <p>The Office of the Contractor General will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 30% complete.					

Project #	185					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Infrastructure Works Luana II	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-29	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 269,028,362.48	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Elizabeth
Comments						
Subsequent to tender opening and evaluation of the bids, the bids were rejected in accordance with clause 32.1 of the "Instruction to Tenders" and the process was aborted.						
Status	Procurement process was aborted					

Project #	186					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Infrastructure Works Stokes Hall Housing Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2009-04-23	0000-00-00	2009-06-01	2009-06-24	2009-08-31	2009-10-26
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
General Paving Company Limited	J\$ 86,762,814.00	J\$ 60,217,169.00	2009-10-12	2010-04-24	J\$ 59,165,110.38	Saint Thomas
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded.</p> <p>Documents obtained by the OCG, indicated that during the execution of the works, the Contractor was unable to complete the activities in the scheduled time, as a result of:</p> <ol style="list-style-type: none"> 1. Inclement Weather; 2. Variations due to changes in the Scope of Works; and 3. Material Supply. <p>The aforementioned issues resulted in a revision of the Contract Sum to \$69,961,599.70.</p> <p>The project was given Practical Completion on June 3, 2010.</p>						
Status	The project was completed.					

Project #	187					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Latium Housing Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 374,283,596.80	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The Invitation to Tender was advertised on February 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction, Grade 1, were invited to submit tenders by June 19, 2009.</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>Documents obtained by the OCG, indicated that, as at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	188					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Trench Town Basic School	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
O.K Damani's Construction Company Limited	J\$ 20,878,407.67	J\$ 20,640,634.27	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on March 17, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 3, were invited to submit tenders by April 26, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>The project is scheduled to commence in 2011.</p> <p>The OCG will continue to monitor this project.</p>						
Status	The project is scheduled to commence in 2011.					

Project #	189					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Infrastructure Works -Creighton Hall Housing Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-14	2010-06-09	2010-06-15	2010-07-07	2010-09-13	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 147,541,102.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Thomas
Comments						
<p>The Invitation to Tender was advertised on March 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil engineering Grade 1 were invited to submit tenders by April 14, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained.</p> <p>As at December 31, 2010, the award of the contract was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the award of contract was pending.					

Project #	190					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Hampden Sugar Housing Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-07-20	0000-00-00	2009-08-11	2009-08-26	2009-10-12	2010-03-04
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
D.R. Foote Construction Limited	J\$ 189,572,866.00	J\$ 199,908,891.00	2010-03-01	2011-02-28	J\$ 149,930,865.94	Trelawny
Comments						
<p>The Invitation to Tender was advertised on July 2, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering Grade 1 were invited to submit tenders by July 17, 2009.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract and the contract was duly awarded.</p> <p>Documents obtained by the OCG, indicated that as at December 31, 2010, the project was six (6) weeks behind schedule, as a result of:</p> <ol style="list-style-type: none"> 1. Excessive rocks encountered in road excavation; 2. Malfunction of mechanical excavating equipment; and 3. Discovery of sinkholes during excavation, which required filling. <p>The OCG will continue to monitor the execution of this project.</p>						
Status	As at the time of this report, the project was 60% completed.					

Project #	191					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Industry Cove Housing Development - Civil Engineering Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Beckford & Dixon Associates	J\$ 7,245,000.00	J\$ 8,297,486.00	2010-02-24	0000-00-00	J\$ 1,260,466.00	Hanover
Comments						
<p>The Invitation to Tender was advertised on September 11, 2009. Contractors were invited to submit tenders by October 9, 2009.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract was duly awarded.</p> <p>This contract entails post-contract services and consequently its end date is dependent on the schedule of the Works component.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the contract is 15% complete.					

Project #	192					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Infrastructure Works, Wickie Wackie Housing Scheme	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-02	2010-12-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 10,248,599.40	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<p>The Invitation to Tender was advertised on November 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Road Works or Civil Engineering, Grade 3 or above were invited to submit tenders by December 2, 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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the approval stage.					

Project #	193					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Nashville Housing Development - Infrastructure Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-09	0000-00-00	2009-12-09	2010-01-20	2010-03-29	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 38,700,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on October 11, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering Works Grade 2 were invited to submit tenders by November 9, 2009.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>Documents obtained by the OCG, indicated that, as at December 31, 2010, the contract had not been awarded as:</p> <ol style="list-style-type: none"> 1. The Office of Disaster Preparedness and Emergency Management (ODPEM) had recommended that 16 Lots not be developed; and 2. The National Environment & Planning Agency (NEPA) Permit for the construction was outstanding. <p>The OCG has noted the protracted procurement process and will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was ongoing.					

Project #	194					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Providence Housing Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-09	2010-02-18	2010-02-22	2010-03-10	2010-05-25	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 212,988,532.60	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The Invitation to Tender was advertised on September 11, 2009. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering Works Grade1 were invited to submit tenders by October 9, 2009</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 evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained.</p> <p>Documents obtained by the OCG, indicated that, as at December 31, 2010, the contract had not been awarded.</p> <p>The OCG has noted the protracted procurement process and will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was on going.					

Project #	195					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Renovation to Washrooms Phase II	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-20	2010-05-10	2010-05-18	0000-00-00	0000-00-00	2010-06-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Rogers Land Development Limited	J\$ 9,238,925.00	J\$ 9,877,580.00	2010-09-03	2011-01-07	J\$ 5,849,741.52	Kingston
Comments						
<p>The Invitation to Tender was advertised on March 3, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Interior Construction Grade 3 were invited to submit tenders by April 20, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>Documents obtained by the OCG, indicated that the project incurred a negative net variation in the amount of \$906,810.00, as result of a reduction in the Scope of Works. Consequently, the Contract Sum was revised to \$8,970,770.00.</p> <p>As at the time of this report, the project was ongoing.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 95% complete.					

Project #	196					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Trench Town Commercial Center	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-26	2010-06-09	2010-06-26	2010-08-18	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 62,408,465.48	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on March 17, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 2 were invited to submit tenders by April 26, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite internal approvals and NCC endorsement for the contract award were obtained. However, on December 6, 2010, the Cabinet deferred its Decision until further consultations were held, as the Contractor's NCC Registration Certification had expired at the time of submission.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at December 31, 2010, Cabinet approval was pending.					

Project #	197					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Twickenham Park Housing Development - Land Surveying Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	2010-07-08	2010-11-25	2010-11-29	2010-12-01	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 17,286,700.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The Invitation to Tender was advertised on June 2, 2010. Qualified Commissioned Land Surveyors were invited to submit tenders by July 8, 2010.</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 opening of tenders an evaluation was conducted. The Procuring Entity sought approval from the National Contracts Commission (NCC) to utilise the Direct Contracting Procurement Methodology to engage the services of a Land Surveyor that was previously engaged as the Project's Land Surveyor. The NCC approved the request on September 3, 2010.</p> <p>On October 11, 2010, the Land Surveyor was requested to submit a proposal for the procurement opportunity. The proposal was to be returned by October 22, 2010 and opened on the same day.</p> <p>Subsequent to the tender opening, a detailed evaluation and negotiation of the sum was conducted. Consequently a recommendation was made for the contract to be awarded to the selected Land surveyor. All requisite approvals were obtained.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the award of the contract was pending.					

Project #	198					
Ministry / Agency	Office of the Prime Minister / National Housing Trust (NHT)			Project Name	Windsor Housing Development- Civil Engineering Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N.O. Whyte & Associates Limited	J\$ 5,161,116.25	J\$ 5,364,916.00	2010-03-16	2011-08-16	J\$ 291,958.62	Trelawny
Comments						
<p>The Invitation to Tender was advertised on September 9, 2009. Contractors were invited to submit tenders by October 8, 2009.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>Documents obtained by the OCG, indicated that subsequent to implementation of the works, the Infrastructure Engineering Designs were postponed pending the approval for the "Change of use for the land".</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the contract was 5% complete.					

Project #	199					
Ministry / Agency	Office of the Prime Minister / Saint. Mary Parish Council			Project Name	Construction /Renovation of Roads & Works Building	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-31	2010-06-14	2010-07-14	2010-07-28	0000-00-00	2010-09-13
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Skyymar Building Construction Company Limited	J\$ 20,216,724.56	J\$ 21,204,188.05	2010-09-20	2011-04-20	J\$ 7,822,082.74	Saint Mary
Comments						
<p>The Invitation to Tender was advertised on August 8, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction (Grade 4) and Building Maintenance Grade 3, were invited to submit tenders by August 31 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract. All requisite approvals were obtained and the contract duly awarded.</p> <p>Documents obtained by the OCG, indicated that, as at December 31, 2010 the project was 45% complete.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the project was 45 % complete.					

Project #	200					
Ministry / Agency	Office of the Prime Minister / The Department of Local Government			Project Name	Rehabilitation of Infirmaries: St. Thomas Infirmary (Morant Bay) - Construction of New Resident Ward	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-05	2009-09-01	2009-10-29	2009-10-21	0000-00-00	2009-11-02
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Shine Construction and Equipment Limited	J\$ 24,733,143.00	J\$ 19,606,193.00	2009-11-23	2010-05-24	J\$ 16,097,997.33	Saint Thomas
Comments						
<p>The procurement process for this project commenced in 2009. Upon evaluation, a preferred bidder was recommended for the award of contract. All requisite approvals were obtained and the contract was subsequently awarded.</p> <p>Documents obtained by the OCG, indicated that commencement of the project was delayed until January 4, 2010. Further delays were as a result of heavy rains in April 2010.</p> <p>The project achieved Practical Completion on September 14, 2010.</p>						
Status	As at the time of this report, the project was completed.					

Project #	201					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation (UDC)			Project Name	Fabrication and Installation of Windows and Doors at the Simon Bolivar Cultural Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 9,310,017.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on November 3, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Interior Construction, Grade 3 and higher, were invited to submit tenders by November 18, 2010.</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, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	202					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation (UDC)			Project Name	Floor Finishes to the 4th, 7th, 8th, & 9th Floors at the Office Centre Building	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 6,403,719.85	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on July 25, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Maintenance, Grade 3, were invited to submit tenders by August 10, 2010.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, all bidders were deemed to be non-responsive.</p> <p>On November 29, 2010, the General Manager of the UDC, granted permission for the utilisation of the Limited Tender Procurement Methodology to invite potential bidders to submit tenders on the project.</p> <p>By way of letters dated November 29, 2010 and December 03, 2010, the UDC indicated that the four (4) bidders were deemed qualified to undertake the works.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the evaluation process was ongoing					

Project #	203					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation (UDC)			Project Name	General Renovation Works at Protocol House, Laughing Water, Ocho Rios	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,125,305.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Ann
Comments						
<p>The Invitation to Tender was advertised on June 27, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Construction Grade 4, were invited to submit tenders by July 13, 2010.</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>By way of letter dated November 08, 2010, the UDC indicated that; <i>"The Corporation is currently completing the evaluation process and is in the process of preparing the Tender Report for submission to the Corporation's Procurement Committee for endorsement of contract award."</i></p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	204					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation (UDC)			Project Name	Supply and Installation of Building Finishes at the Simon Bolivar Cultural Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-02	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 17,413,150.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on November 7, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Interior Construction, Grade 2, were invited to submit tenders by December 2, 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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was ongoing.					

Project #	205					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation (UDC)			Project Name	Supply of Asphaltic Concrete at West Street Craft Market Parking Lot	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-25	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 3,835,790.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on November 14, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of General Works or Road Maintenance, Grade 4 and higher, were invited to submit tenders by November 25, 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>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	206					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation (UDC)			Project Name	Tiling Works at Shop 68, Kingston Mall	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-17	2010-09-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,805,100.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on June 6, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Building Maintenance, Grade 3, were invited to submit tenders by June 17, 2010.</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>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was ongoing.					

Project #	207					
Ministry / Agency	Office of the Prime Minister / Westmoreland Parish Council			Project Name	Rehabilitation of Sections of Belvedere Road	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-06	2010-04-07	2010-04-08	0000-00-00	0000-00-00	2010-04-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Sanjon Asphaltting Company Limited	J\$ 4,999,092.00	J\$ 4,573,290.96	2010-04-12	2010-07-12	J\$ 4,359,524.37	Westmoreland
Comments						
<p>The Invitation to Tender was advertised on March 21, 2010. Contractors registered with the National Contracts Commission (NCC), in the Category of Civil Engineering, General Road Construction works (Grade 1-4) were invited to submit tenders by April 6, 2010.</p> <p>Tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, a preferred bidder was identified and recommended for the award of contract.</p> <p>Documents obtained by the OCG indicated that the project incurred a net variation of \$592,808.40, owing to changes to the Scope of Works. The variation was approved by the Head of Entity on May 5, 2010.</p> <p>Practical Completion was granted on July 26, 2010.</p>						
Status	The project was completed.					

APPENDIX VI - NON CONSTRUCTION CONTRACTS MONITORED

Project #	1					
Ministry / Agency	Ministry of Agriculture and Fisheries / Agro-Investment Corporation			Project Name	Supply and Delivery of Computers, Accessories and Data Display Items	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 35,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 7, 2010. Tenders were to be submitted by December 10, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the subject procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	2					
Ministry / Agency	Ministry of Agriculture and Fisheries / Forestry Department			Project Name	Procurement for Canteen Concessionaire	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-24	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 4, 2010. Tenders were to be submitted by August 24, 2010 at 10:00 a.m.</p> <p>At the close of tender, no tenders were received.</p>						
Status	No tenders were received.					

Project #	3					
Ministry / Agency	Ministry of Agriculture and Fisheries / Forestry Department			Project Name	Procurement of Accrual Financial Management Information System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 5,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 1, 2010. Tenders were to be submitted by September 23, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the subject procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	4					
Ministry / Agency	Ministry of Agriculture and Fisheries / Forestry Department			Project Name	Procurement of Network Attached Storage & Tower Storage	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,200,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 1, 2010. Tenders were to be submitted by September 23, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the subject procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	5					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries			Project Name	Servicing of Air Conditioning Units	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 9,177,080.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 11, 2010. Tenders were to be submitted by November 26, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the subject procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	6					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries			Project Name	Procurement of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 52,080,225.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on October 31, 2010.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	7					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries			Project Name	Supply and Install 150 KVA Generator	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Thomas Hamilton and Associates Co. Ltd.	J\$ 6,028,849.43	J\$ 5,499,336.14	2010-03-30	0000-00-00	J\$ 3,653,541.15	Saint James
Comments						
<p>Documentation evidenced by the OCG with regards to the captioned project, included an Inter-Office Memorandum, dated January 29, 2010 to the Permanent Secretary, requesting permission to undertake the procurement.</p> <p>The procurement opportunity was advertised on February 7, 2010. Tenders were to be submitted by February 12, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) bids were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The evaluation was conducted in accordance with the evaluation criteria as outlined in the Tender Document. Upon evaluation, the bidder who attained the highest score, Thomas Hamilton and Associates Co. Ltd., was recommended for the award of the contract.</p> <p>The contract was signed on March 30, 2010. The terms of the Contract indicated that the works were to be executed within eight (8) weeks after receipt of an accepted duplicate undertaking.</p> <p>Documents which were provided evidenced the receipt of the unit on March 31, 2010.</p> <p>Documentation from the Procuring Entity has indicated that as at December 23, 2010, the project was 80% complete.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was 80% complete.					

Project #	8					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries (Export Division)			Project Name	Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-21	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-04-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Allied Insurance Brokers Limited	J\$ 0.00	J\$ 2,335,837.45	2010-04-01	2013-04-01	J\$ 1,974,078.55	Kingston
Comments						
<p>The procurement opportunity was advertised on November 8, 2009. Tenders were to be submitted by January 21, 2010 at 3:00 p.m., to be followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>Proposals were received from seven (7) Brokers, which were opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>The proposals were evaluated by the Actuarial firm, Duggan Consulting Limited.</p> <p>An alternate proposal which was received from the incumbent Broker, Allied Insurance Brokers Limited, was recommended for the award of contract.</p> <p>Although requested, the OCG was not provided with documentation to evidence that Head of Entity's approval was received.</p> <p>The contract sum indicated above covers the 2010-2011 contract period only.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	9					
Ministry / Agency	Ministry of Agriculture and Fisheries / Ministry of Agriculture and Fisheries - Sugar Transformation Unit			Project Name	Consultancy - Provision of Sub-division Plans	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by August 13, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m. Under the Sugar Area Development Programme, residents of the Sugar Estate Barracks at Frome, Monymusk, Long Pond/Hampden and St. Thomas Sugar will be relocated. The Consultant who is awarded this contract will be required to develop Sub-division plans for the relocation of those residents.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the sole bidder was recommended for the award of contract.</p> <p>As at December 31, 2010, the approval of the Evaluation Report is being sought from the Procurement Committee.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was awaiting the requisite approvals.					

Project #	10					
Ministry / Agency	Ministry of Agriculture and Fisheries / National Irrigation Commission Limited (NIC)			Project Name	The Preparation of Business Strategy Plan for the National Irrigation Commission	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2009-09-04	2009-11-27	2009-12-07	2010-11-10	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
0000-00-00	US\$ 120,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to submit Expressions of Interest for the referenced project was advertised on March 8, 2009. Expressions of Interest were to be submitted by March 23, 2009. The project falls under the National Irrigation Development Programme (NIDP).</p> <p>Five (5) Expressions of Interest were received. Subsequent to evaluation, the three (3) Consultants who exceeded the minimum required score were shortlisted.</p> <p>The three (3) shortlisted Consultants were invited to submit tenders, by way of letter, which was dated July 28, 2009. Tenders were to be submitted by September 4, 2009 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation of the Technical Proposals, one (1) bidder did not achieve the minimum required score. The Financial Proposals of the two (2) remaining bidders were opened on November 3, 2009. The bidder, who attained the higher combined score, was recommended for the award of the contract.</p> <p>By way of a letter which was dated June 8, 2010, the OCG was informed that; <i>"Due to the limited budget restraint the project is placed on hold until further notice."</i></p> <p>Subsequent to same, a submission was made to the Ministry of Health Sector Committee. The National Contracts Commission (NCC), in its meeting of September 29, 2010, recommended that the National Irrigation Commission Limited (NIC) re-do the evaluation exercise as discrepancies were identified in the evaluation process.</p> <p>The Procuring Entity accepted the recommendation, and the evaluation was reviewed. A submission for endorsement was again requested from the NCC, through the Sector Committee. Endorsement of the contract award recommendation was granted at the NCC Meeting of November 10, 2010.</p> <p>In a status update to the OCG, the NIC reported that due to a Board decision, the contract had not been awarded.</p>						
Status	As at the time of this report, the contract had not been awarded.					

Project #	11					
Ministry / Agency	Ministry of Agriculture and Fisheries / Rural Agricultural Development Authority			Project Name	Supply of 8 Handheld/ Walk-behind Tractors	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-12	2010-11-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 8,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on October 20, 2010. Tenders were to be submitted by November 12, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who attained the highest evaluated score was recommended for the award of contract. The Procurement Committee approved the recommendation on November 14, 2010.</p> <p>As at December 31, 2010, the approval by the Head of Entity was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	12					
Ministry / Agency	Ministry of Agriculture and Fisheries / Rural Agriculture Development Authority			Project Name	Supply of 4 Rubber Wheel Tractors	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-12	2010-11-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	J\$ 20,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on October 20, 2010. Tenders were to be submitted by November 12, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Upon evaluation of the tenders, the bidder who attained the highest evaluated score was recommended for the award of the contract. The Procurement Committee approved the recommendation on November 14, 2010.</p> <p>As at December 31, 2010, the requisite approvals were pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	13					
Ministry / Agency	Ministry of Agriculture and Fisheries / Sugar Industry Authority			Project Name	Procurement for Audit Services for the Sugar Industry Authority/Sugar Industry Research Institute	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-08	2010-05-14	2010-06-10	0000-00-00	0000-00-00	2010-06-10
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
PriceWaterhouseCoopers	J\$ 11,610,000.00	J\$ 12,081,500.00	2010-06-21	2011-10-31	J\$ 5,460,720.25	Kingston
Comments						
<p>The procurement opportunity was advertised on December 13, 2009. Tenders were to be submitted by January 8, 2010 at 3:00 p.m., to be followed by a 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>Upon evaluation of the Technical Proposals, four (4) were deemed non-responsive for failure to provide all the requisite documents.</p> <p>The two (2) remaining tenders advanced to the opening of the Financial Proposals, and the bidder who attained the higher evaluated score was recommended for the contract award.</p> <p>The National Contracts Commission (NCC) endorsement of the contract award recommendation was not evidenced. The contract was awarded on June 10, 2010.</p> <p>The Contract document included a payment ceiling clause which indicated that payments should not exceed \$3,650,000.00 for 2008/09; \$4,015,000.00 for 2009/10; and \$4,416,500.00 for 2010/11. Therefore the contract sum stated above (J\$12,081,500.00) represents a summation of these figures.</p> <p>The expenditure to date reflects cumulative payments for Audit Services for the periods ending October 31, 2009 and October 31, 2010.</p> <p>The OCG will continue to monitor this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	14					
Ministry / Agency	Ministry of Education / College of Agriculture, Science and Education			Project Name	Provision of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-03	2010-08-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 24,129,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Portland
Comments						
<p>The procurement opportunity was advertised on March 31, 2010. Tenders were to be submitted by April 14, 2010 at 12:45 p.m., to be followed by a Tender Opening Ceremony at 1:00 p.m.</p> <p>Upon review of the Tender Notice, the OCG identified, <i>inter alia</i>, discrepancies in the eligibility criteria, and recommended that the Entity correct the shortcomings prior to the close of tender. The College of Agriculture, Science and Education (CASE) made the required amendments and extended the deadline for submission of tender to May 3, 2010 at 12:45 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. Upon evaluation, the bidder with the highest evaluated tender was recommended for the award of contract.</p> <p>CASE, in its letter to the OCG, which was dated November 11, 2010, stated, <i>inter alia</i>, that; "...prior to any award of a contract for delivery of such services, the Board of Management has been reconsidering the rationalization of the security system in terms of the overwhelming cost of actual implementation of the system..."</p> <p>As at December 31, 2010, the matter was still with the Board of Management.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was awaiting the decision of the Board.					

Project #	15					
Ministry / Agency	Ministry of Education / College of Agriculture, Science and Education			Project Name	Supply and Installation of a Closed Circuit Television System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-03	2010-07-13	2010-07-28	0000-00-00	0000-00-00	2010-09-03
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Guardsman Alarms Limited	J\$ 1,800,000.00	J\$ 2,466,011.86	2010-09-08	2010-09-30	J\$ 2,466,011.86	Portland
Comments						
<p>The procurement opportunity was advertised in March 28, 2010. Tenders were to be submitted by April 14, 2010 at 12:45 p.m., to be followed by a Tender Opening Ceremony at 1:00 p.m.</p> <p>Upon review of the Tender Notice, the OCG identified, <i>inter alia</i>, discrepancies in the eligibility criteria and recommended that the Entity correct the shortcomings prior to the close of tender. The College of Agriculture, Science and Education (CASE) made the required amendments and extended the deadline for submission of tenders to May 3, 2010 at 10:45 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>Upon review of the tenders, three (3) were deemed non-responsive, and did not advance to the opening of the Financial Proposals.</p> <p>Upon review of documents submitted by CASE, the OCG noted that the highest scored bidder was not recommended for the award of contract, instead, the bidder who was deemed as having presented the best bid was recommended. The Memorandum from the Procurement Committee to the Head of Entity indicated that Guardsman Alarms was recommended for the contract award as "<i>The Committee agreed that they were getting more cameras at a lower cost as well as better coverage...</i>"</p> <p>The project ended on October 8, 2010, as an eight (8) day extension to facilitate importation of equipment, was granted by the College.</p> <p>The Head of Entity's approval indicated above is that of the Board of Management.</p> <p>The OCG has noted that an Evaluation Committee, separate and apart from the Procurement Committee, was not constituted for this project.</p>						
Status	Contract was completed.					

Project #	16					
Ministry / Agency	Ministry of Education / Ferncourt High School			Project Name	Safety and Security of School (2010 - 2011)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 443,665.60	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Ann
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by July 30, 2010, to be followed by a Tender Opening Ceremony at 10:30 a.m.</p> <p>The OCG was informed that the location of the tender box was changed from the Ferncourt High School to the Ministry of Education's Regional Office in Brown's Town. Potential Bidders were informed of the change by way of letter dated July 30, 2010.</p> <p>Three (3) tenders were received by the scheduled deadline of July 30, 2010 at 10:00 a.m. However, due to scheduling conflicts, the Tender Opening Ceremony was postponed to August 3, 2010 at 10:00 a.m. The Ceremony started approximately 45 minutes after the scheduled time, due to the late arrival of the Tender Officer. The tenders were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The tenders were retained by the Ministry of Education's Regional Office in Brown's Town.</p> <p>The OCG was informed by the Principal of Ferncourt High School that; as at December 31, 2010, no further communication had been received from the Ministry's Regional Office regarding the procurement opportunity.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, Ferncourt High School was awaiting communication from the Ministry of Education Regional Office regarding the status of the procurement.					

Project #	17					
Ministry / Agency	Ministry of Education / Ferncourt High School			Project Name	Sports and Health of School (2010 - 2011)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-08-10	2010-08-18	2010-08-20	0000-00-00	0000-00-00	2010-08-24
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Sports Gear Limited	J\$ 250,000.00	J\$ 215,450.00	2010-08-20	2010-09-17	J\$ 215,450.00	Saint Ann
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by July 30, 2010 at 10:00 a.m., to be followed by a Tender Opening Ceremony at 11:00 a.m.</p> <p>No tenders were received at the close of tender.</p> <p>By way of letters which were dated August 2, 2010, the School invited three (3) Contractors to tender on the procurement opportunity by August 10, 2010.</p> <p>One (1) company submitted a tender, and was recommended and approved for the award of the contract. By way of a letter which was dated August 20, 2010, Sports Gear Limited was notified of the contract award and a Purchase Order, dated August 24, 2010, in the amount of \$253,153.75 (\$215,450.00 excluding GCT), was issued.</p> <p>The goods were received in September 2010.</p>						
Status	Contract was completed					

Project #	18					
Ministry / Agency	Ministry of Education / G.C. Foster College of Physical Education & Sport			Project Name	Procurement for the Provision of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-25	2010-07-15	2010-08-09	0000-00-00	0000-00-00	2010-08-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Acid Security Services Limited	J\$ 7,000,000.00	J\$ 6,745,200.00	2010-08-09	2011-08-09	J\$ 2,550,547.50	Saint Catherine
Comments						
<p>The procurement opportunity was initially advertised on October 25, 2009. The Office of the Contractor General (OCG) subsequently recommended that the procurement be retendered, as the Procuring Entity had requested that bidders provide a "tender security fee" of \$12,000.00 which was not required. It was subsequently found that, the Procuring Entity misunderstood the difference between the tender security and the tender fee.</p> <p>The procurement was retendered as recommended.</p> <p>The procurement opportunity was advertised on April 25, 2010. Tenders were to be submitted by May 21, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m. An addendum was subsequently issued which extended the bid submission deadline to May 25, 2010 at 12:00 noon, to be followed by a Tender Opening Ceremony at 12:15 p.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who submitted the lowest proposed price was recommended and approved for the award of the contract.</p> <p>The requisite approvals were gained and the contract awarded accordingly.</p> <p>The Procuring Entity advised in its status report that; "The scope of work required one armed and two unarmed guards. However, based on the environment, location of the College the company recommended that we have at least two armed guards or we increase the number of unarmed guards at night. They were therefore contracted to have three (3) unarmed guards (day shift 7:00 – 7:00 p.m.)...and four (4) unarmed (night shift 7:00 p.m. – 7:00 a.m.)" Consequently, the Procuring Entity advised that, "The annual cost for security services has been increased from the bidding cost of \$6,745,200.00 to \$6,879,600.00 and an additional cost for the k-9 [sic] of \$1,528,800.00."</p> <p>The variation was approved by the Head of Entity.</p> <p>The OCG will continue to monitor the contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	19					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Canteen Concessionaire	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on June 27, 2010. Tenders were to be submitted by July 23, 2010 at 10:00 a.m., to be followed by a Tender Opening Ceremony at 10:15 a.m.</p> <p>Canteen Concessionaire Services were required for twenty-nine (29) locations islandwide. Internal Concessionaire Services were required for nineteen (19) of the locations, while ten locations (10) required External Concessionaire Services. Bidders had the option of bidding on any or all locations. The Contract will cover the period January 1, 2011 to March 31, 2014.</p> <p>Twenty-one (21) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	20					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Consultancy Services: Refurbishing and Upgrading of Waste Water Treatment Facilities	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 22, 2010. The subject service was for five (5) locations. Tenders were to be submitted by September 13, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:05 a.m.</p> <p>Two (2) tenders were received, opened and verified, at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>One (1) bidder was deemed ineligible, as reportedly, no Tax Compliance Certificate (TCC) was submitted. Subsequent to evaluation, the sole bidder which was deemed responsive was recommended for the award of contract.</p> <p>As at December 31, 2010, the requisite approvals were pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the requisite approvals were pending.					

Project #	21					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Consulting Services: Performance Audit	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-21	2009-09-22	2009-09-25	2009-12-09	0000-00-00	2010-02-25
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
PriceWaterhouseCoopers	J\$ 0.00	J\$ 9,300,000.00	2010-03-01	2010-07-19	J\$ 7,649,250.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised February 25, 2009. Tenders were to be submitted by April 14, 2009 at 3:00 p.m. However, the Procuring Entity issued an Addendum to the Tender Document on April 4, 2009 and the close of tender was extended to April 21, 2009. Tenders were to be submitted by April 21, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Two (2) tenders attained the minimum required score subsequent to the evaluation of Technical Proposals, and proceeded to the opening of the Financial Proposals. PriceWaterhouseCoopers (PWC), the bidder who provided the lower-priced Financial Proposal, was recommended for the award of contract.</p> <p>The National Contracts Commission (NCC) endorsed the award recommendation to PWC in the amount of \$9,300,000.00 plus GCT and reimbursable expenses not exceeding 10% of Professional Fees.</p> <p>In 2010, there was an increase in the rate of the General Consumption Tax (GCT) from 16.5% to 17.5%. Consequently, there was an increase of ninety-three thousand dollars (\$93,000.00) to the contract. This increase was approved by the Procurement Committee on March 16, 2010 and by the Head of Entity on March 18, 2010.</p> <p>The Public Body reported that as at December 31, 2010, the Consultant had completed the draft reports and the decision of the Board was awaited. They also reported that final payment had not yet been made to the Consultant.</p>						
Status	As at the time of this report, final payment to the Contractor was pending.					

Project #	22					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Maintenance Services 2010: Air Conditioning Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 14, 2010. Tenders were to be submitted by December 7, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:05 a.m. The Tender Document and accompanying cover letter however indicated that the deadline for submission of tenders was December 16, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	23					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Maintenance Services 2010: Kitchen & Food Preparation Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 14, 2010. Tenders were to be submitted by December 7, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:05 a.m. The Tender Document and accompanying cover letter however indicated that the deadline for submission of tenders was December 16, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	24					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Maintenance Services 2010: Laundry Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 14, 2010. Tenders were to be submitted by December 7, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:05 a.m. The Tender Document and accompanying cover letter however indicated that the deadline for submission of tenders was December 16, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	25					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Maintenance Services 2010: Maintenance of Cold Storage Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 14, 2010. Tenders were to be submitted by December 7, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:05 a.m. The Tender Document and accompanying cover letter however indicated that the deadline for submission of tenders was December 16, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>No tenders were received when the tender closed on December 16, 2010.</p>						
Status	No tenders were received.					

Project #	26					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Maintenance Services 2010: Standby Power Generating Plants	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 14, 2010. Tenders were to be submitted by December 7, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:05 a.m. The Tender Document and accompanying cover letter however indicated that the deadline for submission of tenders was December 16, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	27					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Maintenance Services 2010: Wastewater Treatment Plants	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 14, 2010. Tenders were to be submitted by December 7, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:05 a.m. The Tender Document and accompanying cover letter however indicated that the deadline for submission of tenders was December 16, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>No tenders were received when the tender closed on December 16, 2010.</p>						
Status	No bids were received					

Project #	28					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	Security Services - 4 Zones	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 196,126,281.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on August 15, 2010 and was required for four (4) Zones, covering thirty-seven (37) HEART Trust locations. Tenders were to be submitted by September 23, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Nine (9) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Public Body wrote to the National Contracts Commission (NCC) requesting permission to extend the contracts with the current security providers, to March 2011, in an effort to complete the subject procurement process. The request was granted at the NCC meeting of October 20, 2010.</p> <p>As at December 31, 2010, the evaluation of tenders was completed and preferred bidders were identified for each zone. The contract, when awarded, will be for a period of thirty-six (36) months.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	29					
Ministry / Agency	Ministry of Education / HEART Trust/NTA			Project Name	The Supply and Installation of Fire Safety Systems	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-01	2010-08-17	2010-08-17	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on March 7, 2010, and invited qualified firms to supply and install Fire Safety Systems for the Ebony Park, Stony Hill and Portmore HEART Academies. Tenders were to be submitted by April 1, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Five (5) bidders submitted a total of thirteen (13) tenders. Four (4) tenders were received for the Ebony Park and Stony Hill locations, while five (5) were received for the Portmore location. All tenders were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was completed and a preferred bidder was identified for all three (3) locations.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	30					
Ministry / Agency	Ministry of Education / Jamaica Library Service			Project Name	Procurement for Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-23	2010-04-21	2010-05-03	2010-05-26	2010-09-20	2010-09-27
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Allied Insurance Brokers Limited	J\$ 0.00	J\$ 10,262,230.31	2010-10-01	2013-09-30	J\$ 10,262,230.31	Kingston
Comments						
<p>The procurement opportunity was advertised on November 23, 2009. Tenders were to be submitted by February 23, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Seventeen (17) proposals were submitted by six (6) Insurance Brokers, as follows: five (5) Like-for-Like and twelve (12) Alternative proposals. The submissions were opened and verified in accordance with the eligibility requirements of the Tender Document.</p> <p>The Evaluation was conducted by the Actuarial firm, GFRAM Consultancy.</p> <p>Subsequent to the evaluation process, an alternate proposal, which was submitted by Allied Insurance Brokers, was deemed the most cost-effective programme for coverage of the portfolio, and was recommended for the award of contract, in the amount of \$10,287,034.00 for the first year.</p> <p>The requisite approvals were subsequently obtained, and the contract awarded.</p> <p>A status update which was provided by the Procuring Entity, to the OCG stated that; "... there is a reduction of this amount due to a deletion of two motor vehicles from the schedule and the relevant endorsement issued. Consequently the sum of Ten Million, Two Hundred and Sixty-two Thousand, Two Hundred and Thirty Dollars and Thirty-one Cents (\$10,262,230.31) was paid in full and coverage in place."</p> <p>The OCG will continue to monitor this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	31					
Ministry / Agency	Ministry of Education / Jamaica Library Service			Project Name	Procurement for the Supply of Computers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-01	2010-10-22	2010-12-15	0000-00-00	0000-00-00	2010-12-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Fujitsu Caribbean (Ja.) Limited	J\$ 8,500,000.00	J\$ 7,072,809.00	2010-12-16	2011-01-27	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 12, 2010. Tenders were to be submitted by October 1, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon review of the Tender Document, the OCG noted that the Jamaica Library Services failed to utilise the Standard Bidding Document in accordance with the Government of Jamaica (GOJ) Handbook of Public Sector Procurement Procedures. By way of letter which was dated October 21, 2010, the OCG advised the Procuring Entity of the aforementioned deviation and recommended that the requisite Standard Bidding Document be utilised for all future procurement opportunities.</p> <p>Upon evaluation, the bidder with the highest evaluated score was recommended for the contract award.</p> <p>The requisite approvals were gained and the contract awarded accordingly.</p> <p>As at December 31, 2010, delivery of the procured items was scheduled for January 17, 2011.</p>						
Status	As at the time of this report, the Procuring Entity was awaiting delivery of the procured items.					

Project #	32					
Ministry / Agency	Ministry of Education / Jamaica Library Service			Project Name	Procurement of Wide Area Network Gears	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-12	2010-04-14	2010-05-05	2010-06-02	0000-00-00	2010-06-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Fujitsu Caribbean (Ja.) Limited	J\$ 18,000,000.00	J\$ 21,214,960.72	2010-06-28	2011-06-30	J\$ 2,121,496.07	All Island
Comments						
<p>The procurement opportunity was advertised on February 14, 2010. Tenders were to be submitted by March 12, 2010 at 2:30 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:45 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) was deemed ineligible as no National Contracts Commission (NCC) certificate was submitted.</p> <p>The evaluation was conducted in accordance with the evaluation criteria which were outlined in the tender document. Subsequent to same, Fujitsu Caribbean (Ja.) Limited, the bidder who attained the highest overall score, was recommended for the contract award.</p> <p>The requisite approvals were received and the contract was executed.</p> <p>A tax invoice dated October 12, 2010 indicated that an advanced payment of \$ 2,121,496.07 or ten percent (10%) of the contract price was paid to the Contractor</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	33					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Canteen Concessionaire	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on September 27, 2009. Information which was submitted to the OCG indicated that the Ministry had concerns regarding aspects of the procurement procedures, which resulted in an extension of the tender period from October 14, 2009 to October 27, 2009. These concerns led to the procurement opportunity being withdrawn, by way of advertisement dated, October 25, 2009.</p> <p>The procurement opportunity was re-tendered on March 5, 2010. Tenders were to be submitted by April 9, 2010 at 2 p.m., to be followed by a Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Both tenders were deemed non-responsive.</p> <p>The Ministry wrote to the National Contracts Commission (NCC) in letter dated June 7, 2010, requesting permission to utilise the Limited Tender Procurement Methodology. The NCC endorsed the Ministry's request in its meeting dated June 16, 2010.</p> <p>By way of letters which were dated December 8, 2010, eight (8) companies were invited to tender on the captioned procurement opportunity. The deadline for bid submission is January 7, 2011.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the deadline for submission of tenders was pending.					

Project #	34					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Expression of Interest: Firm to Redesign the NYS Corps Curriculum and Align it with HEART/NTA NCTVET National Standards	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to submit Expressions of Interest (EOIs) was advertised on October 10, 2010. EOIs were to be submitted by November 10, 2010 at 2:00 p.m. The project is being funded through a loan from the Inter-American Development Bank (IDB) and will be implemented by the Ministry of Education (National Youth Service - NYS) and the Ministry of Youth, Sports and Culture (National Centre for Youth Development).</p> <p>By way of letter, which was dated November 15, 2010, the Ministry of Education (MOE) advised the OCG that five (5) EOIs were received by the stipulated deadline. They further advised however, that; "...the deadline has been extended to November 29, 2010 to satisfy the Inter-American Development Bank's procurement guideline of a minimum of six (6) firms".</p> <p>Consequently, the Invitation to submit Expressions of Interest was re-advertised on November 14, 2010. EOIs were to be submitted by November 29, 2010 at 2:00 p.m.</p> <p>Eight (8) firms submitted EOIs.</p> <p>Upon evaluation of the EOIs, the four (4) firms, that achieved the minimum required score of 65 points, were shortlisted.</p> <p>As at December 31, 2010, the Entity was awaiting the IDB's 'no-objection' to the shortlisted firms.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the IDB's approval of the shortlisted firms was pending.					

Project #	35					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Firm to Develop Electronic Youth Programmatic Inventory and Conduct a Gap Analysis	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-12-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 60,240.00	US\$ 0.00	0000-00-00	0000-00-00	US\$ 0.00	Kingston
Comments						
<p>The Invitation to submit Expressions of Interest (EOIs) was advertised on February 7, 2010. EOIs were to be submitted by February 23, 2010. 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>Five (5) EOIs were received within the stipulated period.</p> <p>Subsequent to evaluation, two (2) firms were shortlisted to submit proposals. The IDB's no objection was dated March 12, 2010.</p> <p>By way of letters which were dated March 23, 2010, the shortlisted firms were invited to submit tenders. The deadline for submissions was April 16, 2010 at 2 p.m.</p> <p>One (1) tender was received within the stipulated period. The Evaluation Committee however recommended that the process be re-tendered as the bidder did not achieve the minimum required score. The IDB's no objection to this was dated June 16, 2010.</p> <p>By way of letters which were dated November 10, 2010, thirteen (13) firms were invited to submit tenders for the captioned project. Tenders were to be submitted by December 10, 2010 at 2:00 p.m., to be followed by a Tender Opening Ceremony at 2:00 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process had not commenced.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	36					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Firm to Develop System for Corporate Outreach	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-07-14	0000-00-00	2010-09-23	2010-11-03	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 590,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to submit Expressions of Interest (EOIs) was advertised on February 14, 2010. EOIs were to be submitted by March 8, 2010. 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>Seven (7) EOIs were received within the stipulated period.</p> <p>Subsequent to evaluation, four (4) firms were shortlisted to submit proposals. The IDB's no objection was received, and by way of letters dated June 14, 2010, the shortlisted firms were invited to submit a proposal. Tenders were to be submitted by July 14, 2010 at 2 p.m., to be followed by a Tender Opening Ceremony on July 19, 2010.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the higher scored bidder was recommended for the award of contract.</p> <p>As at December 31, 2010, the approval process was ongoing.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the procurement was awaiting the requisite approvals.					

Project #	37					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-09	0000-00-00	2010-09-23	2010-10-06	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 19,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on September 27, 2009. The Ministry however had concerns regarding aspects of the procurement procedures, which resulted in an extension of the tender period from October 14, 2009 to October 28, 2009. These concerns led to the procurement opportunity being withdrawn, by way of advertisement which was dated October 25, 2009.</p> <p>The procurement opportunity was re-advertised on December 23, 2009. Tenders were to be submitted by February 4, 2010 at 2:00 p.m., to be followed by a Tender Opening Ceremony at 2:15 p.m.</p> <p>Nine (9) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. An evaluation was conducted and a recommendation was made for the award of contract. This recommendation however, was not endorsed by the National Contracts Commission (NCC), as the Commission noted weaknesses in the evaluation process. The NCC recommended that the procurement opportunity be re-tendered.</p> <p>The procurement opportunity was re-advertised on July 4, 2010. Tenders were to be submitted by July 26, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m. The Ministry, based on requests received from prospective bidders extended the period for tender submission to August 9, 2010.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, the bidder with the highest evaluated score was recommended for the award of contract.</p> <p>The award recommendation was approved by the Head of Entity, and was endorsed by the National Contracts Commission (NCC).</p> <p>The OCG requested, but was not provided with evidence that the Procurement Committee's approval was received.</p> <p>As at December 31, 2010, the contract was not executed.</p>						
Status	As at the time of this report, the contract was not yet executed.					

Project #	38					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Private Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on December 17, 2008. Seven (7) tenders were received within the stipulated period for submission.</p> <p>Subsequent to evaluation, a preferred bidder was recommended for the award of the contract, in the amount of \$32,781,300.00. The National Contracts Commission (NCC) endorsed the recommendation for the award of contract in its meeting held on May 20, 2009. The Ministry has advised however, that it took the decision to re-tender given, <i>inter alia</i>, the time which had elapsed for the completion of the tender exercise.</p> <p>The procurement opportunity was re-advertised on March 5, 2010. Tenders were to be submitted by April 13, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Nine (9) tenders were received and opened at the Tender Opening Ceremony. Documents reviewed by the OCG indicated that the process was subsequently aborted as the Evaluation Committee found that the Tender Opening Ceremony had not complied with the stipulations of the Tender Document. The National Contracts Commission (NCC) supported the Ministry's decision to abort and re-tender the procurement opportunity.</p> <p>By way of a letter which was dated November 8, 2010, the OCG was informed that the Ministry intends to utilise the Selective Tender Procurement Methodology to re-tender the procurement opportunity.</p> <p>As at December 31, 2010, the procurement opportunity was not re-advertised.</p>						
Status	The procurement opportunity was aborted and is to be retendered.					

Project #	39					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Procurement of Hardware to Support Education Management Information System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-01	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 142,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 17, 2010. Tenders were to be submitted by November 23, 2010 at 12:00 noon, to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The deadline for submission was subsequently extended to December 1, 2010.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the subject procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	40					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Procurement of Office Furniture	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 5,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was for the provision of twenty-one (21) items of furniture.</p> <p>The procurement opportunity was initially advertised on June 13, 2010 by the Education System Transformation Programme. Tenders were to be submitted by July 14, 2010 at 2:15 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:25 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document. However, subsequent to the evaluation of tenders, the Ministry of Education, in a letter which was dated August 19, 2010, wrote to the National Contracts Commission (NCC) requesting permission to re-tender the procurement opportunity, as it was discovered that the specifications for the furniture were not properly defined, which resulted in a wide disparity in the items proposed by Bidders. The NCC supported the Ministry's request in its meeting of September 1, 2010.</p> <p>The procurement opportunity was re-advertised on October 6, 2010. Tenders were to be submitted by November 4, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m. The Ministry's Tender Evaluation Report indicated that the Tender Opening Ceremony occurred on November 9, 2010, due to a Hurricane Watch which caused early closure of their Offices on November 4, 2010. The referenced Report further indicated that bidders were informed of the change in date, by way of email.</p> <p>Eight (8) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Upon evaluation, preferred bidders were identified and recommended for the award of contract, on the basis of having obtained the highest evaluated score. However, there was one (1) instance in which a Contractor was selected, despite not obtaining the highest evaluated score. This was because the item (Lunch Room Chairs) proposed by said Contractor, met the required specifications <i>"and also complimented [sic] Item 15 – Lunch Room Table, which was selected from the same supplier."</i></p> <p>As at December 31, 2010, the requisite approvals were pending.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the requisite approvals were pending.					

Project #	41					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Provision of Computerised Examination Data Processing Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-11	0000-00-00	2010-01-08	2010-01-13	0000-00-00	2010-02-02
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
D.P.K. Information Systems Limited	J\$ 0.00	J\$ 21,179,191.00	2010-02-02	2010-11-30	J\$ 19,381,168.87	Kingston
Comments						
<p>The procurement opportunity was advertised on November 8, 2009. Tenders were to be submitted by December 11, 2009 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m. Qualified bidders were invited to provide Computerised Examination Data Processing Services for three (3) examination packages being: the Grade Six Achievement Test, the Grade Nine Achievement Test and the Jamaica School Certificate Examination.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document. One (1) achieved the required minimum score, subsequent to an evaluation of the Technical Proposals, and proceeded to the Financial Proposal evaluation.</p> <p>The bidder was subsequently recommended for the award of contract.</p> <p>The OCG requested information regarding the approval of the Procurement Committee. This was however not provided as the information received pertained to a submission to the Ministry of Education Sector Committee.</p> <p>The National Contracts Commission (NCC) endorsed the recommendation of the Ministry to award the contract to DPK Information Systems Limited, for the three (3) packages, in the amount of J\$21,825,291.00.</p> <p>The contract was executed on February 2, 2010 for the amount of J\$21,179,191.00. The Ministry has advised that the difference between the contract value and the endorsed amount was due to a discount of J\$646,100.00, arising from the award of all three (3) packages to DPK.</p> <p>The Ministry held a closing out meeting on December 16, 2010.</p> <p>As at December 31, 2010, documents provided by the Ministry indicated that \$19,381,168.87 had been expended to the Contractor.</p>						
Status	As at the time of this report, the contract was completed.					

Project #	42					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Provision of Equipment for National Student Registration	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 79,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 31, 2010. Tenders were to be submitted by December 6, 2010, at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the Tender Document.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	43					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Repair of School Furniture	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on July 21, 2010. Tenders were to be submitted by August 11, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. National Contracts Commission (NCC) registered individuals and companies were invited to submit proposals for the repair of a range of school furniture islandwide. Over thirty (30) categories of furniture were listed in the project's Terms of Reference.</p> <p>The comparable estimate was based on 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 at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	44					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	School Feeding Programme	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-21	2010-12-16	2010-11-04	2010-11-17	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 83,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on September 29, 2010. Tenders were to be submitted by October 21, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m. Companies were invited to submit bids for six (6) Lots of commodities to be used in the School Feeding Programme for the 2011 January school term. Bidders were able to bid on one, all or any combination of Lots.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>One (1) bidder was deemed ineligible as an expired Tax Compliance Certificate was submitted. Upon evaluation, the bidder with the highest points, or the sole bidder, for each Lot was recommended for the award of contract.</p> <p>The recommendation for the award of contract for Lots 3, 4 and 5 (under J\$10m) were approved by the Ministry's Central Procurement Committee on December 16, 2010. It should be noted that the date of Procurement Committee approval indicated above represents those Lots only.</p> <p>The recommendation for the award of contract for Lots 1, 2 and 6 (above J\$10m) was approved by the Permanent Secretary on November 4, 2010, and endorsed by the National Contracts Commission (NCC) on November 17, 2010. It should be noted that the dates of Head of Entity's approval and NCC's endorsement above, represents those Lots only.</p> <p>With regards to Lot 1, 15,000 bags of Long Grain Rice, the Cabinet on December 13, 2010, approved the recommendation for award of contract. Subsequent to the recommended bidder being notified of the award, the bidder informed the Ministry that they would be unable to fulfill the contract. Additionally, the other bidder for that Lot indicated to the Ministry that they would be unable to fulfill the contract at the price previously quoted. Consequently, the Ministry wrote to the NCC on December 16, 2010 advising of the situation. The NCC on December 17, 2010, via Round Robin method, offered no objection to the Ministry's request to award the contract to the second bidder, and recommended that the Ministry proceed in accordance with the "Contracting under Emergency Circumstances" as outlined in the GOJ Handbook of Public Sector Procurement Procedures.</p> <p>As at December 31, 2010, the contracts were not executed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the contracts were not yet executed.					

Project #	45					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Supply and Installation of Generators	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-10-22	0000-00-00	2009-01-08	2009-02-04	0000-00-00	2009-07-27
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Thomas Hamilton & Associates	J\$ 65,800,000.00	J\$ 65,174,243.40	2009-07-29	2010-02-14	J\$ 53,372,929.74	All Island
Comments						
<p>The procurement and contract award activities commenced in 2008 and concluded in 2009. The contract sum indicated above represents a summation of the contract value for the three (3) lots as outlined below:</p> <ul style="list-style-type: none"> • Heroes Circle Complex - J\$18,373,899.87 • Caenwood Complex - J\$18,373,899.87 • Regional Offices - J\$28,426,443.66 <p>By way of a letter which was dated March 4, 2010, the OCG was informed that; "...the generators are now in storage. However, as a result of financial constraints and the omission of the foundation bases from the scope of work of the existing contract, the installation process has been delayed."</p> <p>By way of a letter which was dated July 6, 2010, the OCG was informed that; "As a result if the Jamaica Public Service's non-approval of the location of the generators, we have not yet installed the generators as scheduled. Presently, our electrical consultant is working on the recommended drawings for re-submission..."</p> <p>As at December 31, 2010, the generators were not installed.</p> <p>The OCG will continue to monitor the contract.</p>						
Status	As at the time of this report, the generators were not installed.					

Project #	46					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Supply and Installation of Uninterruptible Power Supply (UPS for Caenwood Centre)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-06-12	0000-00-00	2008-10-08	2009-02-11	2009-09-14	2009-12-14
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Accupower Jamaica Limited	J\$ 33,237,500.00	J\$ 36,334,155.68	2009-12-14	2010-04-16	J\$ 38,785,685.61	Kingston
Comments						
<p>The procurement and contract award activities commenced in 2008 and concluded in 2009.</p> <p>A status report provided by the Ministry indicated that the equipment was received in April 2010.</p> <p>Documentation obtained by the OCG indicated, that the difference between the contract sum, and expenditure, was as a result of fluctuations in the exchange rate (from US\$ 71.95 to US\$ 89.4937) between the time of contract signing, and the acquisition of the subject equipment.</p> <p>As at December 31, 2010, the installation and commissioning of the equipment was delayed, owing to an electrical upgrading project, which was being undertaken at the location.</p>						
Status	As at the time of this report, the procured equipment had been delivered.					

Project #	47					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Supply and Installation of Uninterruptible Power Supply (UPS) for MOE Head Office - Heroes Circle	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-06-12	0000-00-00	2008-10-08	2009-02-11	0000-00-00	2009-10-15
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Accupower Jamaica Limited	J\$ 27,196,500.00	J\$ 28,811,269.28	2009-10-15	2010-02-19	J\$ 32,680,876.43	Kingston
Comments						
<p>The procurement and contract award activities commenced in 2008 and concluded in 2009.</p> <p>A status report provided by the Ministry indicated that the equipment was received in February 2010.</p> <p>Documentation obtained by the OCG indicated that the difference between the contract sum, and expenditure, was as a result of fluctuations in the exchange rate (from US\$ 71.95 to US\$ 89.4937) between the time of contract signing, and acquisition of the subject equipment.</p> <p>As at December 31, 2010, the installation and commissioning of the equipment was delayed, owing to an electrical upgrading project, which was being undertaken at the location.</p>						
Status	As at time of this report, the procured equipment had been delivered.					

Project #	48					
Ministry / Agency	Ministry of Education / Ministry of Education			Project Name	Wide Area Network (WAN) to Support the Education Management Information System (EMIS)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-11-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 289,157.12	US\$ 0.00	0000-00-00	0000-00-00	US\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised in October 17, 2010. Tenders were to be submitted by November 30, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The Government of Jamaica (GOJ) had received a loan from the Inter-American Development Bank (IDB) towards the cost of the Education System Transformation Programme and intended to apply part of the proceeds to this project.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at the December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	49					
Ministry / Agency	Ministry of Education / Ministry of Education - Education System Transformation Programme (ESTP)			Project Name	Procurement of Hardware and Equipment for Schools Inspection	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 140,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 24, 2010. Tenders were to be submitted by November 26, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at the December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	50					
Ministry / Agency	Ministry of Education / Nutrition Products Limited			Project Name	Canteen Concessionaire	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-26	2010-11-12	0000-00-00	0000-00-00	0000-00-00	2010-11-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Dalseen Brown-Walters T/A Rainbow Delights	J\$ 11,102,645.00	J\$ 7,620,800.00	2010-11-01	2012-10-31	J\$ 514,917.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 26 2009. Tenders were to be submitted by September 4, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, the sole bidder was recommended for the award of contract. A three (3) year contract was signed on January 4, 2010 with John Myers t/a JN&K Restaurant. That agreement was voluntarily terminated by the Contractor effective June 4, 2010, reportedly due to financial losses experienced due to the canteen's operation.</p> <p>Nutrition Products Limited (NPL) utilised the contracting under emergency circumstances provision of the Direct Contracting Procurement Methodology to engage the services of Dalseen Brown-Walters t/a Rainbow Delights for an initial period from June 6, 2010 to August 31, 2010. This was subsequently extended to October 31, 2010 in order to facilitate the re-tendering of the procurement opportunity. As at the end of this temporary agreement, NPL had expended approximately J\$1,585,000.</p> <p>The procurement was advertised on October 6, 2010. Tenders were to be submitted by October 26, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequent to evaluation, the bidder, Dalseen Brown-Walters t/a Rainbow Delights, was recommended for the award of contract.</p> <p>With regards to the Head of Entity's approval, while the relevant signature was evidenced, the date of approval was not. As such, no date is indicated above.</p> <p>The contract was signed on November 22, 2010. The OCG has noted that the contract agreement stated a commencement date of November 1, 2010, which was prior to the award date. The OCG was subsequently informed that this was an error and would be corrected; the commencement date was December 1, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	51					
Ministry / Agency	Ministry of Education / Nutrition Products Limited			Project Name	External Audit Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-01	2010-12-10	0000-00-00	0000-00-00	0000-00-00	2010-12-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Deloitte and Touche	J\$ 7,093,125.00	J\$ 2,800,000.00	2010-12-29	2013-12-29	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on May 28, 2010. Tenders were to be submitted by June 16, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. By way of a letter which was dated July 26, 2010, the Entity reported that the process was aborted due to inconsistencies with the Tender Document.</p> <p>The opportunity was re-advertised on October 15, 2010. Tenders were to be submitted by November 1, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder with the highest evaluated score was recommended for the award of contract.</p> <p>With regards to Head of Entity's approval, while the relevant signature was evidenced, the date of approval was not. As such, no date is indicated above.</p> <p>The contract was signed on December 29, 2010. By way of a status report, the OCG had been informed that; <i>"The Audit Firm is to commence auditing exercise for the fiscal period ending March 31, 2011."</i></p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	52					
Ministry / Agency	Ministry of Education / Nutrition Products Limited			Project Name	Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 7,260,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 26, 2010. Tenders were to be submitted by December 10, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	53					
Ministry / Agency	Ministry of Education / Nutrition Products Limited			Project Name	Procurement of Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-25	2009-12-11	0000-00-00	0000-00-00	0000-00-00	2009-12-21
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Shirlhome Chemical Corporation Limited	J\$ 7,150,000.00	J\$ 6,271,741.70	2010-01-01	2010-12-31	J\$ 6,195,477.16	Kingston
Comments						
<p>The procurement opportunity was advertised on November 11, 2009. Tenders were to be submitted by November 25, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who attained the highest evaluated score was recommended for the award of contract.</p> <p>The Procurement Committee's approval was obtained; however, the Head of Entity approval for the contract award was not evidenced. The OCG noted the Minutes of the Board of Director's meeting of December 18, 2009, wherein approval for the contract award was ratified.</p> <p>The contract was signed on December 21, 2009.</p> <p>A status update which was provided by Nutrition Products Limited stated that; <i>"To date there has been no complaint as it relates to the manner in which the company operates, and the terms and conditions of the contractual agreement are in good faith."</i></p> <p>The contract expired as at December 31, 2010, however, documentation received by the OCG indicated that the Procuring Entity requested an extension in order to facilitate a new tender process for Janitorial services.</p>						
Status	As at December 31, 2010, the contract was completed.					

Project #	54					
Ministry / Agency	Ministry of Education / Nutrition Products Limited			Project Name	Procurement of Polyethylene Rolls (Cello Film) - February 2010	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-24	2010-03-12	0000-00-00	0000-00-00	0000-00-00	2010-03-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Flex Pak Limited	J\$ 9,000,000.00	J\$ 7,800,000.00	2010-03-22	2010-06-21	J\$ 8,189,976.60	Kingston
Comments						
<p>The procurement opportunity was advertised on February 10, 2010, and was for the supply of 1000 Polyethylene Rolls. Tenders were to be submitted by February 24, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bidder was deemed ineligible, as the Entity was not registered in any of the required categories with the National Contracts Commission (NCC).</p> <p>Subsequent to evaluation, the bidder with the lowest proposed price was recommended for the award of the contract. However, that recommendation for contract award was rejected by the Procurement & Contracts Committee. The Committee recommended that the contract be awarded to the highest scored bidder, Flex Pak Limited, in the amount of \$7,800,000.00. While approval of the Head of Entity was not evidenced, the matter was discussed and approved by the Board of Directors, in its meeting of March 19, 2010.</p> <p>The contract was executed on March 22, 2010.</p> <p>An Addendum to the contract, which revised the contract sum to J\$8,119,215.00, was issued on May 21, 2010. The Addendum indicated that <i>"The total quantity of Polyethylene Rolls supplied was one thousand (1,000) with an average weight of 41.637lbs per roll and not 40lbs per roll as approximated in the contract."</i> NPL further reported that the variation in weight resulted <i>"in an excess of one thousand six hundred and thirty seven pounds (1,637lbs)."</i></p> <p>Nutrition Products Limited has reported that deliveries were made within the specified time.</p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	Contract was completed.					

Project #	55					
Ministry / Agency	Ministry of Education / Nutrition Products Limited			Project Name	Supply of Polyethylene Rolls (Cello Film) - August 2010	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-23	2010-08-31	0000-00-00	0000-00-00	0000-00-00	2010-09-13
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Flex Pak limited	J\$ 10,324,193.00	J\$ 7,800,000.00	2010-09-13	2010-12-12	J\$ 8,656,260.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 1, 2010. Tenders were to be submitted by August 23, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation of the tenders, Tech Trad Limited, the bidder with the higher evaluated score, was recommended for the award of the contract. However, upon being informed of the contract award, Tech Trad Limited subsequently wrote to Nutrition Products Limited (NPL) advising of their inability to meet the agreed delivery date owing to their supplier's proposed delivery schedule. Tech Trad Limited requested a revision of the delivery schedule, but NPL was unable to meet the request and at its Procurement & Contracts Committee Meeting of September 10, 2010, decided to award the contract to the only other Bidder, Flex Pak Limited. The OCG was not provided with evidence of Head of Entity's approval.</p> <p>The contract with Flex Pak Limited was executed on September 13, 2010.</p> <p>NPL, in a status report to the OCG, reported that <i>"the Polyethylene Rolls were approximated to be forty (40) pounds each, but upon delivery each Polyethylene Roll averaged about forty-two point five six (42.56) pounds. This situation created an excess of two thousand five hundred and sixty pounds (2560lbs)." This explains the difference in the Contract Amount and the Total Expenditure.</i></p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	Contract was completed.					

Project #	56					
Ministry / Agency	Ministry of Education / Overseas Examination Commission			Project Name	External Audit Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-17	0000-00-00	2010-10-04	0000-00-00	0000-00-00	2010-10-04
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
C.R. Hylton & Company	J\$ 1,000,000.00	J\$ 500,000.00	2010-10-04	2013-08-31	J\$ 528,105.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 1, 2010. Tenders were to be submitted by August 17, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony on August 17, 2010 at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, CR Hylton & Company, the lowest priced bidder, was recommended for the award of contract. The OCG has noted that the evaluation was conducted on the first year contract value only.</p> <p>Although, the Overseas Examination Commission (OEC) has reported to the OCG, by way of Status Report which was January 25, 2011, that the Procurement Committee's approval was received; evidence of same was not provided by the Entity. The OEC has advised that a contract was not prepared as the Bid Document was used as the basis for engagement. A Letter of Engagement dated October 4, 2010, was issued to this effect. OEC has also advised that no value was set for Years 2 and 3 of the contract and that negotiation would be conducted in relation to same.</p> <p>With regards to expenditure, OEC has advised that the expenditure in excess of the bid amount was with respect to Reimbursable expenses.</p> <p>As at December 31, 2010, the Financial Audit for the period September 1, 2009 to August 31, 2010 has been completed.</p> <p>The OCG has noted concerns with regard to the tendering and award processes employed by the OEC.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	57					
Ministry / Agency	Ministry of Education / Overseas Examinations Commission			Project Name	Architectural Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 12,250,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on May 9, 2010, with a May 20, 2010 date for the return of tenders. This date was extended due to numerous queries that the Commission received from bidders. The OCG, having found deficiencies in the Tender Document, recommended that the Commission withdraw the Document and prepare one that was in keeping with the Government of Jamaica (GOJ) procurement guidelines. Consequently, the Commission aborted the tender process.</p> <p>The procurement opportunity was re-advertised on October 10, 2010. Tenders were to be submitted by November 4, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m. The time for submissions was extended, via email dated November 4, 2010, to November 12, 2010 as a result of adverse weather conditions.</p> <p>Nine (9) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	58					
Ministry / Agency	Ministry of Education / Overseas Examinations Commission			Project Name	Supply and Installation of Fire-Resistant Cabinets	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-03	2010-03-09	2010-04-19	0000-00-00	0000-00-00	2010-04-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lock, Safe and Vault Limited	J\$ 250,000.00	J\$ 6,860,323.96	2010-04-19	2010-06-30	J\$ 6,860,323.96	All Island
Comments						
<p>The procurement opportunity was advertised on February 17, 2010. Tenders were to be submitted by March 3, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Seven (7) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who received the highest evaluated score, Lock, Safe & Vault Ltd, was recommended for the contract award.</p> <p>The requisite approvals have been received and the contract was executed.</p> <p>The comparable estimate indicated above is per cabinet.</p> <p>A status report from the Entity indicated that the cabinets were installed in 70 schools island-wide. The contract ended on June 30, 2010.</p>						
Status	Contract was completed.					

Project #	59					
Ministry / Agency	Ministry of Education / The Council of Community Colleges of Jamaica			Project Name	Procurement of a Student Management System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-11-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 9,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 10, 2010. Tenders were to be submitted by November 15, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. The OCG was not presented with evidence to indicate that Bid Receipt Record was prepared by the Procuring Entity.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	60					
Ministry / Agency	Ministry of Education / University of Technology			Project Name	Consultancy - Global Entrepreneurship Monitor (GEM) research project	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-14	2010-09-08	2010-08-10	0000-00-00	0000-00-00	2010-08-10
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Koci Market Research and Data Mining Services	J\$ 5,000,000.00	J\$ 2,221,984.90	2010-08-10	2010-08-31	J\$ 2,221,984.90	All Island
Comments						
<p>The procurement opportunity was advertised on July 2, 2010. Tenders were to be submitted by 11:00 a.m. on July 14, 2010, to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who attained the highest evaluated score was recommended for the award of the contract.</p> <p>The contract was executed and implemented.</p> <p>A status report which was provided by the University has stated, <i>inter alia</i>, that; "GEM is satisfied with the submissions...Koci Market Research and data Mining Services has therefore satisfactorily met all the requirement of the contract."</p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	The contract was completed					

Project #	61					
Ministry / Agency	Ministry of Education / University of Technology			Project Name	Maintenance and Servicing of Air-conditioning units	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Air Conditioning and Refrigeration Sales	J\$ 5,774,400.00	J\$ 3,247,949.00	2010-07-28	2011-07-27	J\$ 689,400.00	Kingston
Comments						
<p>The procurement opportunity was advertised on January 24, 2010. Tenders were to be submitted by February 19, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening ceremony at 11:15 a.m.</p> <p>Seven (7) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who attained the highest evaluated score was recommended for the award of the contract.</p> <p>The contract covers the maintenance and servicing of units found at the Papine and Slipe Pen Road Campuses.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	62					
Ministry / Agency	Ministry of Education / University of Technology			Project Name	Provision of Hygiene Services - Supply and removal of sanitary bins	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-21	2010-03-02	2010-06-09	0000-00-00	0000-00-00	2010-06-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Rentokil Initial	J\$ 1,646,400.00	J\$ 1,367,178.00	2010-06-09	2011-06-08	J\$ 684,738.78	Kingston
Comments						
<p>The procurement opportunity was advertised on November 22, 2009. Tenders were to be submitted by January 21, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The sole bid was evaluated, recommended and approved for the award of contract.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	63					
Ministry / Agency	Ministry of Education / University of Technology			Project Name	Security Guard Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-12	2009-09-09	2009-09-17	2009-09-23	2010-01-18	2010-03-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Marksman Limited	J\$ 55,000,000.00	J\$ 51,017,552.00	2010-04-01	2012-03-31	J\$ 35,424,744.32	Kingston
Comments						
<p>The procurement opportunity was advertised on May 17, 2009. Tenders were to be submitted by June 12, 2009 at 1:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 1:15 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Three (3) tenders were deemed non-responsive for failure to submit one (1) or more of the mandatory items.</p> <p>Subsequent to the evaluation of the two (2) responsive bids, the bidder who attained the higher evaluated score was recommended for the award of the contract.</p> <p>The requisite approvals were received and the contract was awarded on March 8, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	64					
Ministry / Agency	Ministry of Education / University of Technology			Project Name	Supply and Delivery of Mattresses	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-23	2010-07-21	2010-08-18	0000-00-00	0000-00-00	2010-08-18
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Therapedic Caribbean Co.	J\$ 2,500,000.00	J\$ 3,236,890.00	2010-08-18	0000-00-00	J\$ 3,236,890.00	Kingston
Comments						
<p>The procurement opportunity was advertised on June 6, 2010. Tenders were to be submitted by June 23, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who attained the higher evaluated score was recommended for the award of contract.</p> <p>The contract was signed on August 18, 2010. A contract end date was not specified from the contract document provided to the OCG.</p> <p>All mattresses were delivered between August and September 2010. The contractor was fully paid on September 24, 2010.</p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	Contract was completed.					

Project #	65					
Ministry / Agency	Ministry of Education / University of Technology			Project Name	Supply and Installation of Combo Beds and Chairs	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
VGC Manufacturing and Sales Co.	J\$ 4,351,400.00	J\$ 2,767,464.76	2010-11-17	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 4, 2010. Tenders were to be submitted by July 21, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who attained the higher evaluated score was recommended, and approved, for the award of contract.</p> <p>The contract was awarded on November 17, 2010. A contract end date was not specified from the documentation provided to the OCG.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	66					
Ministry / Agency	Ministry of Education / University of Technology			Project Name	Supply of Computer Hardware	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
0	J\$ 29,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 7, 2010. Tenders were to be submitted by December 3, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	67					
Ministry / Agency	Ministry of Education / University of Technology			Project Name	Supply of ID Cards	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-27	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,007,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 8, 2010. Tenders were to be submitted by August 27, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the sole bidder was recommended for the award of contract. The Procurement Committee approved the recommendation for the signing of Contract on October 4, 2010. The Procuring Entity has reported that a purchase order was executed, which was cancelled as the Contractor withdrew its tender. By way of a letter which was dated October 15, 2010, the sole bidder advised the Procuring Entity that; "...we inadvertently quoted some HID cards with specifications that will not fulfill the needs of the University."</p> <p>In light of the foregoing the University, by way of a Status Update to the OCG, advised that the opportunity is to be re-tendered at a future date.</p>						
Status	Procurement to be re-tendered.					

Project #	68					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Ethanol Limited			Project Name	Ethanol Toll Processing	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-03-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	US\$ 0.00	0000-00-00	0000-00-00	US\$ 0.00	Kingston
Comments						
<p>The opportunity was advertised on February 24, 2010. Tenders were to be submitted by March 17, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. Suitably qualified companies were invited to submit proposals for ethanol dehydration services from Petrojam Ethanol Limited (PEL) on a toll processing basis.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the Evaluation Committee recommended a preferred bidder, and it was agreed in a PEL Board of Director's Meeting, of April 27, 2010, that a team should negotiate with the recommended company.</p> <p>Negotiations were terminated as the recommended company failed to submit pertinent information, which was requested by PEL, within the time requested. The bidder was duly notified, by way of a letter which was dated July 7, 2010.</p> <p>As at December 31, 2010, there were no changes to the status of the project.</p>						
Status	Procurement process aborted					

Project #	69					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Canteen and Concessionaire Service	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	J\$ 19,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised in November 2009. Tenders were to be submitted by January 7, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony on January 7, 2010 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. Petrojam took the decision to abort the process as both bidders did not submit the required financial information to facilitate the evaluation of their financial capabilities.</p> <p>The procurement opportunity was re-advertised on May 9, 2010. Tenders were to be submitted by June 15, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony on June 15, 2010 at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Both bidders were deemed ineligible for failure to submit a valid National Contracts Commission (NCC) registration.</p> <p>By way of letter dated September 3, 2010, the Ministry of Energy and Mining requested permission from the National Contracts Commission (NCC) to abort the tender process, and to extend the current contract until July 31, 2011. The NCC, in its meeting of September 1, 2010, offered no objection to the Ministry's request.</p> <p>As at December 31, 2010, the status of the procurement had not changed.</p>						
Status	Procurement process aborted					

Project #	70					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Corroded Piping Replacement Part I	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-04	2010-09-02	2010-06-10	2010-08-25	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Tank Weld Limited	J\$ 22,563,151.00	J\$ 15,289,844.00	2010-09-15	2010-10-05	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on May 9, 2010. Tenders were to be submitted by May 31, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony May 31, 2010 at 3:15 p.m. An addendum was issued which amended aspects of the Tender Document as well as extended the deadline for submission to June 4, 2010.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bidder was deemed ineligible as a valid TCC was not submitted.</p> <p>Upon evaluation, Tank Weld Limited, the bidder with the lower proposed price, was recommended for the award of contract.</p> <p>The requisite approvals were received; however, the Contractor while registered with the National Contracts Commission (NCC) at the time of tendering was not registered with the NCC at the time of contract award. Petrojam Ltd. wrote to the NCC seeking advice on how to proceed, as the works were a critical part of the repairs required before the Refinery could be restarted. Petrojam Ltd. further advised that delays could have significant cost and fuel supply implications.</p> <p>Further to same, Petrojam Ltd. agreed to a Memorandum of Agreement with Tank Weld Ltd which had a commencement date of September 15, 2010. Work under the agreement was completed on October 22, 2010. Please note, as at the end of December 2010, the agreement had not been signed by Petrojam Ltd.</p> <p>As at December 31, 2010, Petrojam Ltd. was awaiting clarification on the issue. No expenditure has been made under the project.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, works under the project were completed.					

Project #	71					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Corroded Piping Replacement Part II	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-04	2010-09-02	2010-06-23	2010-08-25	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Supreme Mechanical Company Limited	J\$ 28,471,795.13	J\$ 17,817,507.28	2010-09-15	2010-10-05	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on May 9, 2010. Tenders were to be submitted by May 31, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. An addendum was issued which amended aspects of the Tender Document, as well as, extended the deadline for submission to June 4, 2010.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Two (2) bidders were deemed ineligible; One (1) bidder was deemed non-responsive.</p> <p>Subsequent to evaluation, the sole responsive bidder, Supreme Mechanical Company Limited, was recommended for the award of contract.</p> <p>The requisite approvals were received; however, the Contractor while registered with the National Contracts Commission (NCC) at the time of tendering was not registered with the NCC at the time of contract award. Petrojam wrote to the NCC seeking advice on how to proceed, as the works were a critical part of the repairs required before the Refinery could be restarted. Petrojam further advised that delays could have significant cost and fuel supply implications.</p> <p>Further to same, Petrojam made an agreement with a commencement date of September 15, 2010. Work under the Agreement was completed on October 22, 2010. As at the end of December 2010, the contract had not been signed by Petrojam.</p> <p>As at the end of December 2010, Petrojam was awaiting clarification on the issue. No expenditure has been made under the project.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, works under the project were completed.					

Project #	72					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Design, Installation and Commissioning of Fire Detection and Alarm System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 273,257.03	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 7, 2010. Tenders were to be submitted by December 6, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) bids were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation was not completed.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	73					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Expression of Interest - Architectural and Associated Consulting Services: New Office Building for Montego Bay Terminal	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The Invitation to submit Expressions of Interest (EOI) was initially advertised on October 10, 2010. EOIs were to be submitted by October 29, 2010.</p> <p>However, upon review of the invitation, the Office of Contractor General (OCG) recommended that an amendment be made to the Invitation for the EOIs. The recommendation was accepted and as such, the deadline for submission was extended to November 16, 2010.</p> <p>A Status Report provided by Petrojam Limited advised that a total of nine (9) companies submitted EOIs on or before the stipulated deadline. Petrojam Limited also advised that subsequent to the evaluation of the EOIs, seven (7) were deemed responsive, as they had attained the minimum qualifying score of 70%. Accordingly, all seven (7) qualifying companies were invited by way of a letter, which was dated December 13, 2010, to submit sealed Technical and Financial Proposals by January 17, 2011.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the deadline for submission of tenders was pending.					

Project #	74					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Feasibility Studies & Detailed Engineering Design for Multi-Purpose Dock	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on June 9, 2010. Pre-qualification Responses were to be submitted by July 7, 2010 at 3:00 p.m. Civil/ Marine Engineering Consultancy Firms were invited to pre-qualify for the feasibility studies and detailed engineering design for a multi-purpose dock at Petrojam's Refinery.</p> <p>Four (4) submissions were received within the stipulated time period.</p> <p>Subsequent to evaluation, three (3) respondents received the minimum required score of seventy (70) points, which was required to qualify for the shortlist, and were recommended accordingly.</p> <p>A status report received from Petrojam Ltd. indicated that the project had been placed on hold, and that Board of Director's approval was being requested to proceed with notification of the short-listed firms.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, approval of the short-listed firms was pending.					

Project #	75					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Group Health and Group Life Insurance	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 4, 2010. Tenders were to be submitted by October 19, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony on October 19, 2010 at 3:15 p.m.</p> <p>Five (5) Brokers/ Insurance Companies submitted proposals, which were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The evaluation is being conducted by the Actuarial firm, Eckler Consultants and Actuaries</p> <p>As at December 31, 2010, the evaluation was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	76					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Haulage Contract	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>Subsequent to a procurement and award process for Haulage Contractors, which commenced in May 2010, the OCG was informed by the Ministry of Energy and Mining, by way of letter dated October 5, 2010 that additional contractors were required.</p> <p>The procurement opportunity was advertised on October 31, 2010. Tenders were to be submitted by December 23, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Ten (10) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	77					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Invitation to Tender: Back Pressure Control System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-01	2010-12-09	2010-12-10	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 34,500.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 17, 2010. Tenders were to be submitted by November 1, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Subsequent to evaluation of the tenders, the bidder attaining the higher evaluated score, was recommended and approved for the award of the contract.</p> <p>As at December 31, 2010, signing of the contract was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the contract was not yet signed.					

Project #	78					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Invitation to Tender: Cable and Electrical Materials - Pump P-66 A/B Relocation	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	2010-12-17	2010-12-17	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 132,077.50	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 24, 2010. Tenders were to be submitted by November 9, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria that were outlined in the Tender Document.</p> <p>One (1) tender was deemed non responsive for failure to quote on all items which were detailed in the Request for Proposal and the tender was therefore not evaluated.</p> <p>Subsequent to the detailed evaluation of the remaining three (3) responsive tenders, the bidder who attained the highest evaluated score was recommended and approved for the award of the contract.</p> <p>As at December 31, 2010, signing of the contract was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the contract was not yet signed.					

Project #	79					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Laundering Services for Fire Retardant Clothing	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-23	2010-11-11	2010-11-11	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 6,247,513.92	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on April 21, 2010. Tenders were to be submitted by May 6, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. The bidder was deemed ineligible as the eligibility criteria were not adhered to.</p> <p>The procurement opportunity was re-advertised on September 5, 2010. Tenders were to be submitted by September 23, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bidder was deemed non-responsive as they failed to demonstrate the requisite experience to perform the service.</p> <p>Subsequent to evaluation, the sole responsive bidder was recommended for the award of contract.</p> <p>The requisite approvals were received.</p> <p>As at December 31, 2010, the contract was not yet executed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the contract was not executed.					

Project #	80					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Messenger Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 6,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on May 23, 2010. Tenders were to be submitted on June 11, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was deemed ineligible as the Contractor was not registered in the required National Contracts Commission (NCC) category. Another tender was deemed non-responsive as the Contractor failed to provide adequate liability insurance.</p> <p>Documentation submitted to the OCG, dated October 29, 2010, indicated that subsequent to evaluation, it was recommended that the process be aborted due to the cost involved. The Entity deemed to be more prudent for its bearers to be employed directly.</p>						
Status	Procurement process aborted.					

Project #	81					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Procurement of Architectural Services for Proposed New Petroleum Testing Laboratory	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-01-21	2010-07-08	2010-04-15	2010-05-12	0000-00-00	2010-06-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
MSR Design Studios Limited	J\$ 13,500,000.00	J\$ 10,500,000.00	2010-06-08	2012-06-08	J\$ 2,113,054.26	Kingston
Comments						
<p>The procurement opportunity was initially advertised on August 19, 2009. Tenders were to be submitted by October 9, 2009 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:30 p.m. Two (2) tenders were received, opened and verified at the Tender Opening Ceremony.</p> <p>Subsequent to the Tender Opening Ceremony, the OCG, by way of a letter which was dated October 21, 2009, recommended that the Procuring Entity abort the procurement process, as the Financial Proposals were opened during the referenced ceremony, which contravened Clause 3:14 and 3:15 of the Tender Document, as well as Sub-section 2080 of the Government of Jamaica Handbook of Public Sector Procurement Procedures (November 2008).</p> <p>The National Contracts Commission (NCC) by way of letter dated October 30, 2009, also recommended that the tender be aborted. They further recommended that the Procuring Entity utilise the Limited Tender Procurement Methodology to invite bids from the two (2) companies who had initially responded to the Request for Proposal.</p> <p>The procurement opportunity was retendered as recommended.</p> <p>By way of letter dated January 7, 2010, the two (2) contractors who had submitted tenders for the previous procurement was invited to submit tenders. Tenders were to be submitted by January 21, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, MSR Design Studios Limited, the bidder who received the higher evaluated score, was recommended for the contract award.</p> <p>Approvals for the contract award were obtained from the Board of Directors, the Ministry of Mining and Energy, and the NCC. Notably, the Procurement Committee's approval was obtained subsequent to the aforementioned approvals.</p> <p>The contract was awarded on June 8, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	82					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Procurement of Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2009-12-07	2010-07-30	2010-02-25	2010-05-12	0000-00-00	2010-06-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Minott Janitorial Services	J\$ 24,427,056.32	J\$ 14,713,785.84	2010-07-01	2012-07-01	J\$ 3,813,792.42	Kingston
Comments						
<p>The procurement opportunity was initially advertised in April 2008. Tenders were to be submitted by May 1, 2008 by 3:00 p.m., to be followed by a Tender Opening Ceremony at 3:15 p.m. Four (4) tenders were received, and subsequent to evaluation, a preferred bidder was selected.</p> <p>The procurement opportunity, however, was subsequently retendered based on concerns regarding the evaluation criteria, as the Procuring Entity had included an evaluation score of five (5) points for previous work experience with Petrojam. The National Contracts Commission (NCC), considered the matter in its meeting dated April 29, 2009, and advised Petrojam to remove the five (5) points from the evaluation criteria and to invite the companies that had previously submitted bids to tender.</p> <p>Letters were subsequently dispatched on November 18, 2009, to the four (4) companies which had submitted a bid previously.</p> <p>Tenders were to be submitted by December 7, 2009 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to an evaluation of the Technical Proposals, all tenders qualified for the opening of the Financial Proposal.</p> <p>The bidder with the highest overall score, Minott Janitorial Services, was recommended for the contract award.</p> <p>Approvals for the contract award were obtained from the Board of Directors and the Ministry of Mining and Energy. The endorsement of the NCC was also received. Notably, the Procurement Committee's approval was obtained subsequent to the aforementioned approvals.</p> <p>The contract was awarded on June 30, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	83					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Provision of Labour to Perform Bunkering Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-21	2010-08-05	2010-06-16	2010-06-30	0000-00-00	2010-07-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Quality Plus Contracting Company Limited	J\$ 24,318,234.80	J\$ 25,177,817.60	2010-08-09	2012-08-08	J\$ 8,914,664.23	All Island
Comments						
<p>The procurement opportunity was initially advertised in November 2009. Two (2) tenders were received, and opened at the Tender Opening Ceremony which was held on December 3, 2009. The process was subsequently aborted as none of the bidders were registered in the required grade of the National Contracts Commission (NCC) category.</p> <p>The procurement opportunity was re-advertised on March 7, 2010. Tenders were to be submitted by April 13, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m. The deadline for submission was subsequently extended to April 21, 2010.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the sole bidder, Quality Plus Contracting Company Limited, was recommended for the award of contract.</p> <p>The contract was awarded on July 29, 2010.</p> <p>It has been noted that Procurement Committee approval was received subsequent to the award of contract.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	84					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Provision of Labour to Perform Plant Maintenance Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 49,389,450.24	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was initially advertised on November 8, 2009. Tenders were to be submitted by December 3, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Eight (8) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document. The procurement process was subsequently aborted as none of the bidders were registered in the required grade of the National Contracts Commission (NCC) category.</p> <p>The procurement opportunity was re-advertised on May 30, 2010. Tenders were to be submitted by June 23, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. The deadline for submission was subsequently extended until June 28, 2010.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Four (4) tenders were deemed ineligible as the Contractors were not registered in the required grade of the NCC category.</p> <p>Upon evaluation, the bidder with the lower proposed price was recommended for the award of contract.</p> <p>As at December 31, 2010, the procurement was at the approval stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	85					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Security Management Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-05	2010-11-22	2010-11-24	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 135,398,666.74	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 4, 2010. Tenders were to be submitted by August 5, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m. Petrojam Limited utilised a two-stage bidding process.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. All bidders were deemed responsive and advanced to detailed evaluation.</p> <p>Upon evaluation, one (1) tender exceeded the minimum required score in order to advance to the second stage of the process. By way of letters dated September 23, 2010, the other five (5) bidders were informed that they were unsuccessful subsequent to the first stage of evaluation. Also by way of letter dated September 23, 2010, the sole qualified bidder was invited to submit a sealed second stage proposal by October 11, 2010.</p> <p>The sole bidder to qualify for a second stage evaluation, submitted a tender within the stipulated period. Subsequent to evaluation, the bidder was recommended for the award of contract.</p> <p>As at December 31, 2010, the approval process was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	86					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Servicing and Inspecting the Fire Water System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	2010-01-21	2009-11-17	2009-11-18	0000-00-00	2010-01-18
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Commercial Welding and Maintenance Limited	J\$ 13,133,333.33	J\$ 13,635,288.60	2010-01-16	2011-01-15	J\$ 16,535,819.87	All Island
Comments						
<p>The procurement opportunity was initially advertised in August 2008. Tenders were to be submitted by September 22, 2008 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bid was deemed ineligible as an expired National Contracts Commission (NCC) certificate was submitted.</p> <p>Subsequent to evaluation, the remaining bidder was recommended for the three (3) year award of contract in the amount of \$40,905,865.00. The Procurement Committee approved the recommendation, which was subsequently endorsed by the National Contracts Commission (NCC) on September 30, 2009.</p> <p>However, Cabinet's approval was not received as the proposed contract value had exceeded the grade limit of the recommended Contractor.</p> <p>The NCC, in its meeting of November 18, 2009, recommended that the tender process to award a three-year contract be aborted, and that negotiations be held with the recommended contractor for a one-year contract.</p> <p>Consequently, Petrojam Limited signed a one (1) year contract with Commercial Welding and Maintenance Limited on January 18, 2010, which had a commencement date of January 16, 2010.</p> <p>The OCG has noted that the Procurement Committee's approval of the one year contract was received subsequent to the contract award.</p> <p>In November 2010, approval was received from the Procurement Committee and the Head of Entity for a contract variation in the amount of \$3.2M. Expenditure as at the end of December 2010 was \$16,535,819.87. Petrojam Limited has advised that, "Contract payments were high due to a number of incidents that occurred at the Refinery, affecting the fire water system. This exhaustion was due to excessive breaks in our fire water system which was caused by several malfunctioning plant equipment."</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	87					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Supply and Installation of PBX System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 10,800,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 10, 2010. Tenders were to be submitted by November 18, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria that were outlined in the Tender Document.</p> <p>A Status Report, which was submitted to the OCG by Petrojam Limited, indicated that as at the time of this report, the evaluation had not yet been completed, "... as clarifications had to be sought on several key items from the six (6) bidding companies..."</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	88					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Supply of Drinking Water	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-05	2010-07-15	2010-07-15	0000-00-00	0000-00-00	2010-08-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Peak Bottling Company Limited	J\$ 3,100,000.00	J\$ 3,877,331.92	2010-09-01	2012-08-31	J\$ 504,090.48	Kingston
Comments						
<p>The procurement opportunity was advertised on April 18, 2010. Tenders were to be submitted by May 5, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony on May 5, 2010 at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, Peak Bottling Company Limited, the bidder with the highest evaluated score, was recommended for the award of contract.</p> <p>The requisite approvals were received and the contract was signed on August 31, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	89					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Supply of Regeneration Insulating Materials	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-01	2010-09-09	2010-09-10	0000-00-00	0000-00-00	2010-09-15
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Deryck A. Gibson Limited	J\$ 4,526,335.00	J\$ 2,351,031.83	2010-09-15	2010-09-23	J\$ 2,351,034.73	Kingston
Comments						
<p>The procurement opportunity was initially advertised on July 4, 2010. Tenders were to be submitted by July 19, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony on July 19, 2010 at 10:15 a.m.</p> <p>Two (2) bids were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Both bids failed to satisfy the eligibility criteria of the tender.</p> <p>By way of letters dated August 20, 2010; Petrojam Ltd. invited five (5) contractors to submit quotations on the procurement opportunity. The deadline for the submissions of quotes was September 1, 2010 at 10:00 am to be followed by a Tender Opening at 10:15 am.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony.</p> <p>Subsequent to evaluation, the bidder who received the highest evaluated score was recommended for the award of contract.</p> <p>A Purchase Order was issued on September 15, 2010, which indicated that delivery of the material was scheduled for September 23, 2010.</p> <p>A status report from the Procuring Entity indicated that the insulation materials were delivered on October 27, 2010.</p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	As at the time of this report, the contract was completed.					

Project #	90					
Ministry / Agency	Ministry of Energy and Mining / Petrojam Limited			Project Name	Supply of Signs and Signage	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 8,200,650.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on July 4, 2010. Tenders were to be submitted by July 21, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony on July 21, 2010 at 10:15 a.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bidder failed to evidence eligibility. The process was subsequently aborted as the remaining bidders either submitted quotes which contained a number of discrepancies or were excessively higher than Petrojam's comparable estimate.</p> <p>The procurement opportunity was re-advertised on November 19, 2010 on the National Contracts Commission's website. Tenders were to be submitted on December 13, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	91					
Ministry / Agency	Ministry of Energy and Mining / Petroleum Company of Jamaica			Project Name	Supply of LPG Cylinders	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-10-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 25,902,861.33	J\$ 00,000,000.00	0000-00-00	0000-00-00	J\$ 00,000,000.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 12, 2010. Tenders were to be submitted by October 8, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. The deadline was subsequently extended to October 15, 2010.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria that were outlined in the Tender Document.</p> <p>As at December 31, 2010, the Evaluation process was not completed.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	92					
Ministry / Agency	Ministry of Energy and Mining / Petroleum Company of Jamaica Limited			Project Name	Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-16	2010-08-12	2010-09-06	0000-00-00	0000-00-00	2010-09-06
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
O.H.S. Trading Company Limited	J\$ 0.00	J\$ 2,730,000.00	2010-10-01	2012-09-30	J\$ 372,768.78	Kingston
Comments						
<p>The procurement opportunity was advertised in March 2010. Tenders were to be submitted by April 16, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was deemed to be non-responsive during the Tender Opening Ceremony. By way of a letter, the Petroleum Company of Jamaica Limited (Petcom) was advised, by the OCG, that in accordance with Sub-section S-2110 IV of the Handbook of Public Sector Procurement Procedures, <i>"No bid shall be rejected or an opinion/ judgement voiced as to its responsiveness, at the bid opening, except for late bids"</i>.</p> <p>Subsequent to evaluation, O.H.S Trading Company Limited, the bidder with the lowest proposed price, was recommended and approved for the award of the contract.</p> <p>Petcom advised that it was without a General Manager during the procurement execution. As such, the Head of Entity's Approval above, reflects that of the Chairman of the Board of Directors.</p> <p>As at the time of this report, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	93					
Ministry / Agency	Ministry of Energy and Mining / Petroleum Corporation of Jamaica			Project Name	Invitation to Tender to Provide External Audit Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 14, 2010. Tenders were originally to be submitted by 3:00 p.m. on August 13, 2010, to be followed by a scheduled Tender Opening Ceremony at 3:30 p.m.</p> <p>Upon review of the Invitation to Tender and the Tender Document, the Office of the Contractor General (OCG) noted a number of inadequacies, and as such, recommended that the Petroleum Corporation of Jamaica (PCJ) revise both the Invitation to Tender and the Tender Document, in accordance with the Government of Jamaica Handbook of Public Sector Procurement Procedures.</p> <p>The OCG's recommendation was accepted by the PCJ. Consequently, the deadline for submission was extended to 3:00 p.m. on September 6, 2010, followed by a Tender Opening Ceremony at 3:30 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria outlined in the Tender Document.</p> <p>The OCG noted that the Comparable Estimate was not disclosed at the Tender Opening Ceremony.</p> <p>As at December 31, 2010, the evaluation process was not yet completed.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	94					
Ministry / Agency	Ministry of Energy and Mining / Petroleum Corporation of Jamaica			Project Name	Invitation to Tender to Provide Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 11,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 14, 2010. Tenders were to be submitted by August 27, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:30 p.m.</p> <p>Subsequent to the review of the tender document, the OCG noted a number of inadequacies in the content of the tender document. The entity was duly advised of the inadequacies by way of a letter which was dated August 10, 2010. Further, the OCG recommended that the process be suspended to facilitate the review of the tender document.</p> <p>The deadline for submission was therefore extended to 3:00 p.m. on September 17, 2010, to be followed by a Tender Opening Ceremony at 3:30 p.m.</p> <p>Five (5) tenders were received, opened and verified in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>A Status Report submitted to the Office of the Contractor General (OCG), by the Petroleum Corporation of Jamaica (PCJ) stated, <i>inter alia</i>, that: "As at December 31, 2010 the procurement is on hold." The Report further indicated that "The Ministry had concerns regarding staff attrition primarily because of the ongoing economic recession. The matter was tabled at the PCJ Board as well as the Finance Committee of the PCJ Board and they were also in agreement."</p> <p>The OCG will continue to monitor for any further development in relation to this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was on hold.					

Project #	95					
Ministry / Agency	Ministry of Energy and Mining / Petroleum Corporation of Jamaica			Project Name	Invitation to Tender - Installation of Stand-Alone Solar Photovoltaic Outdoor Lights at the Bellevue Hospital	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-03	2010-08-20	2010-09-01	0000-00-00	0000-00-00	2010-09-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Alternative Power Sources Limited	J\$ 3,400,000.00	J\$ 2,595,866.13	2010-11-08	2010-11-17	J\$ 2,281,824.20	Kingston
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by August 3, 2010 at 2:30 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:00 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation of the bids, the bidder which attained the highest evaluation score, was recommended and approved for the award of the contract.</p> <p>The Procuring Entity reported that one (1) variation was approved for the project on October 25, 2010 in the sum of \$21,150.00. This variation arose from "...the need to remove and dispose of two (2) poles on the Bellevue Hospital premises."</p> <p>It was further reported by the Entity that a second variation was approved on November 15, 2010, in the sum of \$108,687.00. This variation "...originated from the instability of one of the wooden poles that a PV Outdoor Lighting System was installed at the Bellevue Hospital premises. After the installation of the Photovoltaic System and Lighting Fixture, the contractor found out that the root of the pole was rotten."</p> <p>As a result of the referenced variations, the revised contract sum was \$2,725,703.13.</p> <p>The OCG conducted a site visit to the Bellevue Hospital on November 24, 2010, and confirmed that the Stand Alone Photovoltaic Lamps were installed.</p>						
Status	Project was completed.					

Project #	96					
Ministry / Agency	Ministry of Energy and Mining / Petroleum Corporation of Jamaica			Project Name	Southern Regional Health Authority Lighting Efficiency Project: Installing T8 Fluorescent Lamps and Electronic Ballast Indoors	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-03	2010-08-20	2010-09-01	0000-00-00	0000-00-00	2010-09-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
ARIMA Engineering Company Limited	J\$ 2,000,000.00	J\$ 1,766,620.00	2010-09-15	2011-02-15	J\$ 1,229,742.00	All Island
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by August 3, 2010 at 9:30 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:00 a.m.</p> <p>Bidders were invited to submit tenders to perform work at three (3) hospitals: Percy Junor Hospital, Manchester; Black River Hospital, St. Elizabeth and Chapelton Community Hospital, Clarendon.</p> <p>Eleven (11) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Of the eleven (11) tenders received, ten (10) were for the three (3) hospitals, while one (1) was for the Chapelton Community Hospital only.</p> <p>Three (3) of the tenders were deemed ineligible for failure to provide the requisite eligibility documents.</p> <p>Subsequent to the evaluation of the tenders, ARIMA Engineering Company Limited, was recommended and approved for the award of the contract for all three (3) locations as follows:</p> <ul style="list-style-type: none"> Chapelton Community Hospital - \$384,206.00; Percy Junor Hospital - \$698,423.00; and Black River Hospital - \$683,991.00. <p>Work at the Percy Junor Hospital was successfully completed on November 3, 2010, and the Contractor was paid in full.</p> <p>A variation in the sum of \$147,113.00 was approved on November 2, 2010, for the works being performed at the Chapelton Community Hospital. The justification recorded was as follows; <i>"Not all areas located at the Chapelton Hospital were covered by the engineer's scope of work; and not all the fixtures were 110V as stated in the engineer's scope of work, some were 220V"</i>. The revised contract value, as a result of the referenced variation, was \$531,319.00.</p> <p>Work at the Chapelton Community Hospital was successfully completed on December 6, 2010, and the Contractor was paid in full.</p> <p>As at December 31, 2010, work at the Black River Hospital was not completed.</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at December 31, 2010, work was completed at the Chapelton Community and the Percy Junor Hospitals, while work at the Black River Hospital was ongoing.					

Project #	97					
Ministry / Agency	Ministry of Energy and Mining / Petroleum Corporation of Jamaica			Project Name	Supply and Installation of Air Conditioning Systems at the Annotto Bay Hospital	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-01	2010-11-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,320,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Mary
Comments						
<p>The procurement opportunity was advertised on October 3, 2010. Tenders were to be submitted by October 19, 2010 at 2:30 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:00 p.m.</p> <p>The deadline for submission was extended to 2:30 p.m. on November 1, 2010, to be followed by a Tender Opening Ceremony at 3:00 p.m., as potential bidders requested additional time to complete their tenders.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who received the highest evaluated score was recommended for the award of the contract.</p> <p>As at December 31, 2010, the contract award was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the contract award was pending.					

Project #	98					
Ministry / Agency	Ministry of Energy and Mining / Rural Electrification Programme Limited			Project Name	Provision of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-06	0000-00-00	2010-06-21	0000-00-00	0000-00-00	2010-06-21
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Alpha Security Services	J\$ 0.00	J\$ 3,082,500.00	2010-05-24	2011-05-23	J\$ 1,930,360.00	Kingston
Comments						
<p>The procurement was advertised on October 25, 2009. Tenders were to be submitted by November 6, 2009 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:05 p.m.</p> <p>Eleven (11) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. A comparative estimate was not evidenced for the captioned procurement.</p> <p>In accordance with the evaluation criterion outlined in the tender document, Alpha Security Services, the lowest priced bid was recommended for the contract award.</p> <p>The recommendation for the award of contract was discussed in the November 27, 2009 meeting of the Board of Directors. The Rural Electrification Programme Limited, in response to a request from the OCG to provide proof of Procurement Committee approval, stated "Coming out of the November 25, 2009 Security Committee meeting, Alpha Securities won the bid and was approved to provide security at R.E.P. Limited."</p> <p>The contract, which was signed on June 21, 2010, had a commencement date of May 24, 2010.</p> <p>As at December 31, 2010, the contract was being executed in accordance with the terms and conditions.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	99					
Ministry / Agency	Ministry of Finance and the Public Service / Accountant General's Department			Project Name	Janitorial & Related Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-31	2010-08-31	2010-08-31	0000-00-00	0000-00-00	2010-09-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Floors Unlimited Limited	J\$ 5,463,042.24	J\$ 4,606,517.76	2010-09-01	2012-08-31	J\$ 575,814.72	Kingston
Comments						
<p>The procurement opportunity was advertised on April 4, 2010. Tenders were to be submitted by May 10, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony on May 10, 2010 at 10:15 a.m. The time for the submission of tenders was extended to May 31, 2010.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Two (2) tenders were deemed non-responsive to the requirements of the Tender Document.</p> <p>The three (3) remaining tenders were subjected to detailed evaluation. Documentation submitted to the OCG by the Procuring Entity has indicated that the evaluation scores of the two lowest responsive bids were statistically tied. As such, Floors Unlimited Limited, the bidder with the lowest proposed price, was recommended for the award of contract.</p> <p>The requisite approvals have been received and the contract was awarded on September 1, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	100					
Ministry / Agency	Ministry of Finance and the Public Service / Air Jamaica Limited			Project Name	Security Services for NMIA and SIA	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-21	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 625,549,680.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on December 6, 2009. Tenders were to be submitted by January 21, 2010 at 3:30 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:45 p.m. Suitably qualified companies were invited to tender for the provision of Security Services to Norman Manley International Airport (Kingston) and Sangster International Airport (St. James).</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The divestment of Air Jamaica to Caribbean Airlines Limited (CAL) began on May 1, 2010.</p> <p>The OCG was subsequently informed that the Government of Jamaica has no financial responsibilities for the operations of CAL-JAM and, in this regard, no longer has an interest in the procurement of the referenced security services. As such, monitoring of this project has been discontinued.</p>						
Status	OCG monitoring discontinued					

Project #	101					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Air Conditioning and Ventilation Upgrade	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-12	2009-08-15	2009-08-15	0000-00-00	0000-00-00	2009-10-07
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Arel Limited	J\$ 6,886,504.00	J\$ 7,116,121.08	2009-10-10	2009-12-31	J\$ 6,918,859.76	Kingston
Comments						
<p>The tender and contract award process was successfully completed in 2009.</p> <p>Documents submitted to the OCG indicated that the Contractor has been paid in full. However, a report submitted to the OCG, by the BOJ, provided the following explanation for the difference in the contract sum and the expenditure to date: " ... <i>net adjustment of J\$197,260.13 largely occurred as a result of a reduction due to used contingency of \$426,157.57 which was offset by the net variations of \$231,817.40... This net adjustment effectively reduced the amount due on the contract to J\$6,918,860.95.</i> "</p> <p>The Contract was completed on January 21, 2010.</p>						
Status	The project was completed.					

Project #	102					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Fiber Cable Network	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 12,540,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 5, 2010. Tenders were to be submitted by September 30, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony. The deadline for submission was extended to October 6, 2010 in order to facilitate amendments to the Tender Document.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	103					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	HVAC Concourse Chiller	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-09	2010-01-12	2010-03-05	2010-03-24	0000-00-00	2010-04-15
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
CAC 2000 Limited	J\$ 15,000,000.00	J\$ 11,160,665.47	2010-04-19	2010-08-09	J\$ 8,485,728.27	Kingston
Comments						
<p>The procurement opportunity was advertised on November 4, 2009. Tenders were to be submitted by December 9, 2009 at 2:30 p.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bid was deemed ineligible for failure to submit a valid NCC registration.</p> <p>Subsequent to evaluation, the remaining bidder, CAC 2000 Limited, was recommended for the award of contract.</p> <p>The requisite approvals were received and the contract was executed on April 15, 2010. The contract was scheduled to end sixteen (16) weeks following the commencement date. Documentation submitted to the OCG by the Procuring Entity indicated that the Contractor requested two (2) extensions to the delivery date. The first request was for eight (8) weeks and the second request was for thirty-nine (39) days extension.</p> <p>In a status report to the OCG, the Procuring Entity indicated that the chiller was installed and commission on November 30, 2010. The Bank has informed that; <i>"the scope of works was amended to include the supply and installation of control valves for the automatic control of the chiller. The cost of the additional works will be funded from the contingency amount of \$772,024.26, provided for in the contract."</i> The Bank issued a letter dated November 12, 2010 to CAC regarding same.</p> <p>The expenditure to date includes 2% Contractor's Levy which was paid over to the Commissioner of Inland Revenue.</p> <p>As at the end of December 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	104					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Notebook Computers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-11	2010-09-21	0000-00-00	0000-00-00	0000-00-00	2010-09-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Fujitsu Caribbean (Jamaica) Limited	J\$ 4,700,000.00	J\$ 4,276,804.83	2010-10-01	2010-11-11	J\$ 4,165,206.50	Kingston
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by August 11, 2010 at 2:30 p.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>Twelve (12) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bid was deemed non-responsive to the requirements of the tender. Nine (9) of the remaining eleven (11) tenders exceeded the minimum required technical proposal score and proceeded to a financial proposal opening. Fujitsu Caribbean, the bidder with the highest score, was recommended and approved for the award of contract.</p> <p>With regards to the Head of Entity's Approval, BOJ has informed the OCG that; <i>"the Bank's procurement policy does not require the Governor to explicitly approve contracts valued at under \$10million. Authority to approve such contracts has been delegated to the Bank's Contracts Committee (CC), which acts on the basis of an approved budget and demonstrated adherence to the Procurement Guidelines and best practice."</i></p> <p>Documentation provided by the Bank indicated that the thirty (30) computers were delivered on November 2, 2010. Expenditure as at December 31, 2010 was \$4,165,206.50.</p> <p>As at December 31, 2010, the contract was completed.</p> <p>The OCG is of the opinion that two (2) other bidders should have been deemed non-responsive and has forwarded its comments on the evaluation process, as well as, the requirement for Head of Entity's Approval, to the Bank.</p>						
Status	Contract was completed.					

Project #	105					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Personal Computers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-11	2010-09-21	0000-00-00	0000-00-00	0000-00-00	2010-09-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Innovative Corporate Solutions Limited	J\$ 9,100,000.00	J\$ 5,079,130.79	2010-10-01	2010-10-28	J\$ 5,079,130.79	Kingston
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by August 11, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>Nine (9) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bidder was deemed non-responsive.</p> <p>Upon evaluation, the eight (8) remaining tenders exceeded the minimum required technical proposal score and proceeded to the financial proposal opening.</p> <p>Innovative Corporate Solutions Limited, the bidder with the lowest proposed price, was recommended and approved for the award of contract.</p> <p>With regards to the Head of Entity's Approval, BOJ has informed the OCG that; <i>"the Bank's procurement policy does not require the Governor to explicitly approve contracts valued at under \$10million. Authority to approve such contracts has been delegated to the Bank's Contracts Committee (CC), which acts on the basis of an approved budget and demonstrated adherence to the Procurement Guidelines and best practice."</i></p> <p>Documentation provided by the Bank indicated that the fifty (50) computers were delivered on November 5, 2010.</p> <p>The OCG is of the opinion that two (2) other bidders should have been deemed non-responsive and has forwarded its comments on the evaluation process, as well as, the requirement for Head of Entity's Approval, to the Bank.</p>						
Status	Contract was completed.					

Project #	106					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Printing of Annual Report 2009 and 2010	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-11-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 2,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on July 18, 2010. Tenders were to be submitted by August 16, 2010 at 2:30 p.m., to be followed by a scheduled Tender Opening Ceremony on August 16, 2010 at 2:40 p.m.</p> <p>No tenders were received when the tender closed on August 16, 2010.</p> <p>Approval was received from the Accounting Officer for the use of the Limited Tender Procurement Methodology to re-tender the procurement opportunity.</p> <p>By way of letter dated October 13, 2010, six (6) contractors were invited to submit tenders by November 3, 2010 at 2:30 p.m., to be followed by a Tender Opening Ceremony on November 3, 2010 at 2:40 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was not completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of the report, the procurement was at the evaluation stage.					

Project #	107					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Printing of Book: "Beads to Brass: History of Jamaican Currency"	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-04	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 1,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 11, 2010. Tenders were to be submitted by August 4, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>One (1) firm submitted two (2) bids, a primary, and a secondary bid, which were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder was recommended for the award of the contract. In order to facilitate the completion of the procurement process, the recommended company agreed to extend its bid validity to January 31, 2011.</p> <p>As at December 31, 2010, the approval process was not yet completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	108					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Printing of Quarterly Monetary Policy Report 2010 & 2011	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-11-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 3,600,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised in July 2010. Tenders were to be submitted by August 16, 2010 at 10 a.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. The sole bidder was deemed non-responsive, for failure to adhere to the requirements of the Tender Document.</p> <p>Approval was received from the Accounting Officer for the use of the Limited Tender Procurement Methodology in the re-tender of the procurement opportunity.</p> <p>Letters were subsequently issued to six (6) contractors who were invited to submit tenders by November 3, 2010.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was not completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	109					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Printing of Statistical Digest 2010 and 2011	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-11-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 8,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on July 2010. Tenders were to be submitted by August 16, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony on August 16, 2010 at 11:10 a.m.</p> <p>No tenders were received when the tender closed on August 16, 2010.</p> <p>Approval was received from the Accounting Officer for the use of the Limited Tender Procurement Methodology to re-tender the procurement opportunity.</p> <p>By way of letter dated October 13, 2010, six (6) contractors were invited to submit tenders by November 3, 2010 at 2:30 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was not completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at December 31, 2010, the procurement was at the evaluation stage.					

Project #	110					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Provision of Female Uniforms	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-06	2009-06-09	2009-08-28	2009-08-26	0000-00-00	2009-12-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Designs By Marc Limited	J\$ 34,228,181.12	J\$ 24,756,570.38	2009-12-09	2011-12-31	J\$ 10,863,991.25	Kingston
Comments						
<p>The tender and award process was completed in 2009.</p> <p>Documentation submitted to the OCG has indicated that payments and delivery of the uniforms are being made in accordance with the terms and conditions of the contract.</p> <p>A Status Report, which was received from the Bank of Jamaica (BOJ), stated that; <i>"The process for the manufacture of uniforms for the 2nd Year of the contract commenced with measurement/fitting on 14 December 2010. Expected date for delivery of uniforms is 15 May 2011."</i></p> <p>The OCG will continue to monitor the execution of this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	111					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Servers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-11	2010-09-21	0000-00-00	0000-00-00	0000-00-00	2010-09-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Fujitsu Caribbean (Jamaica) Limited	J\$ 5,000,000.00	J\$ 4,684,872.11	2010-10-01	2010-11-11	J\$ 4,684,972.11	Kingston
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by August 11, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>Seven (7) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was deemed non-responsive as their bid price was revealed in their Technical Proposal.</p> <p>Five (5) tenders exceeded the minimum required technical proposal score and proceeded to the financial proposal opening. Fujitsu Caribbean (Jamaica) Limited, the bidder with the lowest proposed price, was recommended and approved for the award of contract.</p> <p>With regards to the Head of Entity's Approval, BOJ has informed the OCG that; <i>"the Bank's procurement policy does not require the Governor to explicitly approve contracts valued at under \$10million. Authority to approve such contracts has been delegated to the Bank's Contracts Committee (CC), which acts on the basis of an approved budget and demonstrated adherence to the Procurement Guidelines and best practice."</i></p> <p>Documentation provided by the Bank indicated that the servers were delivered on November 8, 2010.</p> <p>The OCG is of the opinion that one (1) other bidder should have been deemed non-responsive and has forwarded its comments on the evaluation process, as well as, the requirement for Head of Entity's Approval, to the Bank.</p>						
Status	Contract was completed.					

Project #	112					
Ministry / Agency	Ministry of Finance and the Public Service / Bank of Jamaica			Project Name	Water Treatment Services for Cooling Towers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-28	2010-08-05	2010-08-17	2010-09-01	0000-00-00	2010-09-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Chem Quip Water Treatment Limited	J\$ 0.00	J\$ 15,591,504.58	2010-09-30	2013-08-31	J\$ 2,898,900.20	Kingston
Comments						
<p>The procurement opportunity was advertised on October 31, 2010. Tenders were to be submitted on April 28, 2010 at 10:00 am., to be followed by a scheduled Tender Opening Ceremony on April 28, 2010 at 10:10 am.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, Chem Quip Water Treatment Limited, the sole bidder, was recommended for the award of contract.</p> <p>The requisite approvals were received and the contract was signed on September 30, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	113					
Ministry / Agency	Ministry of Finance and the Public Service / Betting, Gaming & Lotteries Commission			Project Name	Expression of Interest - Consultant for Architectural Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The invitation to submit Expressions of Interest (EOI) was advertised on August 29, 2010. EOIs were to be submitted by September 15, 2010 at 12:00 p.m.</p> <p>Twelve (12) expressions of interest were received within the stipulated time. Documentation submitted by the Procuring Entity indicated that all respondents were short-listed, and have been informed accordingly.</p> <p>As at December 31, 2010, the Request for Proposal document was not yet completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the Pre-Tender stage.					

Project #	114					
Ministry / Agency	Ministry of Finance and the Public Service / Caymanas Track Limited			Project Name	Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-15	0000-00-00	2010-05-20	0000-00-00	0000-00-00	2010-06-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Fraser, Fontaine & Kong Ltd.	J\$ 0.00	J\$ 6,937,483.00	2010-07-01	2013-06-30	J\$ 5,279,534.65	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on January 11, 2010. Tenders were to be submitted by April 15, 2010 at 3:00 p.m., to be 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 at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Seven (7) of these were in accordance with the tender specifications (like-for-like), while the remaining twelve (12) were alternative proposals.</p> <p>The evaluation was conducted by the Actuarial firm, Eckler Consultants + Actuaries. The Actuary recommended a proposal, which was submitted by Fraser, Fontaine and Kong, for the award of the contract. This recommendation was subsequently approved by the Board.</p> <p>The stated contract sum covers the premiums due for the 2010-2011 contract year and does not include taxes.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The Office of the Contractor General will continue to monitor this project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	115					
Ministry / Agency	Ministry of Finance and the Public Service / Caymanas Track Limited			Project Name	Janitorial and Maintenance Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	2009-12-04	2009-12-28	0000-00-00	0000-00-00	2009-12-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Hi-Tech Chemicals Limited	J\$ 0.00	J\$ 9,975,315.19	2010-01-11	2011-01-11	J\$ 7,082,259.46	Saint Catherine
Comments						
<p>The tender and contract award process was completed in 2009.</p> <p>Caymanas Track Limited, by way letter dated June 1, 2010, advised the OCG, <i>inter alia</i>, that; "The premises are being cleaned according to expectations. When problems arise the Supervisors and Management are responsive"</p> <p>Further documentation submitted to the OCG, indicated that expenditure was \$7,082,259.49.</p> <p>As at December 31, 2010, the contract was being executed.</p>						
Status	As at the time of this report, the contract was being executed,					

Project #	116					
Ministry / Agency	Ministry of Finance and the Public Service / Financial Services Commission			Project Name	Provision of 65 Desktop Computers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-06	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 5,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 12, 2010. Tenders were to be submitted by October 6, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) bids were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who attained the highest evaluated score was recommended for the award of the contract.</p> <p>No evidence of the Procurement Committee's Approval was provided to the OCG.</p> <p>As at December 20, 2010, the contract was being finalised.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	The contract was being finalised.					

Project #	117					
Ministry / Agency	Ministry of Finance and the Public Service / Financial Services Commission			Project Name	Provision of Collocation Hot-site Service	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 120,000.00	US\$ 0.00	0000-00-00	0000-00-00	US\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on January 10, 2010. Tenders were to be submitted by February 15, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. The OCG has noted that the tender process did not comply with procurement procedures, as the Procuring Entity did not use a Tender Box to facilitate the deposit of bids. Additionally, a Bid Receipt Record was not completed. The OCG has communicated its findings to the FSC.</p> <p>Subsequent to evaluation, the sole bidder was recommended for the award of the contract.</p> <p>No evidence of the Procurement Committee's Approval was provided to the OCG</p> <p>As at December 20, 2010, the contract was being finalised.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the draft contract was being finalised					

Project #	118					
Ministry / Agency	Ministry of Finance and the Public Service / Financial Services Commission			Project Name	Supply of 13 Laptops	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 24,000.00	US\$ 0.00	0000-00-00	0000-00-00	US\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 26, 2010. Tenders were to be submitted by October 20, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) bids were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who attained the highest evaluation scores was recommended for the award of the contract.</p> <p>A status update, which was provided by the Commission, indicated that the Procurement Committee is to meet to discuss the recommendations.</p> <p>As at December 31, 2010, the procurement was awaiting the requisite approvals.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	119					
Ministry / Agency	Ministry of Finance and the Public Service / Fiscal Services Limited			Project Name	Procurement for Integrated Video Surveillance and Access Control System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 19,500,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 15, 2010. Tenders were to be submitted by September 8, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m. Based upon requests from prospective bidders, the Procuring Entity extended the deadline for submission to September 17, 2010.</p> <p>Site visits were held by the Procuring Entity August 20, 2010, and August 27, 2010, in order to facilitate viewing of the facility by potential bidders.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who attained the highest evaluated score was recommended for the contract award.</p> <p>As at December 31, 2010, the requisite approvals were pending.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	120					
Ministry / Agency	Ministry of Finance and the Public Service / Fiscal Services Limited			Project Name	Procurement of Business Analysis Training	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 2,790,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 17, 2010. Tenders were to be submitted by November 9, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the sole bidder was not recommended for the contract award, given the low score which was received.</p> <p>The Evaluation Committee recommended that the procurement opportunity be re-tendered by way of Sole Source Procurement Methodology. The Committee's recommendation was accepted by the Technical Sub-Committee of the Board of Directors.</p> <p>As at December 31, 2010, the Procuring Entity had not yet started the re-tendering process.</p>						
Status	Procurement process was aborted.					

Project #	121					
Ministry / Agency	Ministry of Finance and the Public Service / Fiscal Services Limited			Project Name	Procurement of Closed User Group	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-21	2009-12-14	2009-12-14	0000-00-00	0000-00-00	2010-01-06
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Digicel Jamaica Limited	J\$ 3,450,000.00	J\$ 2,433,456.00	2010-01-06	2012-01-05	J\$ 1,977,645.67	Kingston
Comments						
<p>The procurement opportunity was advertised on September 27, 2009. Tenders were to be submitted by October 21, 2009 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The OCG received a letter dated December 7, 2009, from the Procuring Entity requesting advice regarding the eligibility requirement which stated that; <i>"Bidders must have a minimum of two (2) references in providing CUG Services of a similar size as stated in this RFP. The vendor is required to provide proof of experience."</i></p> <p>The representative from the Procuring Entity was concerned that, the aforementioned statement was ambiguous. The OCG responded, by way of letter which was dated December 11, 2009, advising, <i>inter alia</i>, that it does not support the view that the eligibility requirement of concern was ambiguous.</p> <p>In regard to the foregoing, the bidder who did not provide the requisite references was deemed non-responsive. Another bidder was also deemed non-responsive for failure to meet the mandatory CUG requirements.</p> <p>The remaining bidder, Digicel Jamaica Limited, was subsequently recommended for the contract award in the amount of \$2,433,456.00 excluding GCT.</p> <p>The requisite approvals were obtained and the contract was awarded on January 6, 2010.</p> <p>In a status report to the OCG, Fiscal Services Limited (FSL) noted that; to date the service provider has been providing service as per the signed Contract Agreement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	122					
Ministry / Agency	Ministry of Finance and the Public Service / Fiscal Services Limited			Project Name	Procurement of External Audit Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-31	2010-11-29	2010-11-30	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 8,666,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 4, 2010. Tenders were to be submitted by August 31, 2010 at 2:00 p.m., to be followed by a Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>By way of letter dated September 3, 2010, the Procuring Entity requested the advice of the OCG regarding, <i>inter alia</i>, the following;</p> <p><i>"...during the process the representative from KPMG objected to the opening of their bid security, which was placed in a separate sealed envelope. The decision was taken by FSL's Internal Auditor to open the envelope in order to verify its contents. The contents of the envelope were not disclosed to the members at the bid opening...The vendor's representative continued to voice objections about the decision taken to open the envelope containing the bid security, and suggested that the evaluating team's objectivity would be compromised."</i></p> <p>In this regard, the OCG advised the Procuring Entity by way of letter which was dated September 17, 2010, that the Fiscal Services Limited satisfied the requirements of the Government of Jamaica Handbook of Public Sector Procurement Procedures (November 2008) (RPPH), as the presence of the bid security was duly acknowledged.</p> <p>In their letter of September 3, 2010, the Procuring Entity further requested guidance from the OCG, regarding, <i>inter alia</i>, following;</p> <p><i>"At the opening of the proposal submitted by PricewaterhouseCoopers, their representative declared that the 2% Bid Security was placed with the Financial Proposal."</i></p> <p>With regards to the foregoing, the OCG, in the aforementioned letter, referred the Procuring Entity to Clause 3.7.5 of their Tender Document, which outlined the format and items which are to be included in the outer envelope of the bid submission. The OCG further referred the Procuring Entity to <i>Sub-section S-2120, Evaluation Process for Goods, Works & General Services</i> of the RPPH, which provides guidelines for the test of substantial responsiveness.</p> <p>Both bids were subsequently evaluated by the Procuring Entity, in accordance with evaluation criteria outlined in the Tender Document.</p> <p>Both bidders attained the minimum score which was required for financial evaluation.</p> <p>Subsequent to the evaluation, the bidder who attained the highest scores was recommended for the contract award.</p> <p>Due to delays in the approval process, the Procuring Entity through a letter dated December 22, 2010, to the bidders, requested an extension of the bid validity period until February 28, 2011.</p> <p>The bidders responded affirmatively.</p> <p>As at December 31, 2010, the approval process was currently underway.</p> <p>The Office of the Contractor General will continue to monitor this project.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	123					
Ministry / Agency	Ministry of Finance and the Public Service / Fiscal Services Limited			Project Name	Procurement of Private Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-22	2010-09-09	2010-09-09	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 26,485,716.17	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The captioned procurement opportunity was initially advertised on September 27, 2009. Seven (7) tenders were received when the tender closed on November 12, 2009.</p> <p>Three (3) bidders were disqualified subsequent to a preliminary evaluation of the tenders received. Three (3) of the remaining four (4) submitted bid security which did not accurately represent 2% of the proposal and were deemed non-responsive. The Evaluation Committee recommended that the procurement opportunity be re-tendered.</p> <p>The Fiscal Services Limited (FSL) submitted a letter dated March 12, 2010 to the Ministry of Finance and the Public Service (MOFPS), requesting approval to re-tender the procurement opportunity. By way of letter dated March 30, 2010, the MOFPS advised the Procuring Entity that the utilisation of Limited Tender Procurement Methodology was not supported as such the FSL should proceed with a new tender process and invite tenders by way of advertisement.</p> <p>A procurement opportunity was re-advertised on May 9, 2010, in accordance with the recommendation of the Ministry of Finance and Public Service. Tenders were to be submitted by June 22, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder with the highest evaluated score was recommended for the award of contract.</p> <p>By way of letter dated September 20, 2010, the Procuring Entity requested an extension of the bid validity period to November 30, 2010, in order to facilitate the approval process. By way of letter dated November 19, 2010, the Procuring Entity requested a further extension of the bid validity period to February 28, 2011.</p> <p>As at December 31, 2010, the requisite approvals were pending.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	124					
Ministry / Agency	Ministry of Finance and the Public Service / Fiscal Services Limited			Project Name	Procurement of Staff Transportation Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-18	2010-01-28	2010-01-28	0000-00-00	0000-00-00	2010-01-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Jamaica Union of Travellers Association (J.U.T.A.) Limited	J\$ 3,690,018.57	J\$ 3,352,800.00	2010-02-01	2012-01-31	J\$ 1,501,500.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 25, 2009. Tenders were to be submitted by November 18, 2009 at 10:30 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:45 a.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the sole bidder was recommended for the contract award in the amount of J\$3,352,800.00 exclusive of GCT.</p> <p>The requisite approvals were obtained and the contract award was successfully conducted.</p> <p>By way of status report, the Procuring Entity advised the OCG, <i>inter alia</i>, that; "...the service provided by J.U.T.A is currently being carried out as per the contract."</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	125					
Ministry / Agency	Ministry of Finance and the Public Service / Fiscal Services Limited			Project Name	Supply and Installation of Modular Furniture	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-01	2010-05-04	2010-05-04	0000-00-00	0000-00-00	2010-08-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
E.H.C Industries Limited	US\$ 46,330.00	J\$ 3,430,082.25	2010-05-28	2010-10-04	J\$ 1,715,041.12	Saint Andrew
Comments						
<p>The procurement opportunity was advertised on February 7, 2010. Tenders were to be submitted by March 1, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The tenders were subsequently evaluated in accordance with the evaluation criteria outlined in the Tender Document. Two (2) tenders were considered non-responsive, as they did not meet the mandatory requirements which were outlined by the Procuring Entity.</p> <p>The tender submitted by EHC Industries Limited satisfied all the mandatory requirements, and was recommended for the award of contract.</p> <p>The requisite approvals were received and the contract was awarded to EHC Industries Limited. The contract dated May 28, 2010, was signed by the contractor on August 9, 2010.</p> <p>By way of a status report the Procuring Entity informed the OCG that a request was received from EHC Industries for 50% payment, in keeping with the contractual arrangement, that this payment would be due when the furniture has been ordered.</p> <p>A status report from the Procuring Entity by way of an e-mail dated December 22, 2010, indicated that the Contractor advised that the goods were scheduled for arrival in Jamaica on January 3, 2011.</p> <p>As at December 31, 2010, the Procuring Entity was awaiting delivery of the procured items.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the Procuring Entity was awaiting delivery of the procured items.					

Project #	126					
Ministry / Agency	Ministry of Finance and the Public Service / Fiscal Services Limited			Project Name	Supply and Installation of Voice Communication System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2008-12-05	2009-03-05	2009-04-22	2009-05-20	0000-00-00	2009-09-21
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
IBM World Trade Corporation	US\$ 160,000.00	US\$ 192,171.49	2009-08-12	2009-10-31	US\$ 202,260.39	Kingston
Comments						
<p>The procurement was advertised on October 29, 2008. Tenders were to be submitted by November 27, 2008. The deadline for submission was extended to December 5, 2008 at 2:00 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder with the highest overall evaluated score was recommended for the contract award.</p> <p>The contract sum proposed by the recommended Contractor was twenty percent (20%) higher than the comparable estimate. In this regard, the Procuring Entity stated in its Evaluation Report that; <i>"The system being procured... is a more comprehensive system in terms of additional components/ features..."</i></p> <p>The requisite approvals were received and the contract was awarded.</p> <p>Prior to the execution of the Statement of Works, two project changes, dated June 3, 2009 and September 8, 2009 were proposed and accepted by FSL. These changes included a preference for a 7942G/7962G Phones to replace the 7941G/61G handsets, and a change in the preferred Messaging Server. Notably there were no associated costs.</p> <p>In a status report dated November 3, 2010, the Procuring Entity highlighted, <i>inter alia</i>, the following matters:</p> <p><i>"FSL has only paid fifty percent (50%) of the contract price thus far and cannot close this project due to the discovery of limitations with SIP handsets on the Cisco voice system. IBM investigated and on September 7, 2010 Cisco confirmed that this limitation currently has no fix.</i></p> <p><i>Before signoff of this project FSL has requested that IBM provide details about the discovered limitations with SIP handsets on the Cisco voice system. Once IBM has provided the requested information...Technical Team will make recommendations for project closure and payment of outstanding invoices."</i></p> <p>Information was submitted by the IBM Team regarding the limitations with SIP handsets. This was subsequently reviewed by the Procuring Entity.</p> <p>As at December 31, 2010, the amended Project Completion Report was submitted by IBM, which was reviewed and signed by both parties. An additional payment of forty percent (40%) was approved and submitted to the Contractor.</p> <p>The expenditure to date indicated above is inclusive of General Consumption Tax (GCT).</p>						
Status	Contract was completed.					

Project #	127					
Ministry / Agency	Ministry of Finance and the Public Service / Jamaica Customs Department			Project Name	Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-29	2010-09-01	2010-09-03	0000-00-00	0000-00-00	2010-09-03
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
CGM Gallagher Insurance Brokers Jamaica Limited	J\$ 0.00	J\$ 2,067,065.00	2010-09-03	2013-09-02	J\$ 1,958,075.55	Kingston
Comments						
<p>The Tender opportunity was advertised on March 28, 2010. Tenders were to be submitted by June 29, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Sixteen (16) proposals were received from six (6) Brokers, which were opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria that were outlined in the Tender Document.</p> <p>The proposals were evaluated by Eckler Consultants and Actuaries, who were contracted by way of the Limited Tender Procurement Methodology.</p> <p>Upon evaluation of the proposals, an alternative proposal, which was received from CGM Gallagher Insurance Brokers Jamaica Limited (CCMG), was recommended and approved for the award of the contract.</p> <p>The contract sum indicated represents the premium for contract year 2010/2011.</p> <p>Upon review of documents submitted by Jamaica Customs Department, the OCG noted that the signature of the Commissioner of Customs was dated September 9, 2010, whilst the Commissioner's stamp was dated September 3, 2010.</p> <p>The OCG will continue to monitor this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	128					
Ministry / Agency	Ministry of Finance and the Public Service / Jamaica Customs Department			Project Name	Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-19	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on May 24, 2009. Tenders were to be submitted by June 12, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m., which was subsequently extended to June 19, 2010.</p> <p>Eight (8) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document. for the following locations :</p> <ul style="list-style-type: none"> • Meyers Wharf; • New Port East ; and • Montego Bay <p>Upon evaluation of the tenders, an award recommendation was made.</p> <p>The Evaluation Report was subsequently forwarded to the Ministry of Finance and Public Services (MOFPS) for review and submission to the National Contracts Commission (NCC).</p> <p>The OCG was however advised, by the Jamaica Customs Department, that the procurement process was aborted due to the following:</p> <ul style="list-style-type: none"> • Discrepancies noted by the MOFPS in the Tender Document and the Tender Evaluation Report; • The time that elapsed between the Tender Notice (May 2009) and the date of the finalisation of the Evaluation Report (April 2010); and • The need to tender for other locations. 						
Status	Procurement process aborted					

Project #	129					
Ministry / Agency	Ministry of Finance and the Public Service / Jamaica Customs Department			Project Name	Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-02	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 11,500,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on February 28, 2010. Tenders were to be submitted by April 21, 2010 at 10:00 am. However, the deadline for submission was initially extended to May 18, 2010 at 10 a.m., to facilitate a review of the tender document. An addendum was issued, further extending the deadline to June 2, 2010 at 10:00 a.m.</p> <p>Eight (8) tenders were received, opened and verified at the Tender Opening Ceremony on June 2, 2010 at 10:15 a.m., in accordance with the eligibility criteria which were outlined in the Tender Document, for the following locations:</p> <ul style="list-style-type: none"> • Queens Warehouse, 230 Spanish Town Road; • 2-4 King Street; • St. Ann's Bay; • NMIA Passenger Terminal; • NMIA Queen Warehouse; • NMIA Manifest Branch; • NMIA Air Cargo; NMIA AJAS 2 ; and • Berth 11 Kingston Wharves. <p>All eight (8) bids proceeded to the evaluation stage. However, the Scope of Work was revised by the Entity during the Evaluation Stage of the procurement process. In this regard, the Jamaica Customs Department, by way of an email dated July 20, 2010, bidders were asked to "...adjust their quoted costs accordingly, using the rates that were submitted in the bids..."</p> <p>In this regard, the OCG, by way of a letter, which was dated October 7, 2010, recommended that the project be aborted and re-tendered, as the transparency and fairness of the process was compromised.</p> <p>The project was aborted accordingly.</p>						
Status	The procurement process was aborted					

Project #	130					
Ministry / Agency	Ministry of Finance and the Public Service / Jamaica Customs Department			Project Name	Security Services and Armoured Courier	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on October 28, 2010. Tenders were to be submitted by December 9, 2010 at 10:00 am., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. An Addendum was however issued, extending the deadline for submission to January 13, 2011.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the deadline for submission of tenders was pending.					

Project #	131					
Ministry / Agency	Ministry of Finance and the Public Service / Jamaica Customs Department			Project Name	Supply of Information Technology Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-26	2010-03-18	2010-03-18	0000-00-00	0000-00-00	2010-05-03
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Management Control Systems Limited	J\$ 9,100,000.00	J\$ 8,975,204.30	2010-05-03	2010-06-11	J\$ 8,975,204.70	Kingston
Comments						
<p>The procurement opportunity was advertised on February 10, 2010. Tenders were to be submitted by February 26, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:30 a.m.</p> <p>Seven (7) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder with the highest evaluated score, Management Control Systems Limited, was recommended and approved for the award of contract.</p> <p>Documentation submitted to the OCG indicated that the procured items were delivered on June 11, 2010, and were certified to be in good working order.</p> <p>The Contractor has been paid in full.</p>						
Status	The contract was completed.					

Project #	132					
Ministry / Agency	Ministry of Finance and the Public Service / Jamaica Customs Department			Project Name	Supply of Information Technology Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-22	2010-11-11	2010-11-17	0000-00-00	0000-00-00	2010-12-07
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Illuminat Jamaica Limited	J\$ 9,850,000.00	US\$ 101,898.00	2010-12-07	2011-02-03	J\$ 874,643.52	Kingston
Comments						
<p>The procurement opportunity was advertised on October 28, 2010. Tenders were to be submitted by October 22, 2010, at 10 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Eleven (11) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder with the highest evaluated score, Illuminat Jamaica Limited, was recommended and approved for the award of contract.</p> <p>The exchange rate used to calculate the advance payment of 10%, on December 21, 2010, was US\$1=J\$85.8352</p> <p>The OCG will continue to monitor the execution of this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	133					
Ministry / Agency	Ministry of Finance and the Public Service / Ministry of Finance and the Public Service			Project Name	General Pest Control Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-15	2010-09-28	2010-10-05	0000-00-00	0000-00-00	2010-10-07
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Kilopest Limited	J\$ 0.00	J\$ 1,840,000.00	2010-10-15	2012-10-14	J\$ 246,000.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on July 11, 2010. Tenders were to be submitted by August 19, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony on August 19, 2010 at 10:15 a.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. This bid was deemed ineligible as proof of approval for the use of the chemical in Jamaica was not provided.</p> <p>The Ministry received approval from its Procurement Committee and Head of Entity regarding the use of the Limited Tender Procurement Methodology to invite seven (7) registered contractors to tender.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony.</p> <p>Subsequent to evaluation, the sole bidder was recommended for the award of contract.</p> <p>The requisite approvals were gained and the contract awarded accordingly.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	134					
Ministry / Agency	Ministry of Finance and the Public Service / Ministry of Finance and the Public Service			Project Name	Janitorial and Related Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-12	2009-12-15	2009-12-29	2010-01-20	0000-00-00	2010-02-04
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Minott Janitorial Services Limited	J\$ 18,720,000.00	J\$ 18,777,480.00	2010-02-04	2012-02-03	J\$ 7,177,880.49	Kingston
Comments						
<p>The procurement opportunity was advertised on October 11, 2009. Tenders were to be submitted by November 12, 2009 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony on November 12, 2009 at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. All four (4) were deemed responsive.</p> <p>Upon evaluation, Minott Janitorial Services Limited, the highest ranked vendor, was recommended for the award of contract.</p> <p>The requisite approvals were gained and the contract awarded accordingly.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	135					
Ministry / Agency	Ministry of Finance and the Public Service / Ministry of Finance and the Public Service			Project Name	Procurement for Private Branch Exchange Upgrade and Installation VoIP	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2009-11-05	2010-02-09	2010-02-09	2010-03-12	2010-03-29	2010-04-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Fujitsu Transaction Solutions (Ja.) Limited	US\$ 772,000.00	US\$ 1,072,257.68	2010-04-09	2010-11-19	US\$ 635,201.39	Kingston
Comments						
<p>The procurement opportunity was initially advertised on June 21, 2009. However, subsequent to the evaluation of the tenders which were received, the tender process was terminated, as all were deemed non-responsive.</p> <p>The Ministry of Finance and Public Service requested the permission of the National Contracts Commission (NCC) to invite five (5) firms to tender using the Limited Tender Procurement Methodology. The NCC endorsed the request of the Ministry of Finance and Public Service in its meeting of September 23, 2009.</p> <p>Five (5) contractors were invited to submit tender. Tenders were to be submitted by November 5, 2009 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The evaluation was completed by Fiscal Services Limited (FSL) in accordance with the evaluation criteria outlined in the tender document. Subsequent to the evaluation, FSL recommended that the contract be awarded to Fujitsu Caribbean (Ja.) Limited.</p> <p>The proposed contract price was 38.8% greater than the comparable estimate. This was attributed to the exclusion of a one (1) year service contract from the estimate as well as the inclusion of a quality management software.</p> <p>The requisite approvals were received and the contract was awarded.</p> <p>In order to facilitate the complete installation and operation of the system, the Ministry of Finance and Public Service extended the completion time of the contract by six (6) weeks, to November 19, 2010.</p> <p>By way of letter dated December 15, 2010, the Procuring Entity advised the OCG that; "... the PBX system was commissioned on November 28, 2010; the vendor is currently working on resolving minor glitches that some members of staff have encountered. It is expected that the project should be completed by December 20, 2010."</p> <p>The OCG will continue to monitor this project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	136					
Ministry / Agency	Ministry of Finance and the Public Service / Ministry of Finance and the Public Service			Project Name	Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-02	2010-11-09	2010-11-10	2010-11-17	2010-12-06	2010-12-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
King Alarm Systems	J\$ 49,000,000.00	J\$ 33,862,800.00	2011-02-01	2013-01-31	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 11, 2010. Tenders were to be submitted by September 2, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony on September 2, 2010 at 10:15 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. All four (4) tenders were deemed eligible for evaluation and were subject to an evaluation of their technical proposal.</p> <p>Subsequent to the technical evaluation of the bids, one (1) bidder failed to meet the minimum score of 90 points, which was required to qualify for the financial evaluation. Of the three (3) remaining bidders, King Alarm Systems, the bidder with the lowest proposed price was recommended for the award of contract.</p> <p>The requisite approvals were received and the contract was signed on December 30, 2010.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	The contract was signed and is scheduled to commence on February 1, 2011					

Project #	137					
Ministry / Agency	Ministry of Finance and the Public Service / National Export-Import Bank of Jamaica Limited			Project Name	Advertising Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-10-12	2010-12-08	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 8,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on June 16, 2010. Tenders were to be submitted by July 12, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. The process was subsequently aborted as the sole bidder had not complied with the requirements of the Bid Document.</p> <p>The Bank's Procurement Committee approved the use of the Limited Tender Procurement Methodology. Accordingly, by way of letters dated September 14, 2010, five (5) contractors were invited to participate. Tenders were to be submitted by October 5, 2010 at 3:00 p.m. The deadline for submission was extended to October 12, 2010 due to the effects of Tropical Storm Nicole.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder with the lowest proposed price was recommended for the award of contract.</p> <p>As at December 31, 2010, the approval process was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	138					
Ministry / Agency	Ministry of Finance and the Public Service / Students' Loan Bureau (SLB)			Project Name	Independent Audit Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 8,500,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 26, 2010. Tenders were to be submitted by November 23, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m. The subject procurement was for the engagement of External Auditors to conduct Independent Audits of the SLB's Financial Statements for years ending March 31, 2011 and March 31, 2012.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who attained the highest evaluated score was recommended for the award of contract.</p> <p>As at December 31, 2010, the requisite approvals were pending.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was awaiting requisite approvals.					

Project #	139					
Ministry / Agency	Ministry of Finance and the Public Service / Tax Administration Services Department			Project Name	Canteen Concessionaire for St. Andrew Revenue Service Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-08	2010-11-01	2010-11-16	0000-00-00	0000-00-00	2010-12-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Golden Age Home Kitchen Limited	J\$ 0.00	J\$ 0.00	2011-01-10	2012-01-09	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on three (3) separate occasions between July and August 2010 at three (3) Post Office locations and the National Works Agency (NWA).</p> <p>No tenders were received on the first occasion and the bidders that responded subsequently were deemed non-responsive.</p> <p>The procurement opportunity was advertised in the print media on September 5, 2010. Tenders were to be submitted by October 8, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the Evaluation Committee recommended Golden Age Kitchen, the bidder with the lower proposed price, for the award of the contract. This recommendation was approved and the contract was awarded.</p> <p>The Independent Contractor Agreement was signed on December 30, 2010. Under the Agreement, the prices to be charged shall not initially exceed the prices set out in the schedule attached to the Agreement, and at least seven (7) days notice is required for any increase in the price. The OCG has been informed that; <i>"There is no payment of money to the concessionaire by TASD."</i></p>						
Status	As at the time of this report, the contract was signed and the agreement is slated to commence in January 2011.					

Project #	140					
Ministry / Agency	Ministry of Health and Environment / Child Development Agency			Project Name	Janitorial Service	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-06	2010-01-19	2010-02-02	0000-00-00	0000-00-00	2010-02-10
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Minott Janitorial Services Limited	J\$ 1,400,000.00	J\$ 1,333,320.00	2010-02-01	2012-01-31	J\$ 555,550.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 18, 2009. Tenders were to be submitted by November 6, 2009 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Eleven (11) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder with the highest evaluated score was recommended for the award of contract.</p> <p>The requisite approvals were received and the contract was awarded accordingly.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	141					
Ministry / Agency	Ministry of Health and Environment / Child Development Agency (CDA)			Project Name	Private Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-17	2010-06-14	2010-06-15	2010-07-07	0000-00-00	2010-12-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Guardsman Limited	J\$ 40,000,000.00	J\$ 29,102,865.00	2011-01-03	2013-01-02	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 1, 2009. Tenders were to be submitted by December 3, 2009 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>However, upon review of the Tender Document the OCG identified deficiencies and communicated same to the Child Development Agency (CDA) along with the recommendation for the Tender Document to be amended. The CDA made the necessary amendments, and the close of Tender was extended to 10:00 am on December 17, 2009.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, three (3) tenders were deemed non-responsive, as they failed to adhere to the requirements as outlined in the Tender Document. Of the two (2) remaining bidders, Guardsman Limited, the bidder who attained the higher evaluated score, was recommended for the award of the contract.</p> <p>The requisite approvals were received and the contract duly awarded.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	142					
Ministry / Agency	Ministry of Health and Environment / Ministry of Health and Environment			Project Name	Supply of Infant Formula	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-21	2010-11-15	2010-12-24	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 10,914,750.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 22, 2010, and was 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., to be 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, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, two (2) of three (3) bidders were recommended for the award of contracts for various lots.</p> <p>The award recommendation was subsequently approved by the Procurement Committee and the Head of Entity.</p> <p>As at December 31, 2010, contract award was pending.</p> <p>The OCG will continue to monitor this procurement process</p>						
Status	As at the time of this report, contract award was pending.					

Project #	143					
Ministry / Agency	Ministry of Health and Environment / Ministry of Health & Environment			Project Name	Procurement of Specialised Truck Equipped with Hydraulic Tail Lift	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-22	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 76,666.66	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 21, 2010. Tenders were to be submitted by December 15, 2010 at 2:00 p.m.</p> <p>The deadline for submission of tenders was however extended to December 22, 2010 at 2:00 p.m., to be followed by a Tender Opening Ceremony at 2:10 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation of tenders was not yet completed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	144					
Ministry / Agency	Ministry of Health and Environment / Ministry of Health & Environment			Project Name	Supply of Anti-Retroviral Drugs 2010	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-06-03	2010-09-03	2010-10-15	0000-00-00	0000-00-00	2010-10-20
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Abbott Laboratories	US\$ 1,043,418.84	US\$ 106,195.14	2010-10-20	2011-04-26	US\$ 116,343.62	Kingston
Comments						
<p>The procurement opportunity was advertised on April 11, 2010. Tenders were to be submitted by May 26, 2010 at 2:00 p.m., to be 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 subject procurement 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 at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, Abbott Laboratories was recommended and approved for the award of contract to supply Lopinavir/Ritonavir (LPV/r) - 200mg/50mg Tablets and Lopinavir/Ritonavir Suspension (LPV/r) - 80/20 mg/ml and 160ml.</p> <p>The contract was awarded on October 20, 2010.</p> <p>As at December 31, 2010, the sole contract that has been executed, under the project, was with Abbott Laboratories. The National Contracts Commission (NCC), in its meeting of November 17, 2010, endorsed the recommendation to award three (3) related contracts. The execution of the remaining contracts are at varying stages of approval/ award, some are pending Cabinet's approval, while others require NCC registration of overseas suppliers.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	145					
Ministry / Agency	Ministry of Health and Environment / Ministry of Health and Environment			Project Name	Cleaning and Portering Service - May Pen and Mandeville Regional Hospitals	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Jac-Den Enterprises Limited	J\$ 103,109,782.00	J\$ 102,835,181.00	2010-12-01	2013-11-30	J\$ 2,467,846.92	Clarendon
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., to be followed by a scheduled Tender Opening Ceremony.</p> <p>Four (4) contractors responded. Two (2) tenders were received for May Pen Hospital and three (3) tenders for the Mandeville Regional Hospital. All bids were opened at the Tender Opening Ceremony and checked for the eligibility requirements.</p> <p>Upon evaluation, Jac-Den Enterprises, the highest scored bidder for May Pen Hospital, was recommended for the award of contract. The matter was considered at the National Contracts Commission (NCC) Meeting of June 30, 2010 and the contract award recommendation was endorsed for May Pen Hospital. Cabinet's approval was subsequently received.</p> <p>The three year contract with Jac-Den Enterprises was executed on November 25, 2010.</p> <p>With regards to Mandeville Regional Hospital, a preferred bidder was identified, however, the NCC in its meeting of June 30, 2010, did not endorse the recommendation, and requested details regarding the evaluation criteria used to select the recommended Contractor.</p> <p>Subsequent to the receipt of information on August 31, 2010, which was discussed in the NCC Meeting of September 15, 2010, a request for additional information was submitted to the Ministry by way of letter dated September 20, 2010. The Ministry responded on November 8, 2010. The matter was again considered at the NCC Meeting of December 8, 2010, where the NCC recommended that the Ministry re-tender for the services. The Ministry in a report addressed to the Office of the Contractor-General, advised that the Southern Regional Health Authority (SRHA) will undertake the re-tendering exercise in January 2011.</p> <p>The Comparable Estimate indicated above is in regards to the May Pen Hospital; the Estimate for the Mandeville Regional Hospital was \$145,788,516.92.</p>						
Status	As at December 31, 2010, the contract for the May Pen Hospital was being executed.					

Project #	146					
Ministry / Agency	Ministry of Health and Environment / Ministry of Health and Environment			Project Name	Tender for Private Security Services - Regional Health Authorities	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-11	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on May 9, 2010. Tenders were to be submitted by June 11, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Ministry of Health informed the OCG, by way of letter dated September 8, 2010, that a decision was taken "to annul the tender process in order to reconfigure the scope of the security arrangements for the health facilities. With the recent spate of criminal activities at the health facilities, there is an urgent need for the Regions to review and modify the specifications to address these peculiar security risks."</p> <p>Upon modification of the specifications, the Regional Health Authorities undertook the re-tendering exercise for their respective regions.</p>						
Status	Procurement process was aborted.					

Project #	147					
Ministry / Agency	Ministry of Health and Environment / Ministry of Health and Environment			Project Name	The Supply of 30 Ambulances with Accessories	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised 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. Potential bidders were informed of the termination of the process, by way of a letter, which was dated May 17, 2010.</p> <p>An Invitation to submit Expressions of Interest was advertised on July 25, 2010, with a deadline for document submission by August 31, 2010. The Procuring Entity reported that seven (7) Expressions of Interest were received, however, there was no opening or evaluation of the documents submitted, and that the process was aborted.</p> <p>Documents obtained by the 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, in a letter which was dated November 8, 2010, wrote to the National Contracts Commission (NCC) requesting permission to re-tender utilising the Limited Tender Procurement Methodology, and to invite tenders from the seven (7) original equipment manufacturers (OEM) through their Dealers. Permission was granted by the NCC at its meeting of November 17, 2010.</p> <p>The Procuring Entity has indicated that the re-tender for the procurement of Ambulances, utilising the Limited Tender Procurement Methodology, will be conducted in January 2011.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	Procurement process was aborted.					

Project #	148					
Ministry / Agency	Ministry of Health and Environment / National Family Planning Board			Project Name	Strategic Review - The Family Planning Programme 2006 - 2010	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to submit Expressions of Interest (EOIs) was advertised on September 26, 2010. EOIs were to be submitted by October 13, 2010 at 2:00 p.m.</p> <p>Upon a review of the Invitation to submit EOIs, the OCG noted that the National Family Planning Board (NFPB) sought to engage the services of a Consultant to conduct the Strategic Review. It was further noted that, registration with the National Contracts Commission (NCC) was listed as one of the eligibility requirements.</p> <p>Consequently, the OCG, by way of letter which was dated October 20, 2010, advised the NFPB that registration with the NCC was not required for Consultants.</p> <p>Four (4) Expressions of Interest were received and opened on October 13, 2010.</p> <p>The NFPB, under the cover of a letter, which was dated November 2, 2010, informed the OCG, that, the Expression of Interest submitted by the Mona School of Business (MSB), did not include a copy of Tax Compliance Certificate (TCC) and NCC registration. The letter further stated that, the MSB had claimed to be a Government entity and, as such, the provision of the TCC and NCC registration were not required.</p> <p>Based upon the foregoing, the NFPB wrote to the Ministry of Education to ascertain the status of the Mona School of Business.</p> <p>The Ministry of Education subsequently referred the matter to the Attorney General's Chambers for legal advice.</p> <p>By way of a letter, which was dated, November 17, 2010, the Attorney General's Chambers, advised the Ministry of Education that; "...the Mona School of Business is neither government-owned nor a public body." The Ministry of Education subsequently communicated this information to the NFPB.</p> <p>The NFPB in a status update indicated that, as at December 31, 2010; "...the Internal Procurement Committee had not made a decision about the entities that should be invited to submit proposals...."</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the Pre-Tender stage.					

Project #	149					
Ministry / Agency	Ministry of Health and Environment / National Health Fund			Project Name	Public Information /Education Campaign	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The initial procurement process commenced in August 2009, and was subsequently aborted in May 2010 as a result of anomalies in the evaluation of the tenders.</p> <p>By way of a letter which was dated March 31, 2010, the NHF requested that the OCG review and give an opinion on the Evaluation Report. Subsequent to a review of same, the OCG, by way of letter which was dated May 6, 2010, recommended that the process be aborted and that the Tender Document be revised in accordance with the relevant sections of the GOJ Handbook of Public Sector Procurement Procedures.</p> <p>The Tender Document was subsequently revised and the procurement opportunity re-tendered.</p> <p>The procurement opportunity was advertised on December 19, 2010. Tenders are 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>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the deadline for submission of bids was pending.					

Project #	150					
Ministry / Agency	Ministry of Health and Environment / National Health Fund			Project Name	Upgrading the Air Conditioning Unit	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 9,990,709.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by August 16, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Documentation provided to the Office included a letter dated December 14, 2010 under the signature of the Chief Executive Officer of the National Health Fund which 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 OCG will continue to monitor this procurement process.</p>						
Status	Procurement on hold.					

Project #	151					
Ministry / Agency	Ministry of Health and Environment / North East Regional Health Authority			Project Name	The Supply, Installation and Commissioning of Medical Gas Alarm Systems - Annotto Bay Hospital	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-14	2010-06-25	2010-06-22	0000-00-00	0000-00-00	2010-07-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Goncra Company Limited	J\$ 4,217,780.00	J\$ 4,424,653.00	2010-08-16	2010-11-01	J\$ 2,104,135.25	Saint Mary
Comments						
<p>The procurement opportunity was advertised on March 14, 2010. Tenders were to be submitted by April 7, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m. The deadline for submissions of bids was extended to May 14, 2010.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation of the bids, Goncra Company Limited, the bidder with the lowest proposed price, was recommended for the award of the contract.</p> <p>The requisite approvals were received and the contract was executed accordingly.</p> <p>The contractor applied for an extension of time to December 31, 2010. As at that date, installation was completed and \$2,104,135.25 had been expended under the project.</p>						
Status	As at the time of this report, installation of the procured item was completed.					

Project #	152					
Ministry / Agency	Ministry of Health and Environment / Registrar General's Department			Project Name	International Courier Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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	2010-12-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Go Global Ja. Ltd.	J\$ 18,200,000.00	J\$ 13,079,195.48	2010-12-15	2012-12-14	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on June 9, 2010. Tenders were to be submitted by June 22, 2010 at 10:30 a.m., to be followed by a scheduled tender opening ceremony at 11:00 a.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the sole bid was recommended for the award of contract. The approval of the Procurement Committee was not received and the Entity has advised the OCG that; <i>"It is not the practice of the committee to approve document which would have to be endorsed by the National Contract Commission."</i></p> <p>The contract was executed on December 12, 2010.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	153					
Ministry / Agency	Ministry of Health and Environment / Registrar General's Department			Project Name	Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 6,300,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on December 8, 2010. Tenders were to be submitted by December 14, 2010 at 10:30 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:00 a.m.</p> <p>Seven (7) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation was not completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	154					
Ministry / Agency	Ministry of Health and Environment / Registrar General's Department (RGD)			Project Name	Provision of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Atlas Protection Services Ltd.	J\$ 26,000,000.00	J\$ 23,748,980.00	2009-03-01	2011-02-28	J\$ 23,509,196.65	All Island
Comments						
<p>The procurement opportunity was advertised in October 2008. Tenders were to be submitted by November 13, 2008 at 10:30 a.m., to be followed by a Tender Opening Ceremony at 11:00 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document. One (1) tender was disqualified because the submission was incomplete.</p> <p>The evaluation was conducted in accordance with the evaluation criteria which were outlined in the tender document. Subsequent to the evaluation of the bids, the bidder who attained the highest evaluation scores was recommended, and approved, for the award of the contract.</p> <p>With regards to Procurement Committee approval, the Registrar General Department (RGD) in a status report to the OCG has stated that; <i>"It was not the practice of the committee to approve document which have to be endorsed by the National Contracts Commission."</i></p> <p>The contract, with a commencement date of March 1, 2009, was signed on April 25, 2009.</p> <p>Expenditure as at December 31, 2010 was \$23,509,196.65.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	155					
Ministry / Agency	Ministry of Health and Environment / South-East Regional Health Authority			Project Name	Procurement & Installation of Water Softener for Boiler Water Treatment at the Kingston Public Hospital	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-06	2010-05-26	0000-00-00	0000-00-00	0000-00-00	2010-06-03
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Bogues Brothers Industries Limited	J\$ 3,400,000.00	J\$ 1,100,000.00	2010-06-07	2010-07-09	J\$ 970,200.00	Kingston
Comments						
<p>The procurement opportunity was advertised on April 25, 2010. Tenders were to be submitted by May 6, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, Bogues Brothers Industries Limited, the lower-priced bidder, was recommended for the contract award. The Procurement Committee approved the recommendation, however the OCG was not provided with documentation to evidence the approval of the Head of Entity.</p> <p>The contract was signed on June 3, 2010.</p> <p>As at December 31, 2010, the works was completed and the Contractor paid in full, excluding the 10% retention and 2% tax levy.</p>						
Status	As at the time of this report, the contract was completed.					

Project #	156					
Ministry / Agency	Ministry of Health and Environment / South-East Regional Health Authority (SERHA)			Project Name	Procurement & Installation of Critical Equipment 1 at Oakglade Health Centre - Package 2	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-10	0000-00-00	0000-00-00	0000-00-00	0000-00-00	2010-09-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Jamaica Hospital Supplies Limited	J\$ 175,000.00	J\$ 209,510.00	2010-09-27	2010-10-01	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on June 20, 2010, and was divided into twelve (12) packages of items.</p> <p>The original deadline for submission of tenders was July 20, 2010. The OCG, having identified shortcomings in the Bidding Document, recommended that the Entity utilise the Standard Bidding Document. Consequently, the deadline for submission was extended to August 10, 2010.</p> <p>Two (2) tenders were received for Package 2, which were opened at the Tender Opening Ceremony and checked for the Eligibility Requirements. Package 2 was for 7 Sphygmomanometers (Mercurial, Adult, and Mobile).</p> <p>Jamaica Hospital Supplies Limited, were deemed the lowest evaluated bidder for the aforementioned package, and was recommended for the award of contract. The OCG was not provided with evidence of the Head of Entity's approval. The contract was signed on September 16, 2010.</p> <p>The Public Body reported that; <i>"The Health Centre is not yet opened, so the equipment were delivered to the Maxfield Park Health Center."</i></p> <p>As at December 31, 2010, the items were delivered and payment was pending.</p>						
Status	As at the time of this report, the procured items were received.					

Project #	157					
Ministry / Agency	Ministry of Health and Environment / South-East Regional Health Authority (SERHA)			Project Name	Procurement & Installation of Critical Equipment 1 for Oakglade Health Centre - Packages 4 and 12	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-10	2010-09-08	0000-00-00	0000-00-00	0000-00-00	2010-09-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Cari-Med Limited	J\$ 309,000.00	J\$ 199,444.00	2010-09-20	2010-11-15	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on June 20, 2010, and was divided into twelve (12) packages of items.</p> <p>The original deadline for submission of tenders was July 20, 2010. The Office of the Contractor-General (OCG), having identified shortcomings in the Bidding Document, recommended that the Entity utilise the Standard Bidding Document. Consequently, the deadline for submission was extended to August 10, 2010.</p> <p>Four (4) tenders were received for Package 4, and three (3) for Package 12. Package 4 was for 2 Adult Patient Scales and Package 12 for five 5 Dressing Trolleys (Medium). All tenders were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Cari-Med Limited, was deemed the lowest evaluated bidder for the aforementioned packages, and was recommended for the award of contract. The recommendation was approved by the Procurement Committee, however, the OCG was not provided with evidence of Head of Entity's approval. The contract was signed on September 16, 2010.</p> <p>The Public Body reported that; <i>"The Health Centre is not yet opened, so the equipment were delivered to the Maxfield Park Health Center."</i></p> <p>As at December 31, 2010, all items were delivered and payment was pending.</p>						
Status	As at the time of this report, the procured items were delivered.					

Project #	158					
Ministry / Agency	Ministry of Health and Environment / South-East Regional Health Authority (SERHA)			Project Name	Procurement & Installation of Critical Equipment for Oakglade Health Centre - Packages 3, 5, 10 and 11	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-10	2010-09-08	0000-00-00	0000-00-00	0000-00-00	2010-09-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Medical Link	J\$ 218,000.00	J\$ 434,000.00	2010-09-20	2010-11-01	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on June 20, 2010, and was divided into twelve (12) packages of items.</p> <p>The original deadline for submission of tenders was July 20, 2010. The Office of the Contractor General, having identified shortcomings in the Bidding Document, recommended that the Entity utilise the Standard Bidding Document. Consequently, the deadline for submission was extended to August 10, 2010.</p> <p>Three (3) tenders were received for Package 3, three (3) for Package 5, two (2) for Package 10 and two (2) for Package 11. Package 3 was for 2 Portable Zipper Sphygmomanometers, Package 5 for 2 Portable Scales, Package 10 for 2 Paediatric Scales and Package 11 for 4 Mobile Examination Lamps. All tenders were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Medical Link, was deemed the lowest evaluated bidder for the aforementioned packages, and was recommended for the award of contract. The recommendation was approved by the Procurement Committee, however, the OCG was not provided with evidence of Head of Entity approval. The contract was signed on September 16, 2010.</p> <p>The Public Body reported that; <i>"The Health Centre is not yet opened, so the equipment were delivered to the Maxfield Park Health Center."</i></p> <p>As at December 31, 2010, all items had been delivered and payment was pending.</p>						
Status	As at time of this report, the procured items were delivered					

Project #	159					
Ministry / Agency	Ministry of Health and Environment / South-East Regional Health Authority (SERHA)			Project Name	The Procurement & Installation of Critical Equipment 1 for Oakglade Health Centre - Packages 1 and 6	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-10	2010-09-08	0000-00-00	0000-00-00	0000-00-00	2010-09-15
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
KMP Maintenance Services	J\$ 1,328,029.00	US\$ 12,584.00	2010-09-20	2010-11-26	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on June 20, 2010, and was divided into twelve (12) packages of items.</p> <p>The original deadline for submission of tenders was July 20, 2010. The OCG, having identified shortcomings in the Bidding Document, recommended that the Entity utilise the Standard Bidding Document. Consequently, the deadline for submission was extended to August 10, 2010.</p> <p>Two (2) tenders were received for Package 1, while three (3) were received for Package 6. All were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. .</p> <p>KMP Maintenance Services, was deemed the lowest evaluated bidder for the aforementioned packages, and was recommended for the award of contract. The recommendation was approved by the Procurement Committee, however, the OCG was not provided with evidence of Head of Entity approval.</p> <p>The contract was signed on September 15, 2010. The value of Package 1 (2 Tabletop Sterilizers) was US\$ 8,720.00, and US\$ 3,864.00 for Package 6 (2 Electrocardiographs 3 - Channel).</p> <p>As at December 31, 2010, delivery of items was pending.</p>						
Status	As at the time of this report, delivery of the procured items was pending.					

Project #	160					
Ministry / Agency	Ministry of Health and Environment / Southern Regional Health Authority			Project Name	Provision of Bulk Supplies - Printing Paper	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Productive Business Solutions	J\$ 11,634,671.04	J\$ 11,216,922.24	2010-05-21	2012-05-20	J\$ 1,171,402.00	Manchester
Comments						
<p>The procurement opportunity was advertised on March 18, 2009, and invited suppliers to tender on the following:</p> <ul style="list-style-type: none"> Category A - Janitorial/ Sanitation Supplies; and Category B - Stationary Supplies <p>Tenders were to be submitted by April 17, 2009 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received; however, none of the suppliers, subsequent to evaluation, achieved the minimum required score. As such, the Procuring Entity aborted the tender process.</p> <p>The procurement opportunity was subsequently re-tendered by way of advertisement in July 2009. Tenders were to be submitted by August 7, 2009 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, no bidder was recommended for the award of contract for Package A. Productive Business Solutions Limited, was recommended and approved for the award of contract for Package B.</p> <p>The contract was awarded on May 21, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	161					
Ministry / Agency	Ministry of Health and Environment / Southern Regional Health Authority (SRHA)			Project Name	Quantity Surveyor Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-25	2009-12-15	2010-01-14	0000-00-00	0000-00-00	2010-01-14
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
BGW Cawston & Partners	J\$ 1,295,000.00	J\$ 1,312,000.00	2010-01-14	2010-10-13	J\$ 615,000.00	Manchester
Comments						
<p>The procurement opportunity was advertised on July 22, 2009. Suitably qualified individuals were invited to tender for the provision of Building Surveying and Measured Surveying services for the renovation and refurbishing of Health Centres in the Southern Region. The Health Centres were divided into four (4) packages based on location.</p> <p>Tenders were to be submitted by August 18, 2009 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m. The tender period was subsequently extended to August 25, 2009, as two (2) potential bidders indicated that they had not received an addendum which was issued by the Procuring Entity.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, BGW Cawston and Partners, was recommended for the award of the contract for Package 3 - Manchester. The contract, which was scheduled to be completed within nine (9) months of commencement, was awarded on January 14, 2010.</p> <p>A status report which was provided by the Southern Regional Health Authority (SRHA) indicated that the four (4) Health Centres, under this project, are at different stages of completion, as some projects were deferred due to budgetary constraints.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	162					
Ministry / Agency	Ministry of Health and Environment / Southern Regional Health Authority (SRHA)			Project Name	Quantity Surveyor Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-25	2009-12-15	2010-01-14	0000-00-00	0000-00-00	2010-01-14
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Michael Allen & Associates	J\$ 686,000.00	J\$ 560,000.00	2010-01-14	2010-10-13	J\$ 425,000.00	Saint Elizabeth
Comments						
<p>The procurement opportunity was advertised on July 22, 2009. Suitably qualified individuals were invited to tender for the provision of Building Surveying and Measured Surveying services for the renovation and refurbishing of Health Centres in the Southern Region. The Health Centres were divided into four (4) packages based on location.</p> <p>Tenders were to be submitted by August 18, 2009 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m. The tender period was subsequently extended to August 25, 2009, as two (2) potential bidders indicated that they had not received an addendum, which was issued by the Procuring Entity.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who submitted the lowest proposed price for Package 2 - St. Elizabeth, Michael Allen & Associates, was recommended for the award of contract. The contract, which was scheduled to be completed within nine (9) months of commencement, was awarded on January 14, 2010.</p> <p>A status report which was provided by the Southern Regional Health Authority (SRHA) indicated that the three (3) Health Centres, under this project, are at different stages of completion, as projects were deferred due to budgetary constraints.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	163					
Ministry / Agency	Ministry of Health and Environment / Southern Regional Health Authority (SRHA)			Project Name	Quantity Surveyor Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-25	2009-12-15	2010-01-13	0000-00-00	0000-00-00	2010-01-13
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
O'Neil Roper	J\$ 1,737,000.00	J\$ 2,386,575.00	2010-01-13	2010-10-12	J\$ 1,792,097.80	Clarendon
Comments						
<p>The procurement opportunity was advertised on July 22, 2009. Suitably qualified individuals were invited to tender for the provision of Building Surveying and Measured Surveying services for the renovation and refurbishing of Health Centres in the Southern Region. The Health Centres were divided into four (4) packages based on location.</p> <p>Tenders were initially to be submitted by August 18, 2009 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m. The tender period was subsequently extended to August 25, 2009, as two (2) potential bidders indicated that they had not received an addendum, which was issued by the Procuring Entity.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, Oneil Roper, was recommended for the award of the contract for Package 4 - Clarendon. The contract which was scheduled to be completed within nine (9) months of commencement was awarded on January 13, 2010.</p> <p>A status report which was provided by the Southern Regional Health Authority (SRHA) indicated that the six (6) Health Centres, under this project, are at different stages of completion, as some projects were deferred due to budgetary constraints.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	164					
Ministry / Agency	Ministry of Health and Environment / Southern Regional Health Authority (SRHA)			Project Name	Quantity Surveyor Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-25	2009-12-15	2010-01-14	0000-00-00	0000-00-00	2010-01-14
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Michael Allen & Associates	J\$ 848,000.00	J\$ 610,000.00	2010-01-14	2010-10-13	J\$ 475,000.00	Saint Elizabeth
Comments						
<p>The procurement opportunity was advertised on July 22, 2009. Suitably qualified individuals were invited to tender for the provision of Building Surveying and Measured Surveying services for the renovation and refurbishing of Health Centres in the Southern Region. The Health Centres were divided into four (4) packages based on location.</p> <p>Tenders were to be submitted by August 18, 2009 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m. The tender period was subsequently extended to August 25, 2009, as two (2) potential bidders indicated that they had not received an addendum, which was issued by the Procuring Entity.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who submitted the lowest proposed price for Package 1 - St. Elizabeth, Michael Allen & Associates, was recommended, and approved, for the award of the contract. The contract which was scheduled to be completed within nine (9) months of commencement was awarded on January 14, 2010.</p> <p>A status report which was provided by the Southern Regional Health Authority (SRHA) indicated that the four (4) Health Centres, under this project, are at different stages of completion, as some projects were deferred due to budgetary constraints.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	165					
Ministry / Agency	Ministry of Health and Environment / University Hospital of the West Indies			Project Name	Procurement for Staff Transportation Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-15	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 90,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<p>The procurement opportunity was advertised on August 30, 2010. Tenders were to be submitted by September 29, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. The Procuring Entity advised that the proposal exceeded the in-house budget and thus, the tender process was cancelled.</p> <p>The procurement opportunity was re-advertised in November 2010. Tenders were to be submitted by December 15, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The bidders however were deemed non-responsive to the requirements of the Tender Document.</p>						
Status	Procurement process was cancelled.					

Project #	166					
Ministry / Agency	Ministry of Health and Environment / University Hospital of the West Indies			Project Name	Procurement of Electrical Preventive Maintenance and Repair Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 12,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Andrew
Comments						
<p>The procurement opportunity was advertised on August 30, 2010. Tenders were to be returned by October 1, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony. The deadline for submission was subsequently extended until October 8, 2010, to be followed by a Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>By way of a status update, the Procuring Entity informed the OCG that; <i>"One quote was within our in-house estimate of \$12M but it did not include valid NCC registration. The other quoted \$65M which far exceeded our estimate and budget and was therefore rejected."</i></p>						
Status	Procurement process was aborted					

Project #	167					
Ministry / Agency	Ministry of Health and Environment / University Hospital of the West Indies			Project Name	Procurement of Medical Gases	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Sole Source	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement process commenced in May 2009. However the process was aborted, as the bidders who responded to the offer, were deemed non-responsive.</p> <p>The University Hospital of the West Indies (UHWI), by way of a letter which was dated January 28, 2010, sought the endorsement of the NCC to utilise the Sole Source Procurement Methodology in procuring Medical Gases from Industrial Gases Limited (IGL).</p> <p>The referenced letter indicated that; <i>"The Permanent Secretary of the Ministry of Health ...advised the University Hospital of the West Indies (UHWI) to seek permission to sole source medical gases from Industrial Gases Limited (IGL). In support of her advice, the Permanent Secretary cited the difficulty experienced by the Southern Regional Health Authority in receiving a reliable and consistent supply of medical gases for other hospitals from the country's only other supplier ..."</i></p> <p>The NCC, at its meeting of February 3, 2010, endorsed the request for the utilisation of Sole Source Procurement Methodology to award the contract to IGL for two (2) years.</p> <p>Further, the NCC, in its meeting of April 7, 2010, endorsed the recommendation of the Sector Committee to award the contract to IGL, in the amount of J\$92,537,613.27.</p> <p>Subsequent correspondence to the OCG indicated that as at December 31, 2010, the Cabinet's approval had not yet been received.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	At the time of this report, the procurement was at the approval stage.					

Project #	168					
Ministry / Agency	Ministry of Health and Environment / Western Regional Health Authority			Project Name	Chemistry Reagents (Savanna La Mar, Noel Holmes and Falmouth)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-09-02	0000-00-00	2009-11-04	2009-12-16	2010-08-16	2010-10-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lasco Distributors/ Roche Diagnostics Limited	J\$ 55,500,000.00	J\$ 60,460,120.80	2010-10-08	2013-10-07	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on July 29, 2009. Tenders were to be submitted by September 2, 2009 at 12:00 noon to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. Three (3) tenders were deemed non-responsive to the requirements of the Tender Document.</p> <p>Upon evaluation, the sole responsive bidder was recommended for the award of contract.</p> <p>With regards to Procurement Committee's approval, the OCG was informed by the Procuring Entity that since the expenditure level; <i>"is above the Procurement Committee threshold, therefore approval was received from the National Contracts Commission and Cabinet Infrastructure Committee."</i></p> <p>The contract was awarded on October 8, 2010. The Procuring Entity, by way of a status report to the OCG, has advised that to date the contract has not started. This is reportedly due to importation challenges and infrastructural adjustments that have to be made to the laboratories prior to the analysers being delivered and installed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract had not yet started.					

Project #	169					
Ministry / Agency	Ministry of Health and Environment / Western Regional Health Authority			Project Name	Supply of Glucometer Strips and Blood Glucose Monitor	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 25,500,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The procurement opportunity was advertised on October 20, 2010. Tenders were to be submitted by November 9, 2010 at 12:00 noon, to be followed by a scheduled Tender Opening Ceremony at 12:15p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	170					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Bureau of Standards Jamaica			Project Name	Architectural Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Apec Consultants Limited	J\$ 4,500,000.00	J\$ 4,125,000.00	2010-11-01	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity 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 however amended and an Addendum issued to potential bidders. Consequently, the close of Tender was extended to October 10, 2008 at 1:00 p.m., with the Tender Opening Ceremony scheduled for 1:30 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder with the highest evaluated score was recommended for the contract award. The necessary approvals were received, however, owing to changes in the scope of the project; the award of contract was delayed.</p> <p>The signed contract indicated 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>As at the time of this report, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	171					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Bureau of Standards Jamaica			Project Name	Group Life and Accidental Death and Dismemberment (AD&D) Insurance Coverage	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-30	2010-10-08	2010-10-11	0000-00-00	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
NCB Insurance Company Limited	J\$ 0.00	J\$ 3,049,800.00	2010-11-01	2012-10-31	J\$ 514,452.64	Kingston
Comments						
<p>The procurement opportunity was advertised on May 14, 2010. Tenders were to be submitted by June 17, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. in order to facilitate a review of the Tender Document, the deadline for submission was extended to August 30, 2011 at 3:00 p.m., followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) submissions were received, and were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A status report submitted to the OCG indicated that one (1) proposal arrived on time at the Office of the Bureau of Standards Jamaica. However, it was not placed in the Tender Box, as stipulated in the Request for Proposal. The proposal was, therefore, not accepted.</p> <p>The evaluation of proposals was conducted by the Actuarial Firm, Eckler Consultants, and a recommendation made for the award of contract.</p> <p>The contract sum indicated represents the estimated annual premium for 2010/2011.</p> <p>The OCG will continue to monitor the execution of this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	172					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Bureau of Standards Jamaica			Project Name	Insurance Placement - 2010/2011	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-29	2010-06-15	2010-06-23	0000-00-00	0000-00-00	2010-06-24
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Allied Insurance Brokers Limited	J\$ 0.00	J\$ 5,608,798.00	2010-07-01	2011-06-30	J\$ 5,608,798.00	Kingston
Comments						
<p>The procurement opportunity was advertised on February 9, 2010. Tenders were to be submitted by April 29, 2010 at 3:00 p.m., to be followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>Four (4) Brokers responded, submitting a total of eight (8) proposals. The submissions were opened and checked for the eligibility requirements, at the Tender Opening Ceremony. The evaluation was conducted by Eckler Consultants and Actuaries. The Actuary recommended Allied Insurance Brokers Limited for the award of the contract for the three (3) year period, 2010-2013, with the premium for the period 2010/2011 being J\$5,608,798.00.</p> <p>By way of letter dated June 24, 2010, the Bureau of Standards informed Allied Insurance Brokers Limited that they were the successful broker. A status report from the Public Body indicated that; "The annual premium in the sum of \$5,608,798.00 was paid in two installments."</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	173					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Bureau of Standards Jamaica			Project Name	Invitation to Tender for the provision and implementation of a VoIP - Telephony System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-19	2010-12-08	2010-12-15	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 13,300,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 19, 2010. Tenders were to be submitted by October 11, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>The Close of Tender was however extended to October 19, 2010. The Public Body advised the OCG that this was done; "...due to the technical nature of the project and to ensure compliance and satisfaction of all the outlined criteria's in the terms of reference."</p> <p>Eight (8) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bidder with the highest evaluated score was recommended for the contract award.</p> <p>As at December 31, 2010, the approval process was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	174					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Factories Corporation of Jamaica			Project Name	Procurement for Group Health Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-21	0000-00-00	2010-02-16	0000-00-00	0000-00-00	2010-02-25
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Caribbean Assurance Brokers Limited	J\$ 0.00	J\$ 3,731,220.00	2010-03-01	2013-02-28	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 18, 2009. Tenders were to be submitted by December 21, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Four (4) Insurance Brokers and one (1) Insurance Company submitted thirteen (13) proposals, which were opened and verified at the Tender Opening Ceremony.</p> <p>The evaluation was completed by an Actuary, Eckler Consultants & Actuaries.</p> <p>The Head of Entity's approval was obtained. However, the Procurement Committee's approval was not evidenced.</p> <p>The above-mentioned contract award date reflects the date of the letter of acceptance which was submitted by the Contractor; Caribbean Assurance Brokers Limited to the Procuring Entity.</p> <p>The abovementioned contract sum represents the estimated premium for the year 2010/2011.</p> <p>As at December 31, 2010, the Procuring Entity has advised that they are satisfied with the service from the Broker to date.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	175					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Factories Corporation of Jamaica Limited			Project Name	Procurement of Insurance Placement 2010-2012	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-09-29	0000-00-00	2010-02-02	2010-02-24	2010-03-29	2010-03-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Marathon Insurance Brokers Limited	J\$ 75,852,932.00	US\$ 485,706.23	2010-04-01	2012-03-31	US\$ 485,706.23	Kingston
Comments						
<p>The procurement opportunity was advertised on July 22, 2009. Tenders were to be submitted by September 29, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Nine (9) Brokers submitted proposals at the close of tender. The submissions were opened and verified in accordance with the eligibility requirements of the tender.</p> <p>The tenders were evaluated by an actuary, GFRAM Consulting. Marathon Insurance Brokers was recommended for the contract award, with first year premiums payable of J\$37,348,335.00.</p> <p>The National Contracts Commission (NCC) endorsed the award recommendation on February 24, 2010. Cabinet approval was received on March 29, 2010.</p> <p>The Premium Summary Statement 2010 indicated that total premiums payable was US\$485,706.23 (inclusive of GCT). The premiums were paid in accordance with policy.</p> <p>As at December 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the execution of this agreement.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	176					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Jamaica National Agency for Accreditation			Project Name	Procurement for the Installation of an Integrated Computer Solution	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-08	2009-08-04	2009-09-23	0000-00-00	0000-00-00	2009-09-23
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Illuminat Jamaica Limited	US\$ 56,000.00	US\$ 42,816.18	2009-09-14	2009-10-30	US\$ 38,534.56	Kingston
Comments						
<p>The procurement was advertised on March 15, 2009. Tenders were to be returned by April 3, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony. An Addendum was issued which amended aspects of the Tender Document and extended the deadline for submission to April 8, 2009.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, one tender was considered non-responsive, as a result of failure to meet particular technical requirements for the laptops, and the insufficiency of the software installation and services requirement.</p> <p>The remaining tenders were evaluated by Fiscal Services Limited in accordance with the evaluation criteria which were outlined in the Tender Document.</p> <p>The bidder, who attained the highest overall evaluated score, was recommended for the contract award.</p> <p>The requisite approvals were gained. The contract, which had an effective date of September 14, 2009, was signed on September 23, 2009.</p> <p>Upon the signing of the contract a mobilisation fee of twenty percent (20%) was paid to the contractors.</p> <p>By way of status report dated January 31, 2010, the Procuring Entity informed the OCG that; <i>"Based on the Action Register which was set out, as at January 4, 2010 most deliverables as set out therein are now in place..."</i></p> <p>In a status report dated August 17, 2010, the Procuring Entity further informed the OCG that;</p> <p><i>"The Illuminat (Jamaica) Limited team concluded major configuration tasks in April 2010...The job was reviewed by Fiscal Services and signed off on May 19, 2010..."</i></p> <p><i>A Professional Services Maintenance Contract is now in place, for the period June 2010 to June 2011."</i></p> <p><i>As all goods and associated services have been delivered and the sign off and acceptance schedule has been done, a further seventy percent (70%) payment - which represents "other payments" fee has been made to Illuminat (Jamaica) Limited."</i></p> <p>As at December 31, 2010, the Procuring Entity was withholding ten percent (10%) of the agreed payment, subject to the delivery of back up tape drives.</p>						
Status	As at the time of this report, the contract was 98% complete					

Project #	177					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Jamaica Promotions Corporation			Project Name	Consultancy to Develop Agri-Business	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-19	0000-00-00	2010-03-31	0000-00-00	0000-00-00	2010-03-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Elite Business Solutions	J\$ 0.00	J\$ 2,083,000.00	2010-04-21	2010-07-14	J\$ 2,077,600.00	Kingston
Comments						
<p>On March 5, 2010, JAMPRO invited tenders for a research consultant to develop investment/ opportunity profiles on several agricultural and value added products.</p> <p>Tenders were to be submitted by March 19, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. A comparative estimate was not disclosed by the Procuring Entity during the Tender Opening Ceremony.</p> <p>Subsequent to evaluation, Elite Business Solutions, the bidder who attained the highest evaluated score was recommended for the award of contract.</p> <p>There was no evidence of Procurement Committee approval; however in a meeting held on March 30, 2010, the Board of Directors approved the recommendation.</p> <p>The contract sum was \$1,850,000.00 plus \$233,000 for the costs of product formulation. Payment of the latter would be done according to the number of formulations procured by the Consultant.</p> <p>A status report provided by JAMPRO indicates that the project concluded in November 2010.</p>						
Status	As at the time of this report, the contract was completed.					

Project #	178					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Jamaica Promotions Corporation (JAMPRO)			Project Name	Implementation Support for the Jamaican International Financial Services Centre (IFSC)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2009-08-12	2009-08-28	2009-09-17	2009-10-14	0000-00-00	2010-03-08
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Baker & McKenzie LLP	J\$ 17,940,000.00	US\$ 250,000.00	2010-03-08	0000-00-00	US\$ 254,352.78	Kingston
Comments						
<p>The National Contracts Commission (NCC), in its meeting held of June 24, 2009, endorsed the request of Jamaica Trade and Invest, to utilise the Limited Tender Procurement Methodology for the captioned procurement opportunity. The NCC also noted the four (4) firms which were to be invited to submit tenders.</p> <p>Three (3) tenders were received when the tender closed on August 12, 2009. One (1) tender was received after the close, and was rejected.</p> <p>The evaluation was conducted in accordance with the evaluation criteria as outlined in the Tender Document. The bidder who attained the highest score, subsequent to the evaluation of the technical proposals, was recommended, and approved, for the award of contract.</p> <p>The contract, for the value of US\$250,000, was awarded on March 3, 2010, and had a provision for reimbursable expenses. The OCG has noted that neither a duration, nor end date, were stated in the contract document.</p> <p>Jamaica Promotions Corporation, in a status report to the OCG, has advised that; <i>"All specific objectives were met and reports were received within the given timelines. The Consultants will provide on-going support as requested to the IFSC Implementation Committee and the legislative drafted during the drafting process to help ensure that the legislative objectives are met."</i></p> <p>Documentation provided by JAMPRO indicated that total expenditure under the project amounted to US\$254,352.78. The additional amount in excess of the contract value was related to the cost of expenses incurred by the consultant.</p>						
Status	As at the time of this report, the contract was completed.					

Project #	179					
Ministry / Agency	Ministry of Industry, Investment and Commerce / Jamaica Promotions Corporation (JAMPRO)			Project Name	Auditing Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	J\$ 4,200,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 28, 2010.</p> <p>Tenders were to be submitted by November 30, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation was not yet completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	180					
Ministry / Agency	Ministry of Labour and Social Security / Ministry of Labour and Social Security			Project Name	Process Re-engineering of Pension Payment Process	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-01-05	0000-00-00	2010-04-20	2010-05-05	0000-00-00	2010-09-20
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
IOS Partners Inc	US\$ 104,000.00	US\$ 372,305.00	2010-09-20	2011-04-19	J\$ 3,210,707.57	All Island
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on June 21, 2009. Expressions of Interest were to be submitted by July 10, 2009.</p> <p>Twelve (12) submissions were received within the stipulated time period. Upon evaluation, six (6) consultants were shortlisted.</p> <p>The Request for Proposal was issued to the shortlisted firms on November 17, 2009. Proposals were to be submitted by January 5, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:05 p.m. Prior to the deadline for submission; one (1) short-listed candidate withdrew.</p> <p>Three (3) proposals were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Two (2) candidates attained the minimum required score in order to qualify for the opening of financial proposals.</p> <p>Subsequent to the opening of the financial proposal, the consultant which submitted the lower priced proposal was recommended for the award of the contract.</p> <p>Evidence of Procurement Committee's approval was not provided by the Procuring Entity.</p> <p>The contract was awarded on September 20, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	181					
Ministry / Agency	Ministry of National Security / Citizen Security and Justice Programme			Project Name	Expression of Interest for the engagement of Non-Government Organization to deliver Consulting Services to design and deliver Violence Prevention Programmes in twenty-six (26) communities	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-06	2010-10-13	2010-11-26	2010-12-08	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 29,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The captioned Expression of Interest was initially advertised on January 17, 2010. However, only one applicant satisfied the requirement of National Contracts Commission (NCC) registration.</p> <p>Citizen Security and Justice Programme subsequently submitted a request to the NCC, to waive the requirement for NCC registration. The NCC considered the matter at its meeting of March 17, 2010, and did not endorse the referenced request.</p> <p>Based upon the foregoing, the Procuring Entity re-tendered the procurement opportunity.</p> <p>The procurement opportunity was re-advertised on April 4, 2010. Expressions of Interest were to be submitted by April 19, 2010 at 3:00 p.m.</p> <p>For the procurement opportunity, the communities were clustered into zones, five (5) for the Kingston Metropolitan Area (KMA) and the Western region, respectively. Non-government Organisations (NGOs) were allowed to bid on more than one zone but would be awarded a contract for only one zone.</p> <p>Nine (9) NGO's responded, however, only five (5) were short listed.</p> <p>No submissions were received for any zone in the Western region at the Expression of Interest stage.</p> <p>The Evaluation Report which was provided by the Procuring Entity stated that; <i>"The Information to Consultants, as included in the RFP, inadvertently stipulated a validity period of 30 days instead of the usual 120 days. In light of the time over-run on the exercise, the organizations were asked, and agreed to extend their bids for 120 days (July 23 to November 22, 2010)."</i></p> <p>The requisite internal approvals were obtained and the submission was subsequently made to the National Contracts Commission (NCC) for endorsement.</p> <p>In its letter of endorsement which was, dated December 9, 2010, to the Ministry of National Security, the NCC noted that; <i>"... the Financial Proposals were opened contrary to the Request for Proposal and is of the opinion that in this instance, the outcome would not be affected."</i></p> <p>In the referenced letter of December 9, 2010, the NCC also recommended that; <i>"... procedures be put in place to ensure that the irregularity does not reoccur."</i></p> <p>As at December 31, 2010, the contract award was pending.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	Contract award pending					

Project #	182					
Ministry / Agency	Ministry of National Security / Department of Correctional Services			Project Name	Procurement of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-01-16	0000-00-00	2009-07-14	2009-07-29	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 164,669,177.40	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>During February 2008, the Department of Correctional Services (DCS) invited applicants to pre-qualify for the provision of Security Services to selected Adult Correctional Centres and Probation Offices. The deadline for submission was February 29, 2008.</p> <p>Four (4) companies submitted applications within the stipulated period. Subsequent to the evaluation of pre-qualification applications, the two (2) bidders who exceeded the minimum required score were shortlisted for the submission of proposals, while the two (2) bidders, who did not meet the required score, were disqualified. DCS has indicated that the bidders were advised of the outcome.</p> <p>The pre-qualified companies were invited to tender by way of letter dated November 28, 2008. Tenders were to be submitted by December 30, 2008. This deadline date was subsequently extended to January 16, 2009.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony. Subsequent to the evaluation of the bids, the bidder who attained the highest evaluated score was recommended for the award of the contract.</p> <p>Approval from the Procurement Committee was not evidenced, however the Head of Entity approved the recommendation for contract award, and a submission was made to the Sector Committee. The National Contracts Commission (NCC) endorsed the recommendation in its meeting of July 29, 2009.</p> <p>By way of a letter to the OCG dated August 24, 2010, the DCS advised the OCG, <i>inter alia</i>, that; <i>"Due to significant budgetary constraints, the DCS decided to significantly reduce the number of security guards employed for security service... this new situation raised uncertainty as to the procedure to be followed in completing the tender process"</i>. With respect to the foregoing, the DCS, by way of letter dated February 3, 2010, had requested the guidance of the Attorney General's Office regarding the procedure to be followed in completing the tender process and amending the draft contract. In the referenced letter, the DCS stated that;</p> <p><i>"At the time of tender the bid offer was One Hundred and Thirty Eight Million, Four Hundred and Fifteen Thousand, One Hundred and Sixty Dollars (\$138,415,160.00) However, due to financial constraints there was a significant reduction in the number of guards deployed to the institutions. Currently, thirty-one (31) guards are deployed resulting in annual payment of Thirty Six Million, Nine Hundred and Ninety Three Thousand, and Six Hundred Dollars (\$36,993,600.00) to Allied Protection Limited..."</i></p> <p>As at December 31, 2010, a response from the Attorney General's Office was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was on hold, as the Procuring Entity awaited a response from the Attorney General's Office.					

Project #	183					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home & Morgue	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Doyley's Funeral Home	J\$ 0.00	J\$ 0.00	2010-11-01	2011-10-31	J\$ 1,324,600.00	Westmoreland
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements, for the provision of funeral home and/or morgue services islandwide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Fifteen (15) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the Tender Document. Twelve (12) tenders were deemed responsive.</p> <p>Subsequent to the evaluation of the tenders, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations island wide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> • \$250 - \$1000 for storage/daily; and • \$1500 - \$25,000 for post mortem services. <p>The approvals were gained and the contract awarded accordingly. However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>Doyley's Funeral Homes was recommended and approved to provide storage and post mortem facilities at a rate of \$350.00 daily, per body, for storage of bodies and \$2,500.00 for post mortem facilities.</p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	184					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home & Morgue Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
St. Michael's Funeral Home	J\$ 0.00	J\$ 0.00	2010-11-01	2011-10-31	J\$ 0.00	Saint Ann
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements, for the provision of funeral home and / or morgue services island-wide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Fifteen (15) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the tender. Twelve (12) tenders were deemed responsive.</p> <p>Subsequent to the evaluation of the tenders, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations island wide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> \$250 - \$1000 for storage/daily; and \$1500 - 25,000 for post mortem services. <p>The approvals were gained and the contract awarded accordingly. However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>St. Michael's Funeral Home was recommended and approved to provide storage and post mortem facilities at a rate of \$500.00 daily, per body, for storage of bodies; and \$3,000.00 for post mortem facilities.</p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at December 31, 2010, the contract was being executed.					

Project #	185					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home & Morgue Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Robert's Funeral Home & Services	J\$ 0.00	J\$ 0.00	2010-11-01	2011-01-31	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements, for the provision of funeral home and / or morgue services islandwide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Fifteen (15) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the Tender Document. Twelve (12) tenders were deemed responsive.</p> <p>Subsequent to the evaluation of the tenders, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations islandwide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> • \$250 - \$1000 for storage/daily; and • \$1500 - \$25,000 for post mortem services. <p>The approvals were gained and the contract awarded accordingly. However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>Robert's Funeral Home was recommended and approved to provide post mortem facilities at a rate of \$ 5,000.00 per day.</p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	186					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home & Morgue Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Witter & Son's Funeral Home	J\$ 0.00	J\$ 0.00	2010-11-01	2011-10-31	J\$ 441,000.00	Clarendon
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements, for the provision of funeral home and/or morgue services islandwide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Fifteen (15) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the Tender Document. Twelve (12) tenders were deemed responsive.</p> <p>Subsequent to the evaluation of the bids, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations islandwide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> \$250 - \$1000 for storage/daily; and \$1500 - \$25,000 for post mortem services. <p>The approvals were gained and the contract awarded accordingly. However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>Witter & Son's Funeral Home was recommended and approved to provide storage facilities at a rate of \$850.00 per body, per day.</p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	187					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home and Morgue Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Mizpah Funeral Home	J\$ 0.00	J\$ 0.00	2010-11-01	2011-10-31	J\$ 947,900.00	Saint Mary
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements, for the provision of funeral home and/or morgue services islandwide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Fifteen (15) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the Tender Document. Twelve (12) were deemed responsive.</p> <p>Subsequent to the evaluation of the tenders, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations islandwide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> • \$250 - \$1000 for storage/daily; and • \$1500 - \$25,000 for post mortem services. <p>The approvals were gained and the contract awarded accordingly. However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>Mizpah Funeral Home was recommended and approved to provide storage facilities and transportation services at a rate of \$900.00 daily, per body for storage of bodies and \$45 per kilometre for retrieval and transportation of bodies from the place of death.</p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	188					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home/Morgue Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Bent's Funeral Home	J\$ 0.00	J\$ 0.00	2010-11-01	2011-01-31	J\$ 0.00	Saint Elizabeth
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements, for the provision of funeral home and/or morgue services islandwide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Fifteen (15) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements of the Tender Document. Twelve (12) were deemed responsive.</p> <p>Subsequent to the evaluation of the tenders, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations island wide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> \$250 - \$1000 for storage/daily; and \$1500 - \$25,000 for post mortem services. <p>The approvals were gained and the contract awarded accordingly. However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>Bent's Funeral Home was recommended and approved to provide storage and post mortem facilities at a rate of \$ 250.00 daily, per body for storage of bodies and \$1,500.00 for post mortem facilities.</p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	189					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home/Morgue Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Bent's Funeral Home (Santa Cruz)	J\$ 0.00	J\$ 0.00	2010-11-01	2011-10-31	J\$ 0.00	Saint Elizabeth
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements for the provision of funeral home and/or morgue services islandwide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Fifteen (15) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the Tender Document. Twelve (12) were deemed responsive.</p> <p>Subsequent to the evaluation of the tenders, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations islandwide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> • \$250 - \$1000 for storage/daily; and • \$1500 - \$25,000 for post mortem services. <p>The approvals were gained and the contract awarded accordingly. However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>Bent's Funeral Home (Santa Cruz) was contracted to provide storage and post mortem facilities at a rate of \$250.00 daily, per body for storage of bodies and \$2,000.00 for post mortem facilities.</p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	190					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home/Morgue Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	2010-11-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
C. Brown & Sons Funeral Home	J\$ 0.00	J\$ 0.00	2010-11-01	2011-10-31	J\$ 572,000.00	Saint Elizabeth
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements, for the provision of funeral home and or morgue services islandwide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m.</p> <p>Fifteen (15) tenders were received, opened and verified at the in accordance with the eligibility requirements of the Tender Document. Twelve (12) were deemed responsive.</p> <p>Subsequent to the evaluation of the tenders, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations islandwide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> \$250 - \$1000 for storage/daily; and \$1500 - \$25,000 for post mortem services. <p>The approvals were gained and the contract awarded accordingly. However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>C. Brown & Sons Funeral Home was recommended and approved to provide post mortem facilities at a rate of \$ 1,500.00 per day.</p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	191					
Ministry / Agency	Ministry of National Security / Jamaica Constabulary Force			Project Name	Provision of Funeral Home/Morgue Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-28	0000-00-00	2010-07-29	2010-09-08	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Madden's Funeral Home	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 26, 2009.</p> <p>The Jamaica Constabulary Force (JCF) was seeking to contract funeral homes, through framework agreements, for the provision of funeral home and /or morgue services islandwide.</p> <p>Tenders were to be submitted by August 28, 2009 at 2:00 p.m., to be followed by a Tender Opening Ceremony. Fifteen (15) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the Tender Document. Twelve (12) were deemed responsive.</p> <p>Subsequent to the evaluation of the tenders, seven (7) funeral homes were recommended to provide storage and post mortem services in distinct geographic locations islandwide, whilst two (2) funeral homes were recommended for storage of bodies or post mortem services only.</p> <p>The price of the services ranged from:</p> <ul style="list-style-type: none"> • \$250 - \$1000 for storage/daily; and • \$1500 - \$25,000 for post mortem services. <p>Madden's Funeral Home was recommended to provide storage and post mortem facilities.</p> <p>The Head of Entity and the National Contracts Commission approval was obtained.</p> <p>However, the Procurement Committee's approval for the contract award recommendation was not evidenced. Further to a request which was made by the OCG, the JCF stated that; <i>"This document cannot be located despite a detailed search/review of the procurement files."</i></p> <p>Notably, the JCF failed to prepare a comparable estimate for the captioned procurement.</p> <p>As at December 31, 2010, the Cabinet's approval was pending.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	192					
Ministry / Agency	Ministry of National Security / Jamaica Defence Force			Project Name	Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on April 14, 2010.</p> <p>Tenders were invited for:</p> <ul style="list-style-type: none"> Burial; Laundry & Dry Cleaning; Uniform Manufacturing and Tailoring; and Garbage Services. <p>Tenders were to be submitted by May 14, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>A status update which was provided by the Jamaica Defence Force has indicated that due to the Security Services Operations in 2010, the tenders were postponed.</p>						
Status	The procurement has been put on hold.					

Project #	193					
Ministry / Agency	Ministry of National Security / Ministry of National Security			Project Name	Procurement of Computers, Software, Network, Cabling & Related Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-01-12	2010-04-19	2010-05-03	2010-05-12	0000-00-00	2010-08-20
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
MediaNet Limited	US\$ 228,000.00	US\$ 179,088.24	2010-08-20	2010-09-17	US\$ 179,088.24	All Island
Comments						
<p>The procurement opportunity was initially advertised on July 12, 2009. The contract award recommendation was submitted to the National Contracts Commission (NCC) on October 10, 2009.</p> <p>Subject to an analysis of the tender process, which was conducted by Fiscal Services Limited, the NCC, by way of a letter dated November 13, 2009, advised the Ministry of National Security that the procurement should be re-tendered, as the Request for Proposal failed to specify adequate service requirements and other mandatory requirements.</p> <p>The NCC further recommended, in a letter dated December 10, 2009, that a revised Tender Document be prepared. The revised Tender Document should be issued to only the five (5) bidders, who had originally submitted proposals.</p> <p>Letters of Invitation, dated December 28, 2009, were issued to the bidders who had previously tendered. Tenders were to be submitted by January 12, 2010 at 2:00 p.m.</p> <p>Four (4) companies submitted tenders which were opened and verified in accordance with the eligibility requirements outlined in the Tender Document.</p> <p>Upon evaluation, the bidder who attained the highest evaluated score was recommended for the contract award.</p> <p>The requisite approvals were received and the contract was awarded on August 20, 2010.</p> <p>The procured items were to be distributed to the various Police Stations and Divisional Headquarters of the Jamaica Constabulary Force (JCF).</p> <p>During the implementation of the contract, the JCF requested modifications to the schedule of supplies. Consequently, the Contractor's activities were placed on hold pending agreed adjustments to the schedule of supply.</p> <p>As at December 31, 2010, the procured items were being stored at the Contractor's warehouse.</p>						
Status	As at the time of this report, the contract was on-hold.					

Project #	194					
Ministry / Agency	Ministry of National Security / Passport, Immigration & Citizenship Agency			Project Name	Procurement for Security Guard Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 12,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The captioned procurement opportunity was originally offered for tender by way advertisement on February 21, 2010.</p> <p>Five (5) tenders were received and opened during the Tender Opening Ceremony which was held on March 24, 2010. The Procuring Entity had failed to state the Evaluation Criteria in its Tender Document, as such, the OCG recommended that the process be aborted and re-tendered.</p> <p>The procurement opportunity was advertised on October 31, 2010. Tenders were to be submitted by December 9, 2010 at 2:00 p.m., to be followed by a Tender Opening Ceremony at 2:15 p.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, evaluation is not completed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	195					
Ministry / Agency	Ministry of National Security / Passport, Immigration and Citizenship Agency			Project Name	Janitorial and Sanitation Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-21	2010-08-31	2010-08-31	0000-00-00	0000-00-00	2010-09-27
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Manpower & Maintenance Services Limited	J\$ 3,200,000.00	J\$ 3,266,842.92	2010-10-15	2011-09-30	J\$ 490,497.87	All Island
Comments						
<p>The procurement opportunity was advertised on March 14, 2010. Tenders were to be submitted by April 16, 2010 at 2:00 p.m., to be followed by a Tender Opening Ceremony at 2:15 p.m.</p> <p>The OCG, having identified deficiencies with the Tender Document, recommended that the Passport, Immigration and Citizenship Agency (PICA) extend the tender period, in order to facilitate the issuance of an addendum to correct the deficiencies identified.</p> <p>By way of addenda, the deadline for the submission of bids was extended until May 21, 2010.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>One (1) tender was determined to be non-responsive. Subsequent to the evaluation of the responsive bids, Manpower and Maintenance Services Limited, the bidder who attained the highest scores, was recommended for the award of the contract.</p> <p>The requisite approvals were gained and the contract was executed accordingly.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	196					
Ministry / Agency	Ministry of National Security / The Jamaica Constabulary Force			Project Name	Protective Vests for the Police	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Sole Source	0000-00-00	0000-00-00	2010-03-04	0000-00-00	2010-11-10	2010-04-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Hawk Protection Limited	J\$ 0.00	GBP 628,000.00	2010-04-16	2011-04-16	GBP 314,000.00	Kingston
Comments						
<p>The National Contracts Commission (NCC) at its meeting of March 18, 2009, granted permission for the Public Body to utilise the Sole Source Procurement Methodology to procure the subject items.</p> <p>Cabinet at its meeting of April 6, 2010, considered a Submission for the approval of the award of contract for the procurement of two thousand (2,000) Protective Vests. However, upon review of the documents submitted, it was noted that there was a discrepancy with regard to the quantity of items required. Cabinet therefore took the decision to approve the contract award for only one thousand (1,000) items, and recommended that a new Submission be presented for the additional one thousand (1,000) items.</p> <p>The procurement of the first batch of one thousand (1,000) Protective Vests was approved by Cabinet, by way of Cabinet Decision No. 13/10, which was dated April 16, 2010. The Submission for the remaining one thousand (1,000) items was considered by Cabinet and approved by way of Cabinet Decision No. 41/10, which was dated November 8, 2010.</p> <p>Documents obtained by the OCG, indicated that one thousand (1,000) Bullet-Proof Vests had been delivered in two (2) batches of five hundred (500) each, on September 22, 2010 and October 15, 2010, respectively. Full payment of GBP 314,000.00 was made to the Contractor, in two (2) installments of GBP 157,000.00, in June and July 2010, respectively.</p> <p>As at December 31, 2010, payment of an additional GBP 314, 000.00 was pending to cover the remaining one thousand (1,000) Vests.</p> <p>The delivery of the last batch of Bullet-proof Vests 1,000 is scheduled for April 2011.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	197					
Ministry / Agency	Ministry of Tourism / Devon House Development Limited			Project Name	Provision of Private Security Guard Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 14,718,144.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was publicly advertised on September 10, 2010. Tenders were to be submitted by September 24, 2010.</p> <p>The OCG noted that the tender period provided for the submission of bids, for the captioned procurement, was fourteen (14) days. Based upon the nature and estimated value of the procurement, the period for bid submission was insufficient. In accordance with <i>Sub-Section S-2090</i> of the Government of Jamaica Handbook of Public Sector Procurement Procedures, the minimum tender period should have been twenty-one (21) days. Accordingly, the OCG referred the Procuring Entity to the referenced Sub-Section and recommended that the tender period be extended.</p> <p>Additionally, subsequent to a review of the Tender Document, the OCG recommended that the Evaluation Criteria be reviewed, as the Procuring Entity failed to provide objective and measurable criteria with applicable scales and weightings.</p> <p>The recommendations of the OCG were accepted by the Procuring Entity, and an addendum was issued to the prospective bidders. The deadline for submission of tenders was also extended to October 27, 2010.</p> <p>Twelve (12) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, four (4) tenders were deemed non-responsive for failure to submit the required documents.</p> <p>As at December 31, 2010, the eight (8) remaining tenders were being evaluated.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	198					
Ministry / Agency	Ministry of Tourism / Jamaica Tourist Board			Project Name	Group Personal Accident and Group Health Insurance	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
0	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on August 22, 2010. Tenders were to be submitted by October 26, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) Brokers/ Insurance Company submitted proposals, which were opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria.</p> <p>One (1) of the brokers was deemed non-responsive.</p> <p>Sixteen (16) proposals, which were received from the four (4) responsive bidders, were evaluated.</p> <p>The tenders were evaluated by the actuarial firm, GFRAM Consulting, which was retained by the Jamaica Tourist Board by way of the Limited Tender procurement methodology.</p> <p>Subsequent to the evaluation of the bids, an alternative proposal which was received from an Insurance Company was recommended for the award of the contract.</p> <p>No evidence of the Procurement Committee's approval was provided.</p> <p>As at December 31, 2010, the Board was in the process of evaluating the recommendation made by the Consultant.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	199					
Ministry / Agency	Ministry of Tourism / Tourism Product Development Co. Ltd.			Project Name	Development Plan for Bath Fountain	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-01	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
0	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Thomas
Comments						
<p>The procurement opportunity was advertised on January 17, 2010. Tenders were to be submitted by March 1, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m.</p> <p>No comparable estimate was stated on the Tender Opening Form</p> <p>Two (2) tenders were received, opened at verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A status update which was provided by the Tourism Product Development Company Limited, and which was dated October 26, 2010, indicated that the project was aborted.</p> <p>As at December 31, 2010, the project was on hold due to lack of funds.</p>						
Status	As at the time of this report, the project was on hold					

Project #	200					
Ministry / Agency	Ministry of Transport and Works / Aeronautical Telecommunications Limited			Project Name	Provision of Motor Vehicles	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-12	0000-00-00	2010-03-23	0000-00-00	0000-00-00	2010-03-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Vehicles & Supplies (industrial Division Limited)	J\$ 8,000,000.00	J\$ 6,571,342.00	2010-03-31	2010-04-08	J\$ 6,571,342.00	Kingston
Comments						
<p>The procurement opportunity was advertised in October 2009. Aeronautical Telecommunications Limited (Aerotel) received permission from the Ministry of Finance and the Public Service (MOFPS) for the purchase of the two pick up motor vehicles.</p> <p>Two (2) tenders were received within the stipulated period for submission. The process was however aborted as the tender validity period had expired and the bidders did not agree to an extension.</p> <p>The procurement opportunity was re-advertised on February 28, 2010. Tenders were to be submitted by March 12, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was deemed non-responsive as the bidder failed to submit the requisite documents as stipulated in the Tender Document. The remaining three (3) bidders were evaluated and a recommendation was made by the Evaluation Committee. This recommendation was subsequently approved by the Procurement Committee.</p> <p>The recommendation was not accepted by the Head of Entity as it was felt that the recommended bidder did not meet the required specifications. The Head of Entity recommended another bidder for the award of contract and this was subsequently approved by the Board of Directors.</p> <p>The contract was awarded to Vehicles and Supplies on March 31, 2010.</p> <p>The contract was executed on March 31, 2010, and the vehicles were received in April.</p>						
Status	Contract was completed.					

Project #	201					
Ministry / Agency	Ministry of Finance and the Public Service / Air Jamaica Limited			Project Name	Procurement of Pilot Uniform	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-01-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 2,831,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 23, 2008. Tenders were to be submitted by January 20, 2009 at 3:30 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>During the evaluation process, the Procuring Entity requested an extension of the bid validity period by way of letter dated June 3, 2009.</p> <p>By way of letter which was dated July 6, 2010, the Procuring Entity informed the OCG that; "...a letter requesting an extension of the bid validity was sent to the two (2) companies that submitted proposals but given that no response was received the bids were no longer considered to be valid. The process was therefore aborted."</p>						
Status	Procurement process aborted					

Project #	202					
Ministry / Agency	Ministry of Transport and Works / Jamaica Civil Aviation Authority			Project Name	Procurement of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-13	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The initial tender process began in May 2009. Ten (10) bids were received and opened at the Tender Opening Ceremony on June 10, 2009. However, correspondence submitted to the Office of the Contractor General (OCG) indicated that, after a protracted period of time; "... our Board of Directors requested a re-advertisement for the Procurement of Security Services, as there was a change in the scope of work..."</p> <p>The procurement opportunity was re-advertised on September 19, 2010. Tenders were to be submitted by October 26, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:30 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was not yet completed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the procurement process was at the evaluation stage.					

Project #	203					
Ministry / Agency	Ministry of Transport and Works / Jamaica International Free Zone Development Limited			Project Name	Procurement of Water Cooling Tower and Removal and Disposal of Existing Cooling Tower	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-05	2010-06-28	2010-07-16	0000-00-00	0000-00-00	2010-10-25
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
CAC 2000 Limited	J\$ 7,000,000.00	J\$ 5,865,472.31	2010-10-25	2011-01-03	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on April 4, 2010. Tenders were to be submitted by April 23, 2010. An advertisement, which was subsequently published on April 21, 2010, advised that the deadline for submission was extended to 9:00 a.m. on May 5, 2010.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, one (1) tender was deemed non-responsive, as the company did not submit the required supplementary documentation. The remaining tenders were evaluated in accordance with the evaluation criteria outlined in the Tender Document.</p> <p>The responsive bidder, who had submitted the lowest priced tender, was recommended for the contract award.</p> <p>The requisite approvals were obtained and the contract award was successfully conducted.</p> <p>As at December 31, 2010, the order for the required item had been submitted and delivery was slated to occur by February, 2011.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	204					
Ministry / Agency	Ministry of Transport and Works / Jamaica International Free Zone Development Ltd.			Project Name	Procurement of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Government to Government	0000-00-00	2010-11-11	2010-10-26	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on June 3, 2009. Fourteen (14) tenders were received, and subsequent to evaluation, a recommendation was made for the award of contract. The Procuring Entity reportedly aborted the process, as the National Contracts Commission (NCC) did not endorse the submission, and had recommended that the services should be re-tendered.</p> <p>In the second instance, the procurement opportunity was advertised on July 23, 2010. By way of letter dated September 2, 2010, the OCG informed the Procuring Entity of deficiencies in the Tender Document. Consequently, the decision was taken to abort the tender process.</p> <p>By way of letter dated December 6, 2010, documentation was submitted to the OCG which indicated that, the decision was taken to formalise arrangements with Port Security Corp (PSC), a government agency, for the provision of security services. It was further stated that PSC is currently providing this service on a monthly basis and approval was granted to prepare a contract with this company for security services. The report which was submitted also indicated that; <i>"To assess the reasonableness of the sum quoted by PSC, and to ensure that the rates being charged are competitive; three (3) other quotations that were submitted to the PAJ in the recently aborted tender exercise...were used as a basis of comparison."</i></p> <p>The approvals of the Head of Entity and the Procurement Committee were received.</p> <p>As at December 31, 2010, the contract was being prepared by the Legal Department of the Port Authority of Jamaica.</p>						
Status	As at the time of this report, the contract was being prepared.					

Project #	205					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Administrative Staff Uniforms	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-24	2009-06-05	2009-06-05	0000-00-00	0000-00-00	2009-10-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
L.P. Azar Limited	J\$ 0.00	J\$ 5,529,800.00	2009-10-15	2010-02-03	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised in March 2009. Tenders were to be submitted by April 24, 2009 at 3:00 p.m., to be 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>Subsequent to evaluation, the sole bidder was recommended for the award of contract.</p> <p>The contract which was signed on October 30, 2009, which had a commencement date of October 15, 2009 and had a scheduled duration of sixteen (16) weeks.</p> <p>JUTC has reported that delivery of the Non-administrative staff uniforms was not completed until November 26, 2010. The delay in delivery was reportedly due to the supplier experiencing difficulties in securing the materials for the uniforms.</p> <p>L.P. Azar was also the successful contractor for the Non-administrative staff uniform contract. The OCG was not provided with a breakdown of the payments under each contract. However, a total of J\$12,500,000.00 has been paid to the contractor for the Administrative and Non-Administrative Staff Uniforms contracts.</p>						
Status	Contract was completed					

Project #	206					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Advertising Agents	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-02	2010-05-14	2010-05-14	0000-00-00	0000-00-00	2010-12-24
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
National Outdoor Advertising Limited	J\$ 76,139,592.00	J\$ 0.00	2010-12-20	2012-12-20	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on January 15, 2010. Suitable contractors were invited to submit proposals to develop, market and sell advertisement on Jamaica Urban Transit Company's buses. Tenders were to be submitted by February 22, 2010 at 3:00 p.m., to be followed by a Tender Opening Ceremony at 3:15 p.m. The Jamaica Urban Transit Company (JUTC) extended the period for submission in order to facilitate responses to bidder queries and to accommodate site visits.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) bid was deemed ineligible as the Contractor was not registered in the required National Contracts Commission (NCC) category.</p> <p>The sole responsive bidder, National Outdoor Advertising Limited, was recommended and approved for the award of contract.</p> <p>The comparable estimate indicated above represents JUTC's estimated revenue over the period. Having considered the matter, in its meeting of July 21, 2010, the NCC noted that the project, as presented, was not a procurement matter.</p> <p>The contract was awarded on December 24, 2010. Under the Agreement, JUTC is guaranteed 60% of the gross revenue for the two (2) year period.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	207					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Auditing and Tax Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-03	2010-07-28	2010-07-28	2010-09-22	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 10,020,750.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on May 9, 2010. Tenders were to be submitted by May 27, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. The deadline for submission to was extended to June 3, 2010 at 3:00 p.m., due to unrest in the Corporate Area.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>One (1) bidder did not earn the requisite score, subsequent to the evaluation of the technical proposals, in order to proceed to financial evaluation.</p> <p>The financial proposals of the remaining three (3) bidders were evaluated. The bidder with the lowest proposed price was recommended and approved for the award of the contract.</p> <p>The National Contracts Commission (NCC) endorsed the recommendation for award of contract.</p> <p>As at December 31, 2010, the contract was not yet finalised.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract not yet finalised.					

Project #	208					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Excess of Loss Liability Insurance	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised in October 2010. The deadline for submission is scheduled for February 3, 2011.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	The deadline for submission is pending.					

Project #	209					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Garbage Disposal Services 2010-2012	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-29	2010-12-21	2010-12-22	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,351,638.72	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on September 22, 2010. Tenders were to be submitted by October 29, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony on October 29, 2010 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. All bidders were deemed responsive. The evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document. The bidder, who received the highest score after evaluation, was recommended for the award of contract.</p> <p>As at December 31, 2010, the requisite approvals were received however, the Contract was not executed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Contract being finalised					

Project #	210					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-05	2010-03-18	2010-03-18	2010-05-12	2010-07-19	2010-06-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Allied Insurance Brokers	J\$ 0.00	J\$ 54,675,963.05	2010-06-30	2011-06-30	J\$ 25,697,658.98	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on December 2, 2009. Tenders were to be submitted by January 5, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony on January 5, 2010 at 3:15 p.m.</p> <p>Submissions were received from five (5) Brokers who submitted a total of twenty-eight (28) proposals. The evaluation of the proposals was completed by the Actuary, GFRAM Consulting, who was selected using the Limited Tender Procurement Methodology, in accordance with Sub-Section S-4000 of the GOJ Public Sector Procurement Procedures.</p> <p>Allied Insurance Broker was recommended for the award of contract, in the amount of J\$48,056,658.00. The recommendation was endorsed by the National Contracts Commission (NCC) and the Cabinet.</p> <p>Coverage has been effected for the period June 30, 2010 to June 30, 2011. It was however noted that there was an addition of two (2) sets of fifty (50) buses each, to the Insurance Coverage.</p> <p>The OCG has not been provided with any documentation to indicate that a formal contract has been executed. The value above represents the first year's insurance premiums.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Coverage has been effected					

Project #	211					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Non-administrative Staff Uniforms	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-01	2009-06-17	2009-06-23	2009-07-29	0000-00-00	2009-10-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
L.P. Azar Limited	J\$ 0.00	J\$ 7,852,700.00	2009-10-16	2010-01-21	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised in March 2009. Tenders were to be submitted by May 1, 2009 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, of which one (1) bid was deemed non-responsive.</p> <p>Subsequent to the evaluation, the sole responsive bidder was recommended for the award of contract, in the amount of J\$11,655,675.00. The requisite approvals were received from the Procurement Committee, the Head of Entity and the NCC, respectively. Subsequent to the endorsement of the NCC which was received on July 29, 2009, the Jamaica Urban Transit Company Limited (JUTC) advised the NCC that the contract sum was reduced to J\$7,852,700.00, mainly due to staff attrition and uniforms that were already in storage.</p> <p>The contract which was signed on October 30, 2009, had a commencement date of October 16, 2009 and a scheduled duration of fourteen (14) weeks.</p> <p>JUTC has reported that delivery of the Non-administrative staff uniforms was not completed until October 28, 2010. The delay in delivery was reportedly due to the supplier experiencing difficulties in securing the materials for the uniforms.</p> <p>Upon a review of the payment records, the OCG observed that L.P. Azar was also the successful contractor for the Administrative uniform contract. The OCG was not provided with a breakdown of the payments under each contract. However, a total of J\$12,500,000.00 has been paid to the Contractor under the contracts for both the Administrative and Non-Administrative Staff Uniforms.</p>						
Status	Contract is completed					

Project #	212					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Pest Control Services 2010-2012	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-10	2010-12-21	2010-12-22	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on September 19, 2010. Tenders were to be submitted by October 27, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m. The deadline for submission was extended to November 10, 2010.</p> <p>Four (4) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. The bidder with the lowest priced tender was recommended and approved for the award of contract.</p> <p>As at December 31, 2010, the contract was not executed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Contract not yet executed					

Project #	213					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Procurement of Canteen Concessionaire - Rockfort Depot	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2009-11-30	0000-00-00	2010-12-16	0000-00-00	0000-00-00	2010-12-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Genesis #1	J\$ 0.00	J\$ 0.00	2010-12-16	2012-12-16	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on May 17, 2009, and was for the procurement of services at four (4) depot locations: Rockfort, Ashenheim, Spanish Town and Portmore.</p> <p>Tenders were to be submitted by June 19, 2009, followed by a scheduled Tender Opening Ceremony. Two (2) tenders were received; however, neither submission met the eligibility requirements which were outlined in the Tender Document. It was noted at the referenced Tender Opening Ceremony that this was the Procuring Entity's third attempt to procure for the captioned service.</p> <p>With regards to the foregoing, the OCG, by way of a letter which was dated October 7, 2009, recommended that the Procuring Entity re-tender the process utilising the Limited Tender Procurement Methodology, subject to the approval of the Head of Entity.</p> <p>By way of letters which were dated October 2, 2009, the Jamaica Urban Transit Company (JUTC) utilised the aforementioned procurement methodology to invite submissions. The extended deadline for the close of tender was November 30, 2009. Four (4) bidders submitted five (5) tenders, which were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Tenders were received as follows: Two (2) for the Rockfort Depot; two (2) for the Portmore Depot; and one (1) for the Spanish Town Depot.</p> <p>Upon a preliminary examination, three (3) tenders were deemed ineligible, as they did not include the requisite National Contracts Commission (NCC) registration. The two (2) remaining tenders which were submitted for the Rockfort Depot and the Portmore Depot proceeded to the evaluation stage.</p> <p>The sole tender for the Rockfort Depot was recommended for the award of contract. The proposed contract prices are as follows:</p> <ul style="list-style-type: none"> Breakfast - \$180 Lunch/Super - \$200.00 <p>The Head of Entity approved the recommendation for the award of contract on December 18, 2010. However, the date of the Procurement Committee's approval was not evidenced.</p> <p>The Contract was signed on December 16, 2010.</p> <p>Based upon the nature of the procurement, the Procuring Entity will not incur any expenditure, as payment for meals is the responsibility of employees.</p> <p>As at December 31, 2010, the Contract was being executed.</p>						
Status	Contract is being implemented					

Project #	214					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Procurement of Canteen Concessionaire - Spanish Town & Portmore	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-30	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was originally advertised on May 17, 2009, and was for the procurement of services at four (4) depot locations: Rockfort, Ashenheim, Spanish Town and Portmore</p> <p>Tenders were to be submitted by June 19, 2009, followed by a scheduled Tender Opening Ceremony. Two (2) tenders were received; however, neither submission met the eligibility requirements which were outlined in the Tender Document. It was noted at the referenced Tender Opening Ceremony that this was the Procuring Entity's third attempt to procure for the captioned service.</p> <p>With regards to the foregoing, the OCG, by way of a letter which was dated October 7, 2009, recommended that the Procuring Entity re-tender the process utilising the Limited Tender Procurement Methodology, subject to the approval of the Head of Entity.</p> <p>By way of letters, which were dated October 2, 2009, the Jamaica Urban Transit Company (JUTC) utilised the aforementioned procurement methodology to invite submissions. The extended deadline for the close of tender was November 30, 2009. Four (4) bidders submitted five (5) tenders, which were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Tenders were received as follows: two (2) for the Rockfort Depot; two (2) for the Portmore Depot; and one (1) for the Spanish Town Depot.</p> <p>Upon preliminary examination, three (3) tenders were deemed ineligible, as they did not include the requisite National Contracts Commission (NCC) registration. The two (2) remaining tenders were for the Rockfort Depot and the Portmore Depot. The tenders were evaluated in accordance with the evaluation criteria which were outlined in the Tender Document.</p> <p>The sole responsive bid for the Portmore Depot was recommended for the award of contract.</p> <p>The requisite signature of approvals by the Procurement Committee and Head of Entity were noted on the approval form, however, the said signature were not dated.</p> <p>The recommended bidder for the Portmore Depot and the recommended Contractor for the Rockfort Depot were invited, by way of a letter, which was dated September 16, 2010, to tender for the Spanish Town Depot. Tenders were to be returned by October 14, 2010 at 3:00 p.m.</p> <p>At the close of tender, one (1) tender was received, opened and verified in accordance with the eligibility requirements which were outlined in the Letter of Invitation. The tender was subsequently recommended for the award of contract.</p> <p>The requisite approvals were obtained from the Procurement Committee on December 21, 2010; and from the Head of Entity on December 22, 2010.</p> <p>As at December 31, 2010, the award of contracts for the Spanish Town and the Portmore depots were pending.</p>						
Status	As at the time of this report, the contract was not signed.					

Project #	215					
Ministry / Agency	Ministry of Transport and Works / Jamaica Urban Transit Company Limited			Project Name	Sewage Disposal Services 2010-2012	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-12	2010-12-21	2010-12-22	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 3,843,440.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on September 19, 2010. Tenders were to be submitted by October 25, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>JUTC extended the deadline twice due to concerns raised by potential bidders at the site visit and in light of inclement weather associated with Tropical Storm Tomas.</p> <p>Three (3) tenders were received within the extended deadline for submission. The referenced tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>All the tenders were deemed responsive and proceeded to the evaluation stage. The Evaluation Committee, recommended the bidder with the lowest proposed price for the award of contract.</p> <p>The requisite approvals have been received. However, as at December 31, 2010, the contract was not executed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Contract not yet executed					

Project #	216					
Ministry / Agency	Ministry of Transport and Works / Kingston Free Zone and Montego Bay Free Zone Company Limited			Project Name	Procurement of Security Services at the Kingston and Montego Bay Free Zones	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-21	2009-07-23	2009-10-02	2009-11-25	2010-01-18	2010-03-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Ranger Protection & Security Limited	J\$ 105,000,000.00	J\$ 101,437,314.00	2010-04-03	2013-04-02	J\$ 16,940,043.60	Kingston
Comments						
<p>The procurement opportunity was advertised on May 17, 2009. Tenders were to be submitted by May 21, 2009 at 9:45 a.m. followed by a scheduled Tender Opening Ceremony at 10:00 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>During the tender process, the tender validity period expired on September 17, 2009. In this regard, a letter which was dated September 14, 2009, was issued to the bidders advising of same and requesting an extension of the period. All the bidders responded in the affirmative.</p> <p>The evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document.</p> <p>Ranger Protection and Security Limited obtained the highest overall evaluated score and was recommended for the award of contract for Kingston Free Zone and Montego Bay Free Zone Company Limited.</p> <p>The requisite approvals were obtained from the Procurement Committee and Head of Entity of Port Authority of Jamaica. The endorsement and approval, respectively, was thereafter received from the National Contracts Commission and the Cabinet.</p> <p>The contract was signed on March 31, 2010.</p> <p>Payment vouchers which were provided by the Procuring Entity, under cover letter which was dated December 6, 2010, reflected expenditure as at October 2010, for the respective locations, as follows:</p> <ul style="list-style-type: none"> Kingston Free Zone Company Limited - J\$ 8,552,928.85; and Montego Bay Free Zone Company Limited - J\$ 8,387,114.75 <p>The Office of the Contractor-General will continue to monitor the execution of the contract.</p>						
Status	Contract is being executed.					

Project #	217					
Ministry / Agency	Ministry of Transport and Works / Kingston Free Zone Limited			Project Name	Procurement of Garbage Collection and Disposal Services at the Kingston Free Zone and Portmore Informatics Park	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-08-12	2009-12-10	2009-12-23	0000-00-00	0000-00-00	2010-01-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Garbage Disposal & Sanitation Systems Limited	J\$ 5,188,800.00	J\$ 3,910,399.92	2010-02-01	2012-01-31	J\$ 875,924.45	Kingston
Comments						
<p>The procurement opportunity was advertised on July 22, 2009.</p> <p>Tenders were to be submitted by 10:00 a.m. on August 12, 2009.</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>Subsequent to evaluation, Garbage Disposal and Sanitations System Limited, the bidder with the highest overall evaluated score, was recommended for the award of contract.</p> <p>The requisite approvals were obtained from the Procurement Committee and the Head of the Port Authority of Jamaica.</p> <p>The Contract was signed on January 29, 2010.</p> <p>By way of a Status Report, which was dated November, 2010, the Procuring Entity informed the Office of the Contractor General that; <i>"The terms of the Agreement are being adhered to, while service is being provided satisfactorily and payments are being made as per the contract."</i></p> <p>Payment vouchers which were provided by the Procuring Entity, under cover letter, which was dated December 6, 2010, reflected expenditure as at October 12, 2010.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	218					
Ministry / Agency	Ministry of Transport and Works / Ministry of Transport & Works			Project Name	Procurement of Janitorial and Sanitation Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-13	2010-12-06	2010-12-21	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,452,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 19, 2010.</p> <p>Tenders were to be submitted by October 1, 2010 at 2:00 p.m. The submission deadline was extended to October 13, 2010 which was followed by a scheduled Tender Opening Ceremony at 2:30 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 evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document. The bidder who attained the highest score was recommended for the award of contract.</p> <p>The requisite approvals were received.</p> <p>The Ministry of Transport & Works (MTW) informed the OCG that; <i>"The successful company was informed on Monday December 10, 2010 by e-mail...of their success ..."</i> The Procuring Entity further advised that the OCG that on December 17, 2010, the selected Contractor advised that, they would be unable to undertake the contract.</p> <p>The MTW also advised that; <i>"...the second most responsive bid with a score of 75.05 was recommended for the contract."</i></p> <p>The referenced recommendation for the award of contract was approved by the Permanent Secretary on December 21, 2010.</p> <p>As at December 31, 2010, the contract award was pending.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, contract award was pending.					

Project #	219					
Ministry / Agency	Ministry of Transport and Works / National Road Operating & Constructing Company Limited			Project Name	Consulting Services: Project to Improve the Livelihoods in the Portmore Causeway Fishing Village (JA-T1049)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-01	2010-07-23	2010-07-23	0000-00-00	0000-00-00	2010-09-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Environmental Solutions Limited	J\$ 0.00	J\$ 4,961,088.00	2010-09-01	2011-09-01	J\$ 1,240,272.00	Kingston
Comments						
<p>The procurement opportunity was advertised on May 9, 2010. Tenders were to be submitted by May 27, 2010 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:30 a.m. The deadline for submission was however, extended to June 1, 2010.</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 an evaluation of the Technical proposals, only one (1) bidder exceeded the minimum required score and proceeded to the opening of Financial Proposals. Subsequent to same, the referenced bidder, Environmental Solutions Limited, was recommended and approved for the award of contract, in the amount of J\$4,961,088.00.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As December 31, 2010, the contract was being executed.					

Project #	220					
Ministry / Agency	Ministry of Transport and Works / National Road Operating & Constructing Company Limited (NROCC)			Project Name	Land Surveying Services - Phase 1A of Highway 2000	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-01	2010-02-22	2010-02-22	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 10,750,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised in January 2010. Tenders were to be submitted by February 1, 2010 at 3:00 p.m. , followed by a scheduled Tender Opening Ceremony at 3:30 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>Subsequent to an evaluation, which was conducted in accordance with the evaluation criteria which were outlined in the Tender Document, the sole bidder was recommended for the award of contract. The Procurement Committee, however, expressed concern that the recommended Contractor may have had excess workload and be constrained in undertaking the contract. In this regard, the Public Body wrote to the bidder asking that they confirm, <i>inter alia</i>, that they have the resources to undertake the subject contract. The Bidder responded in the affirmative.</p> <p>The action taken by NROCC was in keeping with Clause 15 of the subject Tender Document which stated, <i>inter alia</i>, that "<i>Prior to contract award, any bidder may be required to show that the company has the necessary facilities, equipment, ability and financial resources to perform the work specified in a satisfactory manner and within the time specified.</i>"</p> <p>The Public Body reported that the contract had not been awarded owing to "<i>funding issues</i>".</p>						
Status	As at December 31, 2010, the contract was not yet awarded.					

Project #	221					
Ministry / Agency	Ministry of Transport and Works / National Road Operating and Construction Company Limited			Project Name	Flood Risk Management along the Highway 2000 Corridor	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-14	2010-12-09	2010-12-09	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 180,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was initially advertised on August 8, 2010. Tenders were to be submitted on August 31, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:30 p.m. However, no tenders were received at the close of tender on August 31, 2010. The procurement was re-advertised in the following month.</p> <p>Two (2) tenders were received by October 14, 2010, the extended deadline for submission. The Bidder who attained the highest evaluated score, in accordance with the requirements of the Tender Document, was invited to the opening of the Financial proposal, which was held on November 11, 2010. The bidder was subsequently recommended for the award of contract.</p> <p>As at December 31, 2010, the requisite approvals were being sought.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Awaiting the requisite approvals					

Project #	222					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Land Acquisition Surveying Services - OFID/GOJ Rural Road Rehabilitation Project Phase II (Package 1- 3 - May Pen to New Road)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-18	2010-02-01	2010-02-08	0000-00-00	0000-00-00	2010-02-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Llewelyn Allen and Associates Limited	J\$ 13,476,000.00	J\$ 9,547,500.00	2010-03-01	2010-08-01	J\$ 0.00	Clarendon
Comments						
<p>The procurement opportunity was advertised on November 25, 2009. Tenders were to be submitted on December 18, 2009, followed by a scheduled Tender Opening Ceremony at 10:30 a.m.</p> <p>Six (6) Surveyors submitted a selection for all of the five (5) packages.</p> <p>The tenders were evaluated and the bidder who attained the highest evaluated score was recommended for the award of contract.</p> <p>Llewelyn Allen and Associates Limited was recommended and approved for the award of contract for three (3) of the five (5) packages.</p> <p>During the execution of the Contract, the Procuring Entity expressed dissatisfaction with the overall project output, as the project Completion Date had expired on August 1, 2010.</p> <p>The Contractor was also given notice that an extension of the time will only be given where it can be justified; otherwise the NWA will enforce the conditions in the contract as it relates to Liquidated Damages.</p> <p>The justification provided by the Contractor for the extension of time, included, <i>inter alia</i>, the inclement weather and non-payment for work done.</p> <p>A recommendation was submitted for the extension of time to October 22, 2010.</p> <p>Subsequent to the extension, the Procuring Entity advised the OCG that the project was not completed. The entity further advised that the Contractor has given verbal notice of his inability to perform due to lack of payment.</p> <p>As at December 31, 2010, the Works had not been completed.</p>						
Status	Contract was 81% complete.					

Project #	223					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Land Acquisition Surveying Services - OFID/GOJ Rural Road Rehabilitation Project Phase II (Package 4 & 5 - New Road to Summerfield)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-18	2010-02-01	2010-02-08	0000-00-00	0000-00-00	2010-02-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Roosevelt Thompson Associates Limited	J\$ 6,449,000.00	J\$ 4,469,400.00	2010-03-01	2010-08-01	J\$ 0.00	Clarendon
Comments						
<p>The procurement opportunity was advertised on November 25, 2009. Tenders were to be submitted by December 12, 2009, followed by a scheduled Tender Opening Ceremony at 10:30 a.m.</p> <p>Six (6) Surveyors submitted a selection for all of the five (5) packages.</p> <p>The tenders were evaluated and the bidder who attained the highest score subsequent to evaluation was recommended for the award of contract.</p> <p>Roosevelt Thompson Associates Limited, was recommended and approved for the award of contract for two (2) of the five (5) packages.</p> <p>During the execution of the contract, the Procuring Entity expressed dissatisfaction with the overall project output, as the project Completion Date had expired on August 1, 2010.</p> <p>The Contractor was also given notice that an extension of the time will only be given where it can be justified; otherwise the NWA will enforce the conditions in the contract as it relates to Liquidated Damages.</p> <p>The justification provided by the Contractor for the extension of time, included, <i>inter alia</i>, the inclement weather and non-payment for work done.</p> <p>A recommendation was submitted for extension of time to October 22, 2010.</p> <p>Subsequent to the extension, the Procuring Entity advised the OCG that the project was not completed. The Entity further advised that the Contractor has given verbal notice of his inability to perform due to lack of payment.</p> <p>As at December 31, 2010, the Works had not been completed.</p>						
Status	Contract was 70% complete					

Project #	224					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Consultancy Services for Palisadoes Shoreline and Rehabilitation Works	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2008-10-27	0000-00-00	2008-10-28	2008-10-29	0000-00-00	2009-02-10
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
CEAC Solutions Company Limited	J\$ 24,480,000.00	J\$ 21,133,394.75	2009-02-10	0000-00-00	J\$ 1,256,137.00	Kingston
Comments						
<p>The procurement and approval process was completed in October 2008, and the Contract was signed in February 2009.</p> <p>Upon review of the Contract, it was noted that an expiration date was not stated. However, the scope of the Consultant's Contract is tied to the scheduled Completion Date of the project, which is September 3, 2012.</p> <p>As per the terms of the contract, the Consultant was engaged to undertake the following:</p> <ul style="list-style-type: none"> • Prepare additional specifications for the works (as necessary); • Prepare designs as needed and revision of designs to suit unforeseen conditions which may arise during construction; • Technical inspection of construction for compliance with the contract documents; • Environmental monitoring during construction; • Certification of work done for payment; • Consultation and advice to NWA during construction and conduct site meeting with contractors; • Preparation of fortnightly monitoring and monthly report on the progress of the work, indicating any engineering difficulties affecting their efficient and timely execution; commencing one month after the start date as defined in the construction contract; • Issuance of certificates of completion to the contractor upon completion of the construction contract; and • Preparation of a Completion Report on construction of the Project and as-build drawing; within in three months after the date of issue of a certificate of practical completion of the project. <p>Through the attendance of weekly progress meeting, the Office of the Contractor General (OCG) has verified, the completion of some tasks by the Consultant in fulfilling his obligation as per the terms of the contract as detailed above.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this Report, the Contract was being executed.					

Project #	225					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement for Land Acquisition Survey Services: Package 4 - Devon Pen to Broad Gate	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-03	2010-02-05	2010-02-05	0000-00-00	0000-00-00	2010-03-23
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
A.I. Gracey & Associates Limited	J\$ 3,927,300.00	J\$ 2,480,000.00	2010-04-06	2010-08-24	J\$ 0.00	Saint Mary
Comments						
<p>The procurement opportunity was advertised in November 2009 for the provision of Surveying Services along the Tom's River to Agualta Vale roadway. The procurement opportunity was divided into six (6) packages. Tenders were to be submitted by November 30, 2009 at 10:00 a.m., followed by a Tender Opening Ceremony at 10:20 a.m.</p> <p>Five (5) tenders were received for Package 4. The tenders were opened and verified in accordance with the eligibility requirements 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, A.I. Gracey & Associates Limited, one of the two (2) bidders who had satisfied the minimum criteria, was recommended for the award of contract for Package 4. The other bidder was recommended for the award of contract for Package 1.</p> <p>The requisite approvals were obtained from the Procurement Committee and the Head of Entity,</p> <p>The Contract was signed on March 23, 2010.</p> <p>A Status Report from the National Works Agency (NWA) indicated that 100% of deliverables were completed.</p> <p>As at December 31, 2010, the NWA indicated that they have had cash flow problems and as such had not yet made payments to the Contractor for certified works.</p> <p>The OCG will continue to monitor the payments which are to be made to the Contractor.</p>						
Status	Contract is completed.					

Project #	226					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement for Security Services (Package 4)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-30	2010-05-10	2010-05-15	2010-07-07	0000-00-00	2010-08-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Atlas Protection Services Limited	J\$ 14,139,048.00	J\$ 11,686,356.00	2010-08-09	2012-08-08	J\$ 1,962,459.33	All Island
Comments						
<p>The procurement opportunity was initially advertisement on March 22, 2009.</p> <p>Bidders were required to submit tenders on five (5) packages, which represented the Regional and Corporate Offices of the National Works Agency (NWA), as follows:</p> <ul style="list-style-type: none"> • Package 1 - Corporate Offices • Package 2 - Kingston Metropolitan Region • Package 3 - North/ East Region • Package 4 - Western Region • Package 5 - Central Region <p>Ten (10) bids were received at the close of tender on April 8, 2009. An evaluation was conducted, however, by way of a letter, which was dated December 10, 2009, the OCG was advised that subsequent to a request from the CEO of the NWA for a review of two (2) packages, it was decided that the security portfolio would be re-tendered in order to; "...ensure that there is a homogenous approach to... security services engagement."</p> <p>The tender process was subsequently re-advertised on March 7, 2010. Tenders were to be submitted by March 23, 2010 at 11:00 a.m. The deadline for the submission of tenders was extended to March 30, 2010 at 11:00 a.m., followed by a 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. The Comparable Estimates for each package were as follows:</p> <ul style="list-style-type: none"> • Package 1 - J\$10,574,592.00 • Package 2 - J\$23,620,128.00 • Package 3 - J\$10,612,224.00 • Package 4 - J\$14,139,048.00 • Package 5 - J\$10,612,224.00 <p>The tenders were evaluated in accordance with the evaluation criteria which were outlined in the Tender Document. Atlas Protection Services Limited, the bidder who received the highest score for Package 4, was recommended for the award of contract, in the amount of J\$11,686,356.00.</p> <p>The requisite approvals of the Procurement Committee and the Head of Entity were subsequently obtained. The NCC endorsed the recommendation for the award of contract in its meeting of July 7, 2010. The Contract was executed accordingly.</p> <p>The contract commenced on August 9, 2010, and is in force. Expenditure as at December 31, 2010 was J\$1,962,459.33.</p> <p>The OCG will continue to monitor the execution of the Contract.</p>						
Status	Contract was being executed.					

Project #	227					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement for Security Services (Packages 1,2, 3 & 5)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-30	2010-05-10	2010-05-15	2010-07-07	0000-00-00	2010-08-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Quest Security Services Limited	J\$ 55,419,168.00	J\$ 41,524,528.00	2010-08-09	2012-08-08	J\$ 6,542,900.00	All Island
Comments						
<p>The procurement opportunity was initially advertisement on March 22, 2009.</p> <p>Bidders were required to submit tenders on five (5) packages, which represented the Regional and Corporate Offices of the National Works Agency (NWA), as follows:</p> <ul style="list-style-type: none"> Package 1 - Corporate Offices Package 2 - Kingston Metropolitan Region Package 3 - North/ East Region Package 4 - Western Region Package 5 - Central Region <p>Ten (10) bids were received at the close of tender on April 8, 2009. An evaluation was conducted, however, by way of a letter, which was dated December 10, 2009, the OCG was advised that subsequent to a request from the CEO of the NWA for a review of two (2) packages, it was decided that the security portfolio would be re-tendered in order to; "...ensure that there is a homogenous approach to... security services engagement."</p> <p>The tender process was subsequently re-advertised on March 7, 2010. Tenders were to be submitted by March 23, 2010 at 11:00 a.m. The deadline for the submission of tenders was extended to March 30, 2010 at 11:00 a.m., followed by a 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. The Comparable Estimates for each package, were as follows:</p> <ul style="list-style-type: none"> Package 1 - J\$10,574,592.00 Package 2 - J\$23,620,128.00 Package 3 - J\$10,612,224.00 Package 4 - J\$14,139,048.00 Package 5 - J\$10,612,224.00 <p>The tenders were evaluated in accordance with the evaluation criteria which were outlined in the Tender Document. Quest Security Services Limited, the bidder who received the highest score for Packages 1, 2, 3 & 5, was recommended for the award of contract, as follows:</p> <ul style="list-style-type: none"> Package 1 - J\$7,912,960.00 Package 2 - J\$17,621,040.00 Package 3 - J\$8,121,600.00 Package 5 - J\$7,868,928.00 <p>The requisite approvals of the Procurement Committee and Head of Entity were subsequently obtained. With regards to Package 2, the NCC endorsed the recommendation for the award of contract in its meeting of July 7, 2010. The NWA executed one (1) contract with Quest Security Services Limited for the provision of services for the various locations on August 9, 2010.</p> <p>The Contract commenced on August 9, 2010, and is in force. Expenditure as at December 31, 2010 for the various packages were as follows:</p> <ul style="list-style-type: none"> Package 1 - J\$1,345,190.00 Package 2 - J\$2,802,050.00 Package 3 - J\$1,214,100.00 Package 5 - J\$1,181,560.00 <p>The OCG will continue to monitor the execution of the Contract.</p>						
Status	Contract is being executed.					

Project #	228					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement for the Supply and Installation of Enterprise UPS	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-17	2010-04-10	2010-04-14	0000-00-00	0000-00-00	2010-04-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Power Solution Technology Limited	J\$ 4,500,000.00	J\$ 3,724,727.99	2010-05-03	2010-06-25	J\$ 3,724,727.99	Kingston
Comments						
<p>The procurement opportunity was advertised on February 24, 2010. Tenders were to be submitted by March 11, 2010 at 9:00 a.m., followed by a scheduled Tender Opening Ceremony at 9:05 a.m.</p> <p>By way of an Addendum, the deadline for submission was extended to March 17, 2010. Five (5) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>One (1) bidder was deemed ineligible, while two (2) other bidders did not submit tenders which complied with the required specifications. Of the two (2) remaining bidders, Powertech, the bidder with the lower proposed price, was recommended and approved for the award of contract.</p> <p>The requisite approvals were received from the Procurement Committee and the Head of Entity.</p> <p>The Contract was executed accordingly.</p> <p>A Status Report which was received from the NWA indicated that as at June 2, 2010, the UPS was delivered and installed.</p>						
Status	Contract is completed					

Project #	229					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement for the Supply, Installation and Commissioning of Kitchen Equipment for Canteen and two serving areas at the Central Sorting Office	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 5,577,100.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity, which was being undertaken by the Post & Telecommunications Department, through the National Works Agency (NWA), was advertised on February 28, 2010. Tenders were to be submitted by April 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. One (1) tender was ineligible as no Tender Security was submitted. The two (2) remaining tenders were subjected to a detailed evaluation. Subsequent to the evaluation, the tender which received the higher evaluated score was recommended for the award of contract.</p> <p>The approvals of the NWA Procurement Committee and Head of Entity were received.</p> <p>The OCG was advised that the supplier has been notified of the award of contract and that the NWA was awaiting a response from the Post & Telecommunications Department regarding the formal signing of the Contract.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at December 31, 2010, the Contract had not been signed.					

Project #	230					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement for Thermoplastic Road Marking Material	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-30	2010-10-20	2010-11-02	0000-00-00	0000-00-00	2010-11-18
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Traffic Control Products	J\$ 4,000,500.00	J\$ 4,368,000.00	2010-11-18	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 15, 2010. Tenders were to be submitted by September 30, 2010 at 10:15 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 evaluation requirements which were outlined in the Tender Document.</p> <p>The sole tender was evaluated and recommended for the award of contract.</p> <p>The requisite approvals were received from the Procurement Committee and the Head of Entity,</p> <p>The Contract was signed on November 18, 2010.</p> <p>The OCG was advised by way of a Status Report, which was provided by the Procuring Entity that; as a result of changes in the price of the products, the Contractor cancelled the Contract.</p>						
Status	Contract Cancelled					

Project #	231					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement of 1200 Traffic Signs	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-07-08	2010-08-16	2010-09-03	0000-00-00	0000-00-00	2010-09-07
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Aegisco Limited	J\$ 8,700,000.00	J\$ 2,957,500.00	2010-09-13	2010-11-12	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on June 21, 2010. Tenders were to be submitted by July 8, 2010 at 11:15 a.m., followed by a Tender Opening Ceremony at 11:30 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>The tenders were subsequently evaluated in accordance with the evaluation criteria which were outlined in the Tender Document. Subsequent to the evaluation, Aegisco Limited was recommended for the award of contract.</p> <p>The requisite approvals were obtained, and the Procuring Entity issued a Letter of Acceptance on September 7, 2010. The contract was subsequently executed.</p> <p>The procured items were delivered.</p> <p>On December 9, 2010, a representative from the Office of the Contractor General (OCG) conducted a site visit at the National Works Agency's storage facilities, in order to verify the delivery of the Traffic Signs. It was noted that the items were delivered in accordance with the terms and conditions of the Contract.</p>						
Status	As at December 31, 2010, the procured items were delivered.					

Project #	232					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement of Land Acquisition Survey Services : Package 2 - Castleton to Grandy Hole & Package 3 - Grandy Hole to Devon Pen	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-02-23	2010-03-15	2010-03-24	0000-00-00	0000-00-00	2010-04-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
A.I. Gracey & Associates Limited	J\$ 5,349,500.00	J\$ 5,164,800.00	2010-04-30	2010-09-17	J\$ 0.00	Saint Mary
Comments						
<p>The procurement opportunity was advertised in November 2009, and was for the provision of Surveying Services along the Tom's River to Agualta Vale roadway. The procurement opportunity was divided into six (6) packages. Tenders were to be submitted by November 30, 2009 at 10:00 a.m. followed by a scheduled Tender Opening Ceremony at 10:20 a.m.</p> <p>Four (4) tenders were received for Packages 2 and 3, respectively. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon completion of the evaluation process, the recommendation was made to re-tender the captioned packages, as the bidders did not satisfy aspects of the Technical criteria. In this regard, permission was sought from the Head of Entity to procure the Surveying Services utilising the Limited Tender Procurement Methodology. The requisite approval was granted on February 9, 2010.</p> <p>By way of a letter, which was dated February 12, 2010, five (5) qualified firms that had participated in the previous tender process were invited to submit tenders. Tenders were to be submitted by February 23, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 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>Upon preliminary examination, two (2) tenders were considered non-responsive as the Entities failed to submit valid Tax Compliance Certificates and valid Commissioned Land Surveyor Practising Certificates.</p> <p>The remaining tenders were evaluated in accordance with the evaluation criteria which were outlined in the Tender Document. The second lowest tender, A.I. Gracey and Associates Ltd, was recommended for the award of contract for Packages 2 and 3, as the lowest tender had been previously recommended for two (2) contract awards.</p> <p>The requisite approvals were obtained. The Contract was signed on April 16, 2010.</p> <p>The contract sum was stated as follows: Package 2 - J\$2,835,200 and Package 3 - J\$2,329,600.</p> <p>During the execution of the contract, the Contractors advised that there had been delays to the field works, largely due to bad weather during the hurricane season.</p> <p>As at December 31, 2010, the Procuring Entity indicated that due to cash flow problems, the Entity had not yet made payments to the Contractors for certified works. This had also affected further submissions from the Contractors.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	233					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement of Land Acquisition Surveying Services: Package 1 - Toms' River to Castleton	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-03	2010-02-05	2010-02-05	0000-00-00	0000-00-00	2010-03-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
RCC (Lands) System Limited	J\$ 4,569,500.00	J\$ 5,200,000.00	2010-04-05	2010-08-23	J\$ 0.00	Saint Mary
Comments						
<p>The procurement opportunity was advertised in November 2009, and was for the provision of Surveying Services along the Tom's River to Agualta Vale roadway. The procurement opportunity was divided into six (6) packages. Tenders were to be submitted by November 30, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:20 a.m.</p> <p>Four (4) tenders were received for Package 1. The tenders were opened and verified in accordance with the eligibility requirements 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, of the four (4) tenders which were received for this package, only one (1) bidder, RCC (Land) Systems Limited, satisfied the minimum criteria and was recommended for the award of contract for Package 1.</p> <p>The requisite approvals were obtained and the Contract was executed accordingly.</p> <p>A Status Report from the National Works Agency (NWA) indicated that the Contractors advised that there had been delays to the field works, largely due to bad weather during the hurricane season.</p> <p>As at December 31, 2010, the NWA indicated that due to cash flow problems the Entity had not yet made payments to the Contractor for certified works.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	234					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement of Land Acquisition Surveying Services: Package 5 - Broad Gate to Georgia & Package 6 - Georgia to Aqualta Vale	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-02-23	2010-03-15	2010-03-24	0000-00-00	0000-00-00	2010-04-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Roosevelt Thompson Associates	J\$ 4,617,400.00	J\$ 2,848,400.00	2010-05-06	2010-09-23	J\$ 0.00	Saint Mary
Comments						
<p>The procurement opportunity was advertised in November 2009, and was for the provision of Surveying Services along the Tom's River to Aqualta Vale roadway. The procurement opportunity was divided into six (6) packages. Tenders were to be submitted by November 30, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:20 a.m.</p> <p>Five (5) tenders were received for Packages 5 and 6, respectively. The tenders were opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon completion of the evaluation process, the recommendation was made to re-tender the captioned packages, as the bidders did not satisfy aspects of the technical criteria. In this regard, permission was sought from the Head of Entity to procure the Surveying Services utilising the Limited Tender Procurement Methodology. The requisite approval was granted on February 9, 2010.</p> <p>By way of a letter, which was dated February 12, 2010, five (5) qualified firms that had participated in the previous tender process were invited to submit tenders. Tenders were to be submitted by February 23, 2010 at 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:10 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>Upon preliminary examination, two (2) tenders were considered non-responsive as the Entities failed to submit valid Tax Compliance Certificates and valid Commissioned Land Surveyor Practising Certificates.</p> <p>The remaining tenders were evaluated in accordance with the evaluation criteria which were outlined in the Tender Document. The lowest tender, Thompson Roosevelt Clanhope, was recommended for the award of contracts for Packages 5 and 6.</p> <p>The requisite approvals were obtained and the Contract was executed accordingly.</p> <p>The contract sum was stated as follows: Package 5 - J\$890,400 and Package 6 - J\$1,958,000.</p> <p>During the execution of the contract, the Contractors advised that there had been delays to the field works, largely due to bad weather during the hurricane season.</p> <p>As at December 31, 2010, the Procuring Entity indicated that due to cash flow problems the Entity had not yet made payments to the Contractors for certified works. This had also affected further submissions from the Contractors.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Contract is being implemented					

Project #	235					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	Procurement of Traffic Signal Material & Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-04	2010-02-15	2010-02-19	0000-00-00	0000-00-00	2010-04-28
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Traffic Control Products	J\$ 10,936,844.00	J\$ 14,102,392.54	2010-02-25	2010-03-25	J\$ 12,000,036.20	Saint James
Comments						
<p>The procurement opportunity was advertised on January 19, 2010. The National Works Agency (NWA) sought to procure Traffic Signal Material and Equipment as follows:</p> <ul style="list-style-type: none"> Package 1 - Greenwood Community Road/ North Coast Highway Intersection & Airport Entrance, along the Elegant Corridor. Package 2 - Sugar Mill Road/ Elegant Corridor Intersection and Half Moon Hotel Main Entrance along the Elegant Corridor. <p>Tenders were to be submitted by February 4, 2010 at 11:00 a.m., followed by a 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>The sole tender was evaluated and was recommended for the award of contract for both packages.</p> <p>The requisite approvals were obtained. The contracts, which were dated February 25, 2010, but which were signed by the NWA on April 28, 2010, were awarded as:</p> <ul style="list-style-type: none"> Package 1 - J\$7,856,062.46 Package 2 - J\$6,246,330.08 <p>As at December 31, 2010, all procured items were delivered and payments were made in accordance with the terms and conditions of the Contract. A total of \$12,000,036.20, excluding GCT, was paid to the Contractor.</p>						
Status	Contract is completed					

Project #	236					
Ministry / Agency	Ministry of Transport and Works / National Works Agency			Project Name	The Supply of a Project Resources Management System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-12	2010-03-18	2010-03-18	2010-07-21	0000-00-00	2010-08-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Illuminat Jamaica Limited	J\$ 6,000,000.00	J\$ 12,890,514.00	2010-09-06	2011-01-06	J\$ 5,800,731.30	Kingston
Comments						
<p>The procurement opportunity was advertised on January 24, 2010. Tenders were to be submitted by February 12, 2010 at 3:00 p.m.</p> <p>Four (4) tenders were received, opened and verified in accordance with the qualification requirements which were outlined in the Tender Document.</p> <p>The tenders were subsequently evaluated in accordance with the evaluation criteria which were outlined in the Tender Document and the lowest priced tender, which was submitted by Illuminat Jamaica Limited, was recommended for the award of contract.</p> <p>The contract award recommendation received the requisite internal approvals. Thereafter the recommendation was submitted to the National Contracts Commission (NCC) for endorsement.</p> <p>The NCC, under the cover of letter which was dated July 22, 2010, advised the Ministry of Transport and Works of its endorsement of the contract award recommendation. However, in the referenced letter <i>"The NCC requested an explanation on the disparity between the Comparable Estimate of \$6M and the tender sum of \$12,890,514.00."</i></p> <p>By way of a letter which was dated August 26, 2010, the Procuring Entity informed the NCC that; <i>"Despite the engineer estimate of J\$6,000,000.00 which was based on preliminary research, all the bids received that met the required specification was in the range of J\$12,900,000.00 to J\$29,000,000.00. The initial estimate was based on prices for HR Systems for small businesses, instead of an enterprise solution which more closely fits the requirement of the NWA. Following further review we are satisfied that the system being offered by Illuminat Jamaica Limited is in accordance with typical market prices for the required system"</i></p> <p>Illuminat Jamaica Limited was subsequently notified of the award.</p> <p>As at December 31, 2010, the software was delivered and the Procuring Entity was awaiting the completion of the Design Phase.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	237					
Ministry / Agency	Ministry of Transport and Works / NMIA Airports Limited			Project Name	Norman Manley International Airport Extension of the Existing Fire Suppression System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to Tender was advertised on July 28, 2010 and August 1, 2010.</p> <p>Tenders were to be submitted by October 4, 2010 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 to October 19, 2010 to 2:00 p.m., followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Four (4) tenders were received.</p> <p>The NMIA Airports Limited (NMIAL) advised the Office of the Contractor General (OCG), that, in good faith, they accepted an electronic representation of a bid from an overseas bidder, whom, due to internal logistic error being experienced by the courier, was faced with the possible non-delivery of their tender prior to the closing of tender.</p> <p>The OCG was further advised that the original tender was received at approximately 2:33 p.m. on the due date for submission. The OCG's advice and guidance was solicited accordingly.</p> <p>The Entity was duly advised, by the OCG, that only the document which was presented at the time of opening should be considered for evaluation.</p> <p>As at December 31, 2010, the evaluation process had not been completed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	The evaluation is not completed.					

Project #	238					
Ministry / Agency	Ministry of Transport and Works / NMIA Airports Limited			Project Name	Operation of Chinese Food Concession (Departure Lounge)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The concession opportunity was first advertised in April 2010.</p> <p>Tenders were to be submitted by May 14, 2010 at 2:00 p.m., to be followed by a Tender Opening Ceremony at 2:30 p.m.</p> <p>No tenders were received in respect of this Concession opportunity.</p> <p>The opportunity was subsequently re-advertised in September 2010.</p> <p>However, no tenders were received.</p>						
Status	No tenders were received.					

Project #	239					
Ministry / Agency	Ministry of Transport and Works / NMIA Airports Limited			Project Name	Operation of Executive Lounge (Departure Lounge)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-14	0000-00-00	2010-09-15	0000-00-00	0000-00-00	2010-09-20
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lost World Limited	J\$ 0.00	J\$ 0.00	2010-09-01	2016-08-31	J\$ 0.00	Kingston
Comments						
<p>The concession opportunity was advertised on April 7, 2010. Proposals were to be submitted by May 14, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>One (1) proposal was submitted in response to the concession opportunity.</p> <p>The sole proposal was evaluated, recommended and approved by the Board on June 1, 2010 for the award of contract.</p> <p>Having regard to the nature of a Concession, the approval and award process was guided by the established Internal Procedures of the Agency.</p> <p>As at December 31, 2010, operations had not yet commenced.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Operations have not commenced.					

Project #	240					
Ministry / Agency	Ministry of Transport and Works / NMIA Airports Limited			Project Name	Operation of International Fast Food Concession (Arrivals)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The concession opportunity was first advertised in April 2010.</p> <p>Proposals were to be submitted by May 14, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:30 p.m.</p> <p>No proposals were received in respect of the concession opportunity.</p> <p>The opportunity was subsequently re-advertised in September 2010.</p> <p>Proposals were to be submitted by October 12, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:30 p.m.</p> <p>However, no proposals were received in respect of the re-advertised concession opportunity.</p>						
Status	No proposals were received in response to the advertisement.					

Project #	241					
Ministry / Agency	Ministry of Transport and Works / NMIA Airports Limited			Project Name	Operation of Local Fast Food Concession (Ticketing Concourse)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The concession opportunity was advertised on September 5, 2010. Proposals were to be submitted by October 12, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:30 p.m.</p> <p>The deadline for submission was extended to October 19, 2010 at 2:00 p.m., by way of an Advertisement Notice dated October 10, 2010.</p> <p>One (1) proposal was received within the stipulated deadline.</p> <p>The sole proposal was evaluated, recommended and approved by the Board of Directors on October 26, 2010, for the award of contract.</p> <p>In this regard, the approval and award process was guided by the Internal Process of the Agency.</p> <p>The OCG will continue to monitor the concession opportunity.</p>						
Status	As at December 31, 2010, concession operations had not commenced.					

Project #	242					
Ministry / Agency	Ministry of Transport and Works / NMIA Airports Limited			Project Name	Operation of Personal Care Concession (Arrivals)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The concession opportunity was initially advertised in April 2010.</p> <p>Proposals were to be submitted by May 14, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:30 p.m.</p> <p>No proposals were received within the stipulated deadline.</p> <p>The opportunity was subsequently re-advertised in September 2010.</p> <p>Proposals were to be submitted by October 12, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:30 p.m.</p> <p>However, no proposals were received in respect of the re-advertised concession opportunity.</p>						
Status	No proposals were received in response to the advertisement.					

Project #	243					
Ministry / Agency	Ministry of Transport and Works / NMIA Airports Limited			Project Name	Operation of Retail (Non-Food) Concession (Arrivals)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The concession opportunity was initially advertised in April 2010.</p> <p>Proposals were to be submitted by May 14, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:30 p.m.</p> <p>No proposals were received within the stipulated deadline.</p> <p>The opportunity was subsequently re-advertised in September 2010.</p> <p>Proposals were to be submitted by October 12, 2010 at 2:00 p.m., followed by a Tender Opening Ceremony at 2:30 p.m.</p> <p>However, no proposals were received in respect of the re-advertised concession opportunity.</p>						
Status	No proposals were received in response to the advertisement.					

Project #	244					
Ministry / Agency	Ministry of Transport and Works / Port Authority of Jamaica			Project Name	Consultancy Services - Falmouth Cruise Ship Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Sole Source	0000-00-00	0000-00-00	2007-08-10	2007-08-15	2007-10-16	2008-01-17
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Mott MacDonald Limited	US\$ 2,000,000.00	US\$ 1,861,548.00	2008-01-17	2009-06-30	US\$ 1,928,265.71	Trelawny
Comments						
<p>The procurement opportunity and the contract award activities were conducted between 2007 and 2008.</p> <p>The National Contracts Commission (NCC), in its meeting of July 18, 2007, endorsed the request of the Port Authority of Jamaica (PAJ) to utilise the Sole Source Procurement Methodology to enter into negotiation with Mott MacDonald Limited. Mott MacDonald were contracted to provide concept, design and review detailed design of Contractors and Post-Contractors services for the development of a cruise ship terminal facility in Falmouth, Trelawny.</p> <p>Two (2) variations were issued to the original contract. The first variation was to cover the cost of an Archaeological Impact Assessment for the project. It was noted that the actual archaeological work was done by a local consultant, Dr. James Parrent. The second variation order, in the amount of US\$129,818.88, was due to changes in the scope of the contract. As such the value of the contract plus the variations was US\$2,046,448.88.</p> <p>As at the end of December 2010, the project was ongoing with expenditure of US\$1,928,265.71.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Contract is being implemented					

Project #	245					
Ministry / Agency	Ministry of Transport and Works / Port Authority of Jamaica			Project Name	Invitation to Tender-Auditing Services PAJ Subsidiaries	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-08-20	2010-10-14	2010-12-14	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 29,269,250.00	J\$ 00,000,000.00	0000-00-00	0000-00-00	J\$ 00,000,000.00	All Island
Comments						
<p>The procurement opportunity was advertised on July 18, 2010. Tenders were to be submitted by August 20, 2010 at 10:00 a.m., followed by a Tender Opening Ceremony.</p> <p>Five (5) tenders were opened, received and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>A detailed evaluation was undertaken of the Technical Proposals in which four (4) tenders proceeded to the Financial Opening.</p> <p>The Financial proposals of the four (4) qualifying firms were opened privately on September 15, 2010.</p> <p>The Port Authority of Jamaica received approval with respect to the recommendation for the award of contract from the Ministry of Transport and Works on December 14, 2010.</p> <p>As at December 31, 2010, endorsement from the NCC was awaiting.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at December 31, 2010, the PAJ was awaiting endorsement from the NCC					

Project #	246					
Ministry / Agency	Ministry of Transport and Works / Port Authority of Jamaica			Project Name	Supply and Commissioning of a Wireless Data Network at Kingston Container Terminal	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-10-29	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 381,045.00	J\$ 00,000,000.00	0000-00-00	0000-00-00	J\$ 00,000,000.00	Kingston
Comments						
<p>Tenders were initially opened on April 9, 2010. This process was however, annulled pursuant to the provisions of the Tender Document, which stated, <i>inter alia</i>, that; "The Procuring Entity reserves the right to accept or reject any bid and to annul the process..."</p> <p>The procurement opportunity was subsequently re-advertised in September 2010. Tenders were to be submitted by October 15, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:10 p.m.</p> <p>By way of letter dated October 12, 2010, the OCG was advised that the deadline for submission was extended to October 29, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:10 p.m.</p> <p>Five (5) tenders were received within the stipulated period.</p> <p>The OCG noted that the Comparable Estimate was not recorded on the Bid Opening Form, as required by Section S-2110 of the Government of Jamaica, Revised Handbook of Public Sector Procurement Procedures (November 2008).</p> <p>As at December 31, 2010, the evaluation of tenders was not completed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the evaluation process was not completed.					

Project #	247					
Ministry / Agency	Ministry of Transport and Works / Port Authority of Jamaica			Project Name	Supply and Installation of One (1) 1000kVA Transformer	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-24	2009-09-10	2009-10-28	0000-00-00	0000-00-00	2009-12-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
R.E. Forrester Electrical Contractors Limited	US\$ 0.00	US\$ 81,800.76	2009-12-01	2010-08-23	US\$ 73,620.68	Kingston
Comments						
<p>The procurement and award process was completed in 2009.</p> <p>The procured item was delivered in May 2010. Installation and commissioning of the captioned item was undertaken over the weekend of May 22- 23, 2010.</p> <p>The Transformer was confirmed by the Entity to be in good working conditioning.</p> <p>Practical Completion was achieved on May 23, 2010, with the defects liability period expiring on August 23, 2010.</p> <p>One defect was identified in the transformer base, which was corrected on July 10, 2010.</p> <p>As at December 31, 2010, the 10% retention was not yet released to the Contractor.</p> <p>The OCG will continue to monitor the payments to the Contractor.</p>						
Status	The project is completed.					

Project #	248					
Ministry / Agency	Ministry of Transport and Works / Port Authority of Jamaica			Project Name	Three New Pick Up Trucks	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2009-09-22	2009-10-30	2009-11-11	0000-00-00	0000-00-00	2009-11-16
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Kingston Industrial Garage	J\$ 7,830,000.00	J\$ 7,950,000.00	2009-11-16	2010-04-30	J\$ 8,089,525.00	Kingston
Comments						
<p>The tender and award process was completed in 2009.</p> <p>The final of the three (3) vehicles, was delivered on May 5, 2010, five (5) days after the scheduled delivery date, as indicated in the signed Contract.</p> <p>A Status Report, which was provided by the Port Authority of Jamaica, stated that; "...all pick-ups were delivered according to specifications and in good working condition."</p> <p>Further, by way of a letter, which was dated June 25, 2010, the Port Authority of Jamaica indicated, <i>inter alia</i>, that; "The safety features required for vehicles in operation at the Kingston Container Terminal are not standard to this vehicle and KIG (Kingston Industrial Garage) was unable to include them in their bid price. They were therefore installed at an additional cost of J\$139,499.97(inclusive of GCT)...The final cost of the three pick-ups was therefore J\$8,089,499.97."</p>						
Status	The project is completed.					

Project #	249					
Ministry / Agency	Ministry of Transport and Works / Ports Security Corps Limited			Project Name	Procurement for the Supply of Uniforms for Security Staff and Supervisors	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-03-03	0000-00-00	2009-03-05	0000-00-00	0000-00-00	2009-03-05
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Siboney Manufacturing Company Limited	J\$ 0.00	J\$ 7,074,640.00	2009-04-01	2009-05-01	J\$ 7,813,070.00	All Island
Comments						
<p>The tender and contract award process was completed in 2009. The procurement was advertised February 11, 2009. Tenders were to be returned by March 3, 2009 at 2:00 p.m. At the close of tender, 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 and recommended for the award of contract.</p> <p>The approval of the Head of Entity was received. Notably, the Procurement Committee's approval was not evidenced. The Contract was subsequently executed.</p> <p>During the execution of the Contract, the Procuring Entity informed the Office of the Contractor General, by way of a letter which was dated August 4, 2009, that; <i>"Delivery was behind schedule as there some unavoidable changes which resulted in a revamping of the agreed schedule."</i></p> <p>By way of a letter, which was dated December 15, 2009, to the Procuring Entity, the Contractor indicated further revisions to the delivery schedule; <i>"...Our delivery time in expediting the contract will ... be adjusted based on the acceptance of the new fabric samples and the period involved when the order is placed and shipped to us in Jamaica. In view of this we are hoping to expedite order by end of May, early June 2010."</i></p> <p>The Contractor further requested an extension of the delivery date, by way of a letter which was dated June 21, 2010. In this regard, the referenced letter stated, <i>inter alia</i>, that; <i>"...we will not be able to make our delivery in time scheduled, as the "Tivoli" mayhem has put us behind in about 4-5 weeks with our expected delivery date."</i></p> <p>The OCG noted variations in the expenditure versus the contract sum. In this regard, the Procuring Entity provided a copy of a letter from the Contractor which stated, that; <i>"...some individuals have adjusted their request by ordering more pants than skirts. This will be reflected in our final bill having more pants than skirts being delivered and invoiced...Trusting this will clarify the adjustments in the final bill to come."</i></p> <p>The requisite approval for the variation was not evidenced. However, the OCG noted that the payments to the Contractor were approved.</p> <p>By way a letter, which was dated November 18, 2010, the Contractor confirmed the completion of their contractual obligations.</p> <p>As at December 31, 2010, the payments were made in accordance with the receipt of the items.</p>						
Status	Contract is 100% completed					

Project #	250					
Ministry / Agency	Ministry of Transport and Works / Transport Authority			Project Name	Canteen Concessionaire	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-04-07	2010-04-14	2010-04-14	0000-00-00	0000-00-00	2010-04-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Flava Pot Restaurant	J\$ 0.00	J\$ 00,000,000.00	2010-05-03	2011-05-03	J\$ 00,000,000.00	Kingston
Comments						
<p>Subsequent to two (2) failed attempts to solicit tenders using the Selective Tender Procurement Methodology in 2009, the Transport Authority invited tenders using the Limited Tender Procurement Methodology for the provision of Canteen Concessionaire Services.</p> <p>Three (3) Caterers were invited, however, only one (1) responded.</p> <p>The sole tender was recommended and approved for the award of contract.</p> <p>The Transport Authority would not be required to pay the Concessionaire a fee for services rendered. The Transport Authority will however, provide the facility from which the Concessionaire operates. The Canteen Concessionaire earns revenue from daily sales.</p> <p>In this regard, there is no contract sum and expenditure to date.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	251					
Ministry / Agency	Ministry of Transport and Works / Transport Authority			Project Name	Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-19	2010-03-29	2010-03-29	0000-00-00	0000-00-00	2010-06-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Allied Insurance Brokers Limited	J\$ 0.00	J\$ 2,173,961.62	2010-06-22	2013-01-12	J\$ 2,151,679.66	All Island
Comments						
<p>The procurement opportunity was advertised November 8, 2009. Tenders were to be submitted by January 19, 2010 at 3:00 p.m., followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>A total of twenty-three (23) proposals were received from five (5) Brokers. The referenced proposals were received, 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 an Actuary who was engaged by way of the Limited Tender Procurement Methodology.</p> <p>Subsequent to the evaluation, an alternative proposal which was received from Allied Insurance Brokers Limited was recommended for the award of contract. The requisite approvals were received from the Procurement Committee and the Head of Entity.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	252					
Ministry / Agency	Ministry of Transport and Works / Transport Authority			Project Name	Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 38,941,148.00	J\$ 00,000,000.00	0000-00-00	0000-00-00	J\$ 00,000,000.00	All Island
Comments						
<p>The procurement opportunity was advertised on August 22, 2010. Tenders were to be submitted by September 30, 2010 at 3:00 p.m., to be followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>The deadline for submission was extended to October 14, 2010 at 3:00 p.m., in order to facilitate a review of the Tender Document.</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>As at December 31, 2010, the Evaluation Report was being prepared for submission to the Procurement Committee for approval.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the evaluation process was completed.					

Project #	253					
Ministry / Agency	Ministry of Transport and Works / Transport Authority			Project Name	Uniforms for Administrative Staff 2010 / 2011	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-09	2009-11-13	2009-11-26	0000-00-00	0000-00-00	2010-02-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
LP Azar Limited	J\$ 0.00	J\$ 3,809,200.50	2010-02-01	2011-04-30	J\$ 2,050,668.75	All Island
Comments						
<p>The tender process commenced in 2009. 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 evaluation of the tenders, L.P. Azar Limited was recommended and approved for the award of contract.</p> <p>A status report which was submitted to the OCG indicated, <i>inter alia</i>, that the uniforms were delivered for the first stage of the Contract.</p> <p>Correspondence submitted by the Transport Authority stated that; "...the contract should be completed by April 30, 2011 when all deliveries should be made".</p> <p>The OCG will continue to monitor the implementation of the contract.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	254					
Ministry / Agency	Ministry of Transport and Works / Transport Authority			Project Name	Uniforms for Inspectorate Staff 2010	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 1,900,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on September 29, 2010. Tenders were to be submitted by October 28, 2010 at 3:00 p.m., followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received within the stipulated deadline.</p> <p>As at December 31, 2010, the evaluation process was not completed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at the time of this report, the evaluation process was not completed.					

Project #	255					
Ministry / Agency	Ministry of Water and Housing / Housing Agency of Jamaica Limited			Project Name	Commissioned Land Surveyor: Boundary & Topographic Surveys: Greater Retirement Phase 1, St. James	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lofter's & Associates Limited	J\$ 4,681,800.00	J\$ 4,051,312.50	2010-09-06	2011-01-06	J\$ 2,694,694.38	Saint James
Comments						
<p>The procurement opportunity was advertised on June 20, 2010. Tenders were to be submitted by July 7, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. The deadline for the submission was subsequently extended, by way of an Addendum and an advertisement, to July 12, 2011.</p> <p>Three (3) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Subsequent to evaluation, Lofter's & Associates Limited, the lowest priced bidder was recommended for the award of contract.</p> <p>The requisite approvals were received and the contract was executed accordingly.</p> <p>There was a variation to the contract in the amount of J\$ 364,618.13, which was approved by the Public Body's Procurement Committee on October 12, 2010 and by the Head of Entity on October 13, 2010.</p> <p>Information which was obtained from the Housing Agency of Jamaica Limited (HAJ) indicated that the Contractor was asked to survey an additional fourteen (14) acres of land; "...due to the rapid inland expansion of the dump" at the subject property."</p> <p>The HAJ reported that the Topographic Map had been received and accepted, and that the "Pre-checked boundary Plan was submitted to NLA in November 2010 and approval was awaited."</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	256					
Ministry / Agency	Ministry of Water and Housing / Housing Agency of Jamaica Limited			Project Name	Commissioned Land Surveyor: Boundary & Topography Surveys - Grange Pen, St. James	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-26	2010-11-12	2010-12-17	0000-00-00	0000-00-00	2010-12-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Duel Thames	J\$ 18,745,677.58	J\$ 7,007,580.00	2010-12-28	2011-04-05	J\$ 0.00	Saint James
Comments						
<p>The procurement opportunity was advertised on October 6, 2010; inviting eligible bidders to submit quotes to provide Land Surveyor Services for Grange Pen, St. James and Shooters, St. Ann. 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>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Four (4) bidders submitted quotations for Grange Hill, and subsequent to evaluation, Duel Thames, the lowest priced bidder was recommended for the award of contract.</p> <p>The requisite approvals were received from the Procurement Committee and the Head of Entity. The Contract was signed on December 22, 2010.</p> <p>As at December 31, 2010, the Contract was being executed.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	257					
Ministry / Agency	Ministry of Water and Housing / Housing Agency of Jamaica Limited			Project Name	Commissioned Land Surveyor: Strata Plan - Lilford, St. Andrew	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-21	2010-09-30	2010-10-01	0000-00-00	0000-00-00	2010-11-15
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Courtney Paul Fletcher	J\$ 2,201,956.73	J\$ 634,500.00	2010-11-16	2011-02-16	J\$ 0.00	Saint Andrew
Comments						
<p>The procurement opportunity was advertised on September 5, 2010. Tenders were to be submitted by September 21, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) bids were received, which were opened at the Tender Opening Ceremony and checked for the eligibility requirements. Subsequent to evaluation, Courtney Paul Fletcher, the lowest priced bidder, was recommended for the contract award.</p> <p>The requisite approvals were received. The Contract was signed on November 15, 2010.</p> <p>As at December 31, 2010, the Contract was being executed.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented.					

Project #	258					
Ministry / Agency	Ministry of Water and Housing / Housing Agency of Jamaica Limited			Project Name	Commissioned Land Surveyors: Boundary & Topography Survey - Shooters, St. Ann	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-26	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 8,344,640.84	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Ann
Comments						
<p>The procurement opportunity was advertised on October 6, 2010; inviting eligible bidders to submit quotes to provide Land Surveyor Services for Grange Pen, St. James and Shooters, St. Ann. 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>Seven (7) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Upon evaluation, it was revealed that three (3) of the tenders contained mathematical errors. The respective bidders were contacted and asked to stand by the corrected sum. All three (3) bidders responded in the affirmative.</p> <p>A preferred bidder was identified; however as at December 31, 2010, the tender process was ongoing.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	Tender process ongoing					

Project #	259					
Ministry / Agency	Ministry of Water and Housing / Housing Agency of Jamaica Limited			Project Name	Property Management Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-24	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 20,580,477.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on February 10, 2010. Tenders were to be submitted by March 24, 2010 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>Subsequent to a preliminary evaluation of the tender, the Entity found that the Bid Security which was provided was not stamped by the Taxpayer Audit and Assessment Department. By way of a letter, which was dated April 7, 2010, the Housing Agency of Jamaica (HAJ) sought the approval of the National Contracts Commission (NCC) to obtain a valid Bid Security from the sole bidder. The NCC, in its response, requested that that proposal be directed to the Solicitor General for review and guidance.</p> <p>The OCG has noted that, by way of a letter which was dated May 11, 2010, the HAJ wrote to the bidder requesting that a valid Bid Security be submitted by a specified period. The HAJ has reported that the Bid Security was provided.</p> <p>The Tender Report which was prepared by the HAJ indicated that the Comparative Estimate was adjusted to \$41,021,866.00, as the previous amount did not take the electricity component of the contract into account.</p> <p>As at December 31, 2010, the procurement process was ongoing.</p>						
Status	As at December 31, 2010, the requisite approvals were awaiting.					

Project #	260					
Ministry / Agency	Ministry of Water and Housing / Housing Agency of Jamaica Limited			Project Name	Special Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Quest Security Services Limited	J\$ 0.00	J\$ 1,323,343.75	2010-12-13	2011-12-12	J\$ 00,000,000.00	Kingston
Comments						
<p>An Expression of Interest (EOI) was advertised on March 3, 2010.</p> <p>Four (4) companies responded, and the EOIs were opened on March 26, 2010.</p> <p>The EOIs were evaluated and two (2) companies, namely Guardsman Limited and Quest Security Services Limited, were recommended, by the Evaluation Committee, to be invited to tender.</p> <p>However, subsequent to the review of the Evaluation Report, the Office of the Contractor General (OCG) noted that the submission which was made by Guardsman Limited did not fully comply with the provisions of the EOI.</p> <p>Consequently, the OCG recommended that Guardsman Limited should be deemed ineligible and should not be invited to bid.</p> <p>The OCG's recommendation was accepted by the Housing Agency of Jamaica Limited (HAJL).</p> <p>Consequently, Quest Security Services Limited was invited to bid. The tender was required to be submitted by September 13, 2010, to be followed by a Tender Opening Ceremony.</p> <p>The sole bidder was recommended and approved for the award of contract.</p> <p>The Contract was signed on December 13, 2010.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	261					
Ministry / Agency	Ministry of Water and Housing / Ministry of Water and Housing			Project Name	Commissioned Land Surveyor: Ferry Pen, St. Andrew and Port Henderson, St. Catherine	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-04	2010-07-01	2010-07-06	0000-00-00	0000-00-00	2010-07-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Preston Demetrius	J\$ 3,680,000.00	J\$ 3,524,200.00	2010-07-19	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The Tender Notice was advertised on April 14, 2010. Tenders were to be submitted by May 4, 2010 at 3:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>One (1) tender was received for each location, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Contracts for the respective locations were awarded separately. The Contract Sum for Ferry Pen was \$3,366,400.00, while that for Port Henderson was \$157,800.00. Both contracts were awarded on the same day.</p> <p>The Comparative Estimate for Ferry Pen was \$3,360,000.00 and \$320,000.00 for Port Henderson.</p> <p>As at December 31, 2010, the Public Body reported that the requisite services were 90% complete for Ferry Pen, and that for both locations "...delays were encountered while awaiting site meeting with UDC."</p> <p>The OCG will continue to monitor the execution of the Contract.</p>						
Status	As at December 31, 2010, the projects were being executed.					

Project #	262					
Ministry / Agency	Ministry of Water and Housing / Ministry of Water and Housing			Project Name	Commissioned Land Surveyor: Windsor Heights, St. Catherine	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-04	2010-07-01	2010-07-06	0000-00-00	0000-00-00	2010-07-14
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Lofters & Associates	J\$ 5,850,000.00	J\$ 6,110,000.00	2010-07-14	0000-00-00	J\$ 6,110,010.00	Saint Catherine
Comments						
<p>The Tender Notice was advertised on April 14, 2010. Tenders were to be submitted by May 4, 2010 at 3:00 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 sole bidder, Lofters & Associates, was recommended, and approved for the award of contract. The Contract was executed accordingly.</p> <p>The Public Body reported that as at December 31, 2010, the services were completed.</p>						
Status	Contract is completed					

Project #	263					
Ministry / Agency	Ministry of Water and Housing / Ministry of Water and Housing			Project Name	Commissioned Land Surveyors: Orange Bay, Hanover, Barrett Town, St. James, Bluefields, Westmoreland and Mount Edgecombe/Alpine, Westmoreland	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-04	2010-07-01	2010-07-06	0000-00-00	0000-00-00	2010-07-14
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Andrew A. Bromfield & Associates	J\$ 6,345,000.00	J\$ 6,403,500.00	2010-07-14	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The Tender Notice was advertised on April 14, 2010. Tenders were to be submitted by May 4, 2010 at 3:00 p.m.</p> <p>One (1) tender was received for each location, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Contracts for the respective locations were awarded separately. The Contract Sum for Orange Bay was \$780,000.00, Barrett Town was \$487,500.00, Bluefields was \$2,996,000.00 and Mount Edgecombe/Alpine was \$2,140,000.00. All contracts were awarded on the same day.</p> <p>The Comparative Estimates were as follows:</p> <ul style="list-style-type: none"> • Orange Bay - \$825,000.00; • Barrett Town - \$480,000.00; • Bluefields - \$2,940,000.00; and • Mount Edgecombe/Alpine - \$2,100,000.00. <p>The Public Body reported that, as at December 31, 2010, work on Barrett Town and Bluefields were completed. Work on Orange Bay and Mount Edgecombe/Alpine were 90% completed however; "...delays were encountered while awaiting site meeting with UDC."</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Surveying was completed on two (2) of the locations, while completion was pending for the remaining two (2) locations.					

Project #	264					
Ministry / Agency	Ministry of Water and Housing / Ministry of Water and Housing			Project Name	Tender for Commissioned Land Surveyors: Darlingford - Portland, Quaw Hill, St. Thomas and Top Moro, St. Thomas	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 3,469,250.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Portland
Comments						
<p>Potential bidders were notified of the procurement opportunity by way of an e-mail which was dated November 19, 2010. Tenders were to be submitted by December 8, 2010 at 3:00 p.m., which was followed by a scheduled Tender Opening Ceremony at 3:10 p.m.</p> <p>The Comparable Estimates were as follows:</p> <ul style="list-style-type: none"> Top Moro, St. Thomas - \$729,250.00; Quaw Hill, Portland - \$300,000.00; and Darlingford, Portland - \$2,170,000.00. <p>Six (6) tenders were received, for Darlingford, and five (5) each for Top Moro and Quaw Hill. All 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, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at December 31, 2010, the procurement was at the evaluation stage.					

Project #	265					
Ministry / Agency	Ministry of Water and Housing / National Water Commission			Project Name	Expression of Interest - Debt Collection Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised in September 2010. Expressions of Interest were to be submitted by October 29, 2010 at 10:00 a.m., to be followed by a Tender Opening Ceremony at 10:15 a.m. The date for submission was subsequently extended to November 12, 2010.</p> <p>Nine (9) Expressions of Interest were received, opened and verified in accordance with the eligibility requirements.</p> <p>The National Water Commission (NWC) has advised that the successful company, or companies, will operate on a commission only basis, and would receive a pre-determined percentage of the sum recovered.</p> <p>As at December 31, 2010, the evaluation was not yet completed.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Evaluation not yet completed					

Project #	266					
Ministry / Agency	Ministry of Water and Housing / National Water Commission			Project Name	Insurance Placement 2011/2012 - 2013/2014	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-23	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 19, 2010. Tenders were to be submitted by November 23, 2010 at 3:00 p.m., followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Four (4) Brokers responded, submitting a total of seven (7) proposals.</p> <p>Eckler Consultants and Actuaries were the Consultants contracted to evaluate the proposals which were submitted by pre-qualified Brokers and Insurers. The evaluation was conducted accordingly, and a recommendation was made for the award of the contract.</p> <p>As at December 31, 2010, the requisite approvals were pending.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Awaiting requisite approvals					

Project #	267					
Ministry / Agency	Ministry of Water and Housing / National Water Commission			Project Name	Payroll System and Associated Installation Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-31	2010-10-19	2010-11-19	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	US\$ 40,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on February 15, 2010.</p> <p>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 (NWC) technical requirements, and qualified for second stage evaluation. The bidder was subsequently recommended for the award of contract.</p> <p>The Inter-American Development Bank, the source of financing, granted its non-objection to continue with the procurement process, given that the winning bid was several times the budgeted amount. In the foregoing regard, the NWC had indicated that the original estimate was erroneously compiled.</p> <p>As at December 31, 2010, the project was awaiting the endorsement of the National Contracts Commission.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	Awaiting requisite approvals					

Project #	268					
Ministry / Agency	Ministry of Water and Housing / National Water Commission			Project Name	Supply and Installation of Standby Generators	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-13	2010-06-10	2010-07-19	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	US\$ 150,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint James
Comments						
<p>The procurement opportunity commenced in 2009 and tenders were initially received on March 5, 2009.</p> <p>An evaluation was completed and a bidder recommended.</p> <p>The matter was tabled at the Sector Committee of the Ministry of Water and Housing, which expressed concerns about the process. The Sector Committee subsequently rejected the recommendation and further recommended that the project be re-tendered with changes to the Tender Document.</p> <p>The National Contracts Commission, at its meeting which was held on September 2, 2009, concurred with the recommendation of the Sector Committee.</p> <p>Consequently, the project was re-tendered. Tenders were to be submitted on January 13, 2010 at 10:00 a.m., followed by a Tender Opening Ceremony at 10:15 a.m.</p> <p>Eight (8) tenders were received, opened and verified in accordance with the eligibility requirements in the Tender Documents. Three (3) of the tenders were deemed non-responsive due to failure to provide the requisite information.</p> <p>An evaluation was undertaken and a bidder was recommended.</p> <p>As at December 31, 2010, the OCG was advised that the parties were in negotiations and a contract was being drafted.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	The Contract was being drafted.					

Project #	269					
Ministry / Agency	Ministry of Water and Housing / National Water Commission			Project Name	Supply of Aluminum Sulphate	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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	2010-08-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Industrial Chemical Company Limited	J\$ 45,000,000.00	J\$ 44,181,504.00	2010-12-01	0000-00-00	J\$ 18,571,392.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 9, 2009.</p> <p>Tenders were to be submitted on December 16, 2009 at 10:00 a.m., followed by a 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>Subsequent to the evaluation of the bids, the bidder who received the highest evaluation score, Industrial Chemical Company Limited was recommended for the award of contract.</p> <p>The requisite approvals were received from the Procurement Committee, the Head of Entity and the National Contracts Commission.</p> <p>The contract was subsequently executed.</p> <p>As at December 31, 2010, the contract was being implemented.</p> <p>The OCG will continue to monitor the project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	270					
Ministry / Agency	Ministry of Water and Housing / National Water Commission			Project Name	Supply of Uniforms for Supervisory & Pre-supervisory Staff	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-14	0000-00-00	2010-03-17	2010-04-07	0000-00-00	2010-08-20
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Designs by Marc Limited	J\$ 31,683,317.84	J\$ 21,805,388.80	2010-08-20	2011-01-07	J\$ 6,541,616.64	All Island
Comments						
<p>The procurement opportunity was advertised on April 1, 2009. Contractors were allowed to bid for one, all or any combination of eight (8) categories. Tenders were to be submitted by April 30, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. The deadline for submission was extended to May 14, 2009.</p> <p>Five (5) companies, submitted tenders which were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Tenders were received for seven (7) of the eight (8) categories.</p> <p>The evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document. Design by Marc Limited was the highest scored bidder with regards to the provision of manufactured apparel and belts, and that company was recommended for the award of contract.</p> <p>The National Contracts Commission (NCC) endorsed the recommendation, in its meeting of April 7, 2010. The Contract which was reviewed by the OCG, though signed, was not dated, and had a required delivery time of twenty (20) weeks. The OCG also noted that a Purchase Order was issued to the Contractor on August 19, 2010.</p> <p>A Status Report from the National Water Commission indicated that the deliveries were pending.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	271					
Ministry / Agency	Ministry of Water and Housing / National Water Commission			Project Name	Supply of Uniforms for Supervisory & Pre-supervisory Staff	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-14	0000-00-00	2010-03-17	2010-04-07	0000-00-00	2010-08-19
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Fabric Consultants Limited	J\$ 15,319,167.50	J\$ 17,953,292.00	2010-08-19	2010-12-09	J\$ 5,385,987.60	All Island
Comments						
<p>The procurement opportunity was advertised on April 1, 2009. Contractors were allowed to bid for one, all or any combination of eight (8) categories. Tenders were to be submitted by April 30, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. The deadline for submission was extended to May 14, 2009.</p> <p>Five (5) companies, submitted tenders which were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Tenders were received for seven (7) of the eight (8) categories.</p> <p>The evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document. Fabric Consultants Limited was the highest scored bidder with regards to the provision of jeans pants for the staff, and was recommended for the award of contract.</p> <p>The National Contracts Commission (NCC) endorsed the recommendation, in its meeting of April 7, 2010. The Contract which was reviewed by the OCG, though signed, was not dated, and had a required delivery time of sixteen (16) weeks. The OCG also noted that a Purchase Order was issued to the Contractor on August 19, 2010.</p> <p>A Status Report from the National Water Commission indicated that the deliveries were pending. Other documentation evidenced indicated that the deliveries are not expected to be made before February 2011.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contract is being implemented					

Project #	272					
Ministry / Agency	Ministry of Water and Housing / National Water Commission			Project Name	Supply of Uniforms for Supervisory & Pre-supervisory Staff	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-05-14	0000-00-00	2010-03-17	2010-04-07	0000-00-00	2010-08-30
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Sun Island Limited	J\$ 16,360,639.34	J\$ 16,050,943.70	2010-08-30	2011-01-17	J\$ 4,815,283.11	All Island
Comments						
<p>The procurement opportunity was advertised on April 1, 2009. Contractors were allowed to bid for one, all or any combination of eight (8) categories. Tenders were to be submitted by April 30, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 10:15 a.m. The deadline for submission was extended to May 14, 2009.</p> <p>Five (5) companies, submitted tenders which were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document. Tenders were received for seven (7) of the eight (8) categories.</p> <p>The evaluation was conducted in accordance with the evaluation criteria which were outlined in the Tender Document. Sun Island Limited was the highest scored bidder for three (3) categories of shirts, and was recommended for the award of contract.</p> <p>The Head of the Entity approved the recommendation on March 17, 2010.</p> <p>The National Contracts Commission (NCC) endorsed the recommendation for the award of contract on April 7, 2010. The Contract was executed on August 30, 2010, with a required delivery time of twenty (20) weeks.</p> <p>The OCG was advised by way of a Status Report from the National Water Commission that Sun Island Limited had made all deliveries.</p>						
Status	The items were delivered accordingly.					

Project #	273					
Ministry / Agency	Ministry of Water and Housing / National Water Commission (NWC)			Project Name	Expression of Interest - Provision of Specialist Consultancy Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>Documents obtained by the OCG, indicated that the National Contracts Commission (NCC), in 2007, granted approval for the NWC to establish a <i>"Register of Pre-approved Specialist Consultants"</i>. The Specialist Consultants may be engaged by the NWC to carry out work in specialist areas for the organisation, as required, and would be periodically updated. In this regard, the NWC invited interested, suitably qualified individuals and firms to submit Expressions of Interest.</p> <p>The advertisement for Expressions of Interest for fourteen (14) specialist areas was first published on August 22, 2010. The deadline for submission was September 15, 2010. A revised list of specialist areas numbering nineteen (19) was however advertised on August 25, 2010 indicating that it was a "Revised Copy". The deadline for submission changed to August 30, 2010. Another advertisement indicating "Final Revised Copy" was published on September 1, 2010. The deadline was changed back to the original date of September 15, 2010.</p> <p>Twenty-one (21) Expressions of Interest were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The Public Body reported that upon the opening of the tenders which were received, it was realised that there were areas for which Expressions of Interest were not received.</p> <p>In light of this, the decision was taken by the Entity to "re-open" the exercise, in an effort to satisfy all areas of specialty.</p> <p>In this regard, the request for Expressions of Interest was again advertised on October 25, 2010, and the deadline for submission was scheduled for November 17, 2010. Previous applicants were not required to apply. The OCG has noted with concern, that the advertisement was published as an "extension" despite the fact that an opening had already been held and the previous process was ongoing.</p> <p>Eight (8) Expressions of Interest were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>It is reported by the NWC that subsequent to the evaluation of the submissions, two (2) of the twenty-nine (29) Expressions of Interest received, were deemed non-responsive. The remaining twenty-seven (27) Consultants were recommended for inclusion on the "Register of Pre-approved Specialist Consultants".</p> <p>By way of a letter which was dated December 24, 2010, the NWC forwarded the recommended list of Consultants to the NCC for endorsement.</p> <p>The OCG will continue to monitor the procurement opportunity.</p>						
Status	As at December 31, 2010, the approval process was ongoing.					

Project #	274					
Ministry / Agency	Ministry of Water and Housing / National Water Commission (NWC)			Project Name	Procurement of Oracle RDBMS and Associated Support for Disaster Recovery Planning (DRP) Site for NWC's Customer Information System (CIS)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-03-04	2010-05-05	2010-07-19	2010-09-08	0000-00-00	2010-10-22
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Fujitsu Caribbean (Jamaica) Limited	US\$ 200,000.00	US\$ 219,929.35	2010-10-22	2010-11-17	US\$ 219,929.36	Kingston
Comments						
<p>The procurement opportunity was advertised on January 20, 2010. Financing for the subject project was provided by the Inter-American Development Bank.</p> <p>Tenders were to be submitted by March 4, 2010 at 10:00 a.m. The OCG noted however that the time for the Tender Opening Ceremony was not indicated in the Tender Notice. Consequently, the OCG wrote to the NWC advising them of the omission and recommended that an amendment be made to the advertisement and also to the Tender Document. The NWC responded advising that; <i>"the integrity of the tender was preserved as the cover letter issued with the Invitation to Tender clearly specified the closing date and time. It was also included in the Request for Proposal (RFP)."</i> A copy of the letter issued to potential Bidders was also made available to the OCG.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, one (1) tender was deemed non-responsive as no bid security was submitted. Fujitsu Caribbean (Jamaica) Limited, the bidder who attained the higher evaluated score, was recommended for the contract award in the amount of US\$258,416.98 inclusive of GCT. The contract sum of US\$219,929.35 does not include General Consumption Tax (GCT).</p> <p>A Status Report from the NWC indicated that the procured items were delivered and full payment was made to the Contractor.</p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	Contract was completed.					

Project #	275					
Ministry / Agency	Ministry of Water and Housing / National Water Commission (NWC)			Project Name	Supply of Mini Excavators	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-07	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 90,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 24, 2009. Tenders were to be submitted by September 24, 2009 at 10:00 a.m., to be followed by a Tender Opening Ceremony at 10:15 a.m.</p> <p>Upon a review of the subject Tender Document, the OCG identified deficiencies and recommended that the Procuring Entity issue an Addendum correcting the deficiencies and extend the deadline for submission of tenders. The deadline to submit tenders was subsequently extended to October 7, 2009 at 10:00 a.m., to be followed by a Tender Opening Ceremony at 10:15 a.m. All potential bidders were notified of amendments made to the Tender Document, and the revised submission date, by way of an Addendum, which was dated September 28, 2009.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the Entity decided to put the procurement on hold. This was communicated to bidders by way of letter dated April 26, 2010, which also returned the respective Bid Bonds.</p> <p>The OCG has since been informed that the process has been discontinued.</p>						
Status	The procurement process was terminated.					

Project #	276					
Ministry / Agency	Ministry of Water and Housing / National Water Commission (NWC)			Project Name	Tender for the Provision of Advertising and Public Relations Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-03	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 47,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was originally advertised on May 14, 2010, and had a Tender Opening Ceremony on June 24, 2010. One (1) tender was received, which upon evaluation, was deemed non-responsive. The procurement process was terminated</p> <p>The procurement opportunity was re-advertised on September 29, 2010. Tenders were to be submitted by November 3, 2010 at 10:00 a.m., to be followed by a Tender Opening Ceremony.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	277					
Ministry / Agency	Ministry of Water and Housing / National Water Commission (NWC)			Project Name	The Supply of GPS Vehicle Tracking Service Island-wide	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-18	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 12,815,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on January 18, 2010. Tenders were to be submitted by February 18, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Eight (8) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation process was ongoing. The OCG has noted with concern, the inordinately lengthy period for the completion of the evaluation process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	278					
Ministry / Agency	Ministry of Water and Housing / Rural Water Supply			Project Name	Supply of Pipes and Fittings	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-11-22	2010-12-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 38,759,545.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Clarendon
Comments						
<p>The procurement opportunity was advertised on October 24, 2010. Tenders were to be submitted by November 22, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:15 p.m.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who was deemed the lowest responsive was recommended for the award of contract.</p> <p>As at December 31, 2010, the requisite approvals were being sought.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	279					
Ministry / Agency	Ministry of Water and Housing / Rural Water Supply Limited			Project Name	Supply of Computer and Other Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-12	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	J\$ 800,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on March 31, 2010. Tenders were to be submitted by April 12, 2010 at 4:00 p.m.</p> <p>Eight (8) tenders were received.</p> <p>In response to a request for a copy of the Tender Document which was made by the OCG, the Procuring Entity advised that; "...no Tender Document was prepared for the quotation requested."</p> <p>In the foregoing regard, the OCG recommended that the process be aborted and a Tender Document that satisfies the minimum requirements of the Government of Jamaica, Revised Handbook of Public Sector Procurement Procedures be prepared, to guide the procurement process.</p> <p>By way of a letter dated October 27, 2010, the Procuring Entity advised the OCG that it had; "... decided to defer the purchase of computer and office equipment in light of the unavailability of budget support."</p>						
Status	Procurement process was aborted					

Project #	280					
Ministry / Agency	Ministry of Water and Housing / Water Resources Authority			Project Name	Tender Notice to Provide Offset Lithography Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-10-29	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 365,832.25	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on February 21, 2010. Four (4) tenders were received and opened on March 22, 2010. The procurement process was aborted, upon the recommendation of the OCG, as a result of deficiencies which were noted in the Tender Document.</p> <p>The Tender Document was revised and the opportunity re-advertised on July 25, 2010.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The process was, however, aborted as the bidder was deemed ineligible, having failed to provide a National Contracts Commission (NCC) certificate.</p> <p>Consequently, the Water Resources Authority sought the permission of the NCC to utilise the Limited Tender Procurement Methodology. The NCC, on September 22, 2010, offered no objection to same.</p> <p>Subsequently, letters of Invitation, which were dated October 11, 2010, were issued to six (6) companies. Tenders were to be submitted by October 29, 2010 at 1:00 p.m., to be followed by a Tender Opening Ceremony at 1:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the with the eligibility requirements which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation was not yet completed.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	281					
Ministry / Agency	Ministry of Youth, Sports and Culture / Institute of Jamaica			Project Name	Security Services (Electronic Surveillance)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-08	2010-02-18	2010-02-18	0000-00-00	0000-00-00	2010-07-15
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Quest Security Services Limited	J\$ 0.00	J\$ 243,602.50	2010-07-15	2011-07-14	J\$ 101,700.00	All Island
Comments						
<p>The procurement opportunity was advertised on December 6, 2009. Tenders were to be submitted by January 8, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. It was noted however that only three (3) bidders submitted a proposal for Electronic Surveillance, as this procurement opportunity was being tendered along with general security services. One potential bidder arrived late and was therefore not eligible for consideration at the Tender Opening.</p> <p>Subsequent to the evaluation of the bids, the lowest evaluated bidder was not recommended for the award of contract. Documentation provided by the Institute of Jamaica (IOJ) indicated that this decision was taken as a result of an internal policy which required the provider of electronic surveillance to be different from the general security provider.</p> <p>The contract was awarded on July 15, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	282					
Ministry / Agency	Ministry of Youth, Sports and Culture / The Institute of Jamaica			Project Name	Security Services (Security Guards)	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-01-08	2010-01-19	2010-01-22	0000-00-00	0000-00-00	2010-02-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Vanguard Security Limited	J\$ 0.00	J\$ 8,488,440.00	2010-02-12	2011-02-11	J\$ 4,900,495.00	Kingston
Comments						
<p>The procurement opportunity was advertised on December 6, 2009. Tenders were to be submitted by January 8, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:30 a.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the tender. One potential Bid arrived after the Close of Tender and was therefore not eligible for consideration at the Tender Opening. The OCG noted that there was no Comparable Estimate for the subject Tender and that a Bid Receipt Record was not prepared.</p> <p>Subsequent to the evaluation of the bids, the OCG has noted that the bidder who was deemed to have provided "<i>the most competitive tender</i>" was recommended and approved for the award of the contract.</p> <p>The contract was awarded on February 12, 2010.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at December 31, 2010, the contract was being executed.					

Project #	283					
Ministry / Agency	Office of the Cabinet / Management Institute for National Development			Project Name	Procurement for Canteen Concessionaire	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-08	2010-10-25	2010-10-27	0000-00-00	0000-00-00	2010-11-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Versair In-Flite Services	J\$ 0.00	J\$ 0.00	2010-12-01	2012-12-01	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on July 28, 2010. Tenders were to be submitted by August 30, 2010 at 3:00 p.m.</p> <p>By way of letter dated August 25, 2010, the OCG advised the Procuring Entity of deficiencies which were noted in the Tender Document, with particular reference to the evaluation criteria.</p> <p>Additionally, in the referenced letter, the OCG also noted the inclusion of a disclaimer clause, which absolved the Entity of any liability with regard to the accuracy of the information contained in the Tender Document. In this regard, the OCG advised the Procuring Entity of its position, in line with the guidance provided by the Ministry of Finance and the Public Sector, that the Procuring Entity must be responsible for the contents of the Tender Document.</p> <p>In light of the foregoing, the OCG recommended that an addendum be issued accordingly.</p> <p>The recommendation of the OCG was accepted.</p> <p>A revised Tender Document was subsequently made available to bidders on September 17, 2010. Tenders were to be submitted by October 8, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon evaluation, the bid which met all requirements as outlined in the Tender Document was recommended for the award of contract.</p> <p>The requisite approvals were gained and the contract was awarded accordingly.</p> <p>The contract document outlined that the Procuring Entity will subsidise fifty percent (50%) of the large combo meals for the Ancillary Staff. However, staff and participants will have the option of making cash purchases.</p> <p>The OCG will continue to monitor the execution of this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	284					
Ministry / Agency	Office of the Cabinet / Office of the Cabinet			Project Name	Capacity Building of the Performance Monitoring and Evaluation Unit	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	2010-09-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	US\$ 87,532.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 8, 2010. Tenders were to be submitted by September 20, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>One (1) bidder attained the minimum score, which was required from the technical evaluation, to qualify for the financial evaluation.</p> <p>Subsequent to the evaluation of the tenders, the qualifying bidder was recommended for the award of the contract.</p> <p>The National Contracts Commission (NCC) approved the recommendation, subject to negotiations which are to be completed by the Cabinet Office.</p> <p>However, a status update which was provided by the Cabinet Office has indicated that the project was cancelled in December 2010 and will be re-tendered in fiscal year 2011/2012.</p>						
Status	The project was cancelled.					

Project #	285					
Ministry / Agency	Office of the Cabinet / Office of the Cabinet			Project Name	Development of a Decentralization Policy	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2009-07-15	2009-08-13	2009-09-09	0000-00-00	0000-00-00	2009-09-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Delta Partnership	US\$ 80,000.00	US\$ 69,825.00	2009-09-09	0000-00-00	US\$ 37,533.32	Kingston
Comments						
<p>The tender and award process were completed in 2009. The contract was awarded to Delta Partnership on September 9, 2009 and had five (5) specific deliverables.</p> <p>A status report from the Procuring Entity, which was dated December 1, 2010, stated, <i>inter alia</i>, 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>						
Status	Contract was terminated					

Project #	286					
Ministry / Agency	Office of the Cabinet / Office of the Cabinet			Project Name	Procurement of Multi-function Printers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-29	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	J\$ 2,900,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on October 10, 2010. Tenders were to be submitted by October 29, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m. Bidders were invited to supply one (1) large and four (4) medium multifunction printers.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to the evaluation of the bids, two (2) bidders who attained the highest evaluation scores for the respective equipment supply were recommended for the award of the contract.</p> <p>As at December 31, 2010, the requisite approvals were pending.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	287					
Ministry / Agency	Office of the Contractor-General			Project Name	Procurement of Janitorial and Sanitation Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-08-23	2010-08-31	2010-09-02	0000-00-00	0000-00-00	2010-09-03
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Manpower & Maintenance Services Limited	J\$ 2,908,567.20	J\$ 2,928,664.44	2010-09-06	2012-09-05	J\$ 550,865.30	Kingston
Comments						
<p>The procurement opportunity was retendered twice prior to the award of the contract.</p> <p>The initial Tender Opening Ceremony was held on June 24, 2010, however, during the evaluation process, the sole bidder was found to be non responsive, as the tender deviated from one of the specifications stated in the Tender Document. The Evaluation Committee therefore recommended that the procurement opportunity be retendered.</p> <p>In the second instance the Tender Opening Ceremony was held on July 29, 2010. This process was subsequently terminated as the Tender Opening Ceremony commenced fifteen (15) minutes earlier than the stated time.</p> <p>The procurement opportunity was subsequently offered by way of Limited Tender Methodology. Letters of Invitation dated August 9, 2010, were submitted to five (5) companies. Tenders were to be submitted by August 23, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, one (1) tender was deemed responsive. Subsequent to evaluation, the sole responsive tender was recommended for the contract award.</p> <p>The requisite approvals were received and the contract award was executed accordingly.</p> <p>As at December 31, 2010, the contract was being implemented and payments were being made accordingly.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	288					
Ministry / Agency	Office of the Cabinet / Office of Utilities Regulation			Project Name	Expression of Interest-Consulting Services for the Evaluation of Bids for the Supply of 480 MW of Generating Capacity	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The Invitation to submit Expressions of Interest was advertised on November 5, 2010. The initial deadline for the submission of Expressions of Interest (EOI) was November 19, 2010.</p> <p>Five (5) EOIs were received.</p> <p>However, in a letter, which was dated December 9, 2010, the Office of Utilities Regulations (OUR) advised the Office of the Contractor General (OCG) that, " ...the OUR has taken the decision to cancel the previous request and revise the Expression of Interest in accordance with the World Bank's format so that the evaluation of the 480MW of Generating Capacity can potentially benefit from the World Bank funds under the Jamaica-Energy Security and Efficiency Enhancement Project (P112780)"</p> <p>The OUR further advised the OCG that; "The companies that had expressed an interest had been advised of the cancellation..."</p> <p>The EOI was subsequently re-advertised on December 8, 2010, with the deadline for submission being December 28, 2010.</p> <p>Ten (10) EOIs were received accordingly.</p> <p>As at December 31, 2010, the OUR was in the process of shortlisting firms to whom the Request for Proposal will be issued.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the project as at the Pre-Tender stage.					

Project #	289					
Ministry / Agency	Office of the Cabinet / Office of Utilities Regulation			Project Name	Supply of up to 480MW of Base-load Generating Capacity on a Build, Own, and operate Basis	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Open Tender	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 0.00	US\$ 0.00	0000-00-00	0000-00-00	US\$ 0.00	Kingston
Comments						
<p>In September 2010, the Ministry of Energy and Mining requested permission from the National Contracts Commission (NCC) to utilise the Limited Tender Procurement Methodology to procure 480 MW of Generating Capacity. The NCC offered no objection to the Ministry's request taking into consideration the circumstances and urgency outlined in the Ministry's letter.</p> <p>Subsequent to same, the Office of Utilities Regulation (OUR) reportedly invited twenty-eight (28) local and international companies to submit tenders for the supply of 480 megawatts of new generating capacity. The deadline for the submissions was January 7, 2011.</p> <p>By way of Media Release on December 15, 2010, the OUR advised that it had amended the procurement methodology from Limited Tender to Open Tender, as it had concluded that the project would be better served by an open tender process. As such, the Request for Proposal, which was issued on September 30, 2010, by way of the Limited Tender Procurement Methodology, was withdrawn.</p> <p>The Invitation to Bid, to provide new Generating Capacity amounting to 480MW net to the national grid of Jamaica on a Build Own and Operate Basis (BOO), was advertised on December 13, 2010, and was posted on OUR's website.</p> <p>Tenders were to be submitted by March 31, 2011 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the deadline for submissions of tenders was pending.					

Project #	290					
Ministry / Agency	Office of the Prime Minister / Central Wastewater Treatment Company Limited			Project Name	Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-10	2010-09-14	2010-08-31	2010-11-24	2010-12-21	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 277,663.20	US\$ 0.00	0000-00-00	0000-00-00	US\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on April 25, 2010. Tenders were to be submitted by May 27, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m. By way of addendum, the period for bid submission was extended until June 10, 2010.</p> <p>Twelve (12) proposals were received from four (4) Brokers, which were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>The evaluation was conducted by Eckler Consultants and Actuaries, who were selected using the Limited Tender Procurement Methodology in accordance with Section S-4000 of the Handbook. Eckler was contracted on May 20, 2010 for the basic sum of \$551,000.00 exclusive of GCT.</p> <p>Subsequent to evaluation, the Actuary recommended the Broker to be appointed for the three (3) contract period. This recommendation was endorsed by the National Contracts Commission and approved by the Cabinet.</p> <p>The Central Wastewater Treatment Company Ltd (CWTC) has advised the OCG that its existing insurance coverage had to be extended in order to facilitate the procurement process.</p> <p>As at December 31, 2010, the contract was not yet executed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the contract was not yet executed.					

Project #	291					
Ministry / Agency	Office of the Prime Minister / Department of Local Government			Project Name	Procurement of Catering Services for the Golden Age Home	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	2010-01-04	2010-02-03	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 32,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was initially advertised on March 29, 2009. One (1) tender was received in response, which was opened at the Tender Opening Ceremony held on May 15, 2009.</p> <p>Subsequently, to evaluation, the sole bidder failed to attain the minimum score of seventy-five (75) points. The Procurement Committee recommended, <i>inter alia</i>, that the Procuring Entity should request permission of the National Contracts Commission (NCC) to utilise the Direct Contracting Procurement Methodology with the incumbent provider. The Committee found that the result of the evaluation exercise was due in part to the unrealistic criteria which rendered it extremely difficult for any bidder to attain the required points.</p> <p>The Department of Local Government subsequently requested the permission of the NCC in line with the aforementioned recommendation. In its meeting of February 3, 2010, the NCC endorsed the request of the Procuring Entity to negotiate a contract with incumbent provider. However, the NCC noted the following:</p> <p><i>"a) They [sic] were flaws in the evaluation which formed part of the tender process conducted by the Golden Age Home during the period May to August 2009.</i></p> <p><i>b) The price quoted by Golden Age Kitchen i.e. \$198.72 (under \$200) total price to feed each resident three times daily was considered extremely competitive by the Golden Age Home.</i></p> <p><i>c) The Golden Age Home was satisfied with the performance of the incumbent based on quality and service provided".</i></p> <p>A status report from the Procuring Entity stated that; "A cabinet submission was prepared and submitted on the 6th of July 2010 to the Permanent Secretary, Office of the Prime Minister for Cabinet's approval."</p> <p>As at December 31, 2010, the Cabinet's approval was pending.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the requisite approvals were pending.					

Project #	292					
Ministry / Agency	Office of the Prime Minister / Development Bank of Jamaica			Project Name	Auditing Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-08	2009-12-23	2009-12-31	2010-03-03	0000-00-00	2010-06-02
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
KPMG	J\$ 20,330,000.00	J\$ 21,721,000.00	2010-04-01	2015-03-31	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 4, 2009. Tenders were to be submitted by December 8, 2010 at 2:30 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:00 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document. One (1) bidder was disqualified as a valid National Contracts Commission (NCC) certificate was not provided.</p> <p>Upon evaluation, KPMG was the higher scored of the remaining two (2) bidders, and consequently, was recommended for the award of contract.</p> <p>The requisite approvals were received and the contract was signed on June 2, 2010.</p> <p>The OCG has been advised that the commencement date of April 1, 2010 indicates the first of the five (5) financial years' statements that KPMG will be required to audit.</p> <p>KPMG is scheduled to begin the auditing exercise in March 2011.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	293					
Ministry / Agency	Office of the Prime Minister / Development Bank of Jamaica			Project Name	Consultant to Identify Suitable Operators for Local Attractions	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-07-28	2010-12-03	2010-10-16	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The National Contracts Commission (NCC) endorsed the request of DBJ to utilise the Limited Tender Procurement Methodology to invite thirteen (13) firms to tender on the procurement opportunity. Letters of Invitation, which were dated June 28, 2010, were dispatched to the various firms. Tenders were to be submitted by July 28, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. No comparable estimate was disclosed during the Tender Opening Ceremony. Two (2) bidders were declared ineligible for failure to submit the required information.</p> <p>Subsequent to evaluation, the highest scored bidder was recommended for the award of contract.</p> <p>As at the end of December 2010, the approval process was ongoing.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	294					
Ministry / Agency	Office of the Prime Minister / Development Bank of Jamaica			Project Name	Consultant to value the UDC's 50% shareholding in Bloody Bay Hotel Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-09-03	2010-11-30	2010-10-14	0000-00-00	0000-00-00	2010-11-25
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Deloitte Touche Tohmatsu	US\$ 0.00	US\$ 44,340.00	2010-12-06	2011-01-10	US\$ 10,419.90	Westmoreland
Comments						
<p>The National Contracts Commission (NCC) offered no objection to DBJ's proposal to utilise the Limited Tender Procurement Methodology to invite five (5) firms to tender on the procurement opportunity. Letters of invitation, which were dated August 3, 2010, were dispatched to the various firms. Tenders were to be submitted September 3, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. The comparable estimate for the project was between J\$4 - J\$5 million.</p> <p>One (1) firm was declared ineligible; another firm did not attain the minimum score, which was required after the technical evaluation, to qualify for the financial evaluation. Of the two (2) remaining bidders, Deloitte & Touche received the higher score and was recommended for the award of the contract.</p> <p>With regards to the Procurement Committee's approval, which was received subsequent to the award of the contract, the Development Bank of Jamaica (DBJ) has advised that the process was not formally reviewed by the DBJ Procurement Committee as the tender was under the oversight of the Urban Development Corporation's Enterprise Team. The DBJ, having been made aware of the requirement, sought and received the approval of its Procurement Committee.</p> <p>The contract was awarded on November 25, 2010.</p> <p>The effective date of the contract was December 6, 2010 and the valuation report was to be submitted five (5) weeks thereafter. DBJ has advised that a two (2) week extension was granted and, as such, it is expected that the project will be completed at the end of January 2011.</p> <p>As stated in the agreement, professional fees are US\$44,340.00 plus actual out of pocket expenses which are limited to no more than 10% of professional fees. The expenditure to date represents a 20% mobilisation fee.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being implemented.					

Project #	295					
Ministry / Agency	Office of the Prime Minister / Development Bank of Jamaica			Project Name	Consultants to Identify Suitable Operators for Beachfront Properties	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-07-28	2010-12-03	2010-10-16	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The National Contracts Commission (NCC) endorsed the request of DBJ to utilise the Limited Tender Procurement Methodology to invite thirteen (13) firms to tender on the procurement opportunity. Letters of Invitation dated June 28, 2010 were dispatched to the various firms. Tenders were to be submitted by July 28, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document. No comparable estimate was disclosed during the tender opening ceremony.</p> <p>Two (2) bidders were declared ineligible for failure to submit required information. Upon evaluation, a preferred bidder was selected.</p> <p>As at December 31, 2010, the contract has not yet been finalised.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at December 31, 2010, the contract was not yet finalized.					

Project #	296					
Ministry / Agency	Office of the Prime Minister / e-Learning Jamaica Company Limited			Project Name	Pre-qualification for the Provision of Educational Software	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-20	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 27, 2009.</p> <p>Bids and pre-qualification documents were to be submitted by October 20, 2009 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 4:00 p.m.</p> <p>Seven (7) applicants submitted Pre-qualification and bid documents.</p> <p>The submissions were opened and verified in accordance with the eligibility requirements of the tender.</p> <p>A status update which was provided by the Procuring Entity stated, <i>inter alia</i>, that; "...Pre Qualification was done. However a Report is not yet available." The status further stated that, the report would be provided; "... by January 21, 2011."</p> <p>As at December 31, 2010, a pre-qualification report was not completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the pre-qualification report was not yet completed.					

Project #	297					
Ministry / Agency	Office of the Prime Minister / e-Learning Jamaica Company Limited			Project Name	Procurement for a Help Desk/Client Response System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-31	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 20,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on April 18, 2010. Tenders were to be submitted by May 18, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony. An Addendum was subsequently issued that extended the deadline for submission to May 31, 2010, to be followed by a Tender Opening Ceremony at 3:10 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>e-Learning Jamaica Company Limited has indicated in a status report that the evaluation report is completed but not yet tabled before the Procurement Committee.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	298					
Ministry / Agency	Office of the Prime Minister / e-Learning Jamaica Company Limited			Project Name	Procurement for the Supply of Instructional Materials to School - Lot 1, Building	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-07-06	2010-02-14	2010-05-12	0000-00-00	0000-00-00	2010-05-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
The Book Merchant Limited	US\$ 20,000.00	US\$ 46,940.95	2010-05-12	2010-07-31	US\$ 46,940.95	All Island
Comments						
<p>The procurement opportunity was advertised in May 2009. e-Learning Jamaica Company Limited (e-ljam) invited proposals for the supply of Instructional Material to schools and colleges. The procurement opportunity consisted of six (6) Lots for the subject areas:</p> <ul style="list-style-type: none"> • Lot 1 - Building Technology Woods/ Construction • Lot 2 - Geography • Lot 3 - Integrated Science • Lot 4 - Physics • Lot 5 - Social Studies • Lot 6 - Spanish <p>The comparable estimate was US\$20,000.00 per Lot.</p> <p>At the close of tender, three (3) proposals were submitted by two (2) bidders for Lots 1, 4 and 6.</p> <p>In accordance with the evaluation criteria stated in the Tender Document, and subsequent to the evaluation of the tenders, The Book Merchant was recommended for the award of the contract for Lot 1.</p> <p>The requisite approvals were gained and the contract was executed accordingly.</p> <p>The Procuring Entity advised the OCG, by way of letter which was dated November 10, 2010, that materials for Lots 1, 4 and 6 were being delivered to schools island wide.</p> <p>As at December 31, 2010, the contract was completed.</p> <p>With regard to the remaining three (3) Lots, these were re-advertised in November 2009. At the close of tender, only one (1) tender was received. The sole bid was found to be non-responsive and therefore the procurement process was aborted.</p>						
Status	Contract was completed					

Project #	299					
Ministry / Agency	Office of the Prime Minister / e-Learning Jamaica Company Limited			Project Name	Procurement for the Supply of Instructional Materials - Lot 4, Physics	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-07-06	2010-02-14	2010-05-13	0000-00-00	0000-00-00	2010-05-13
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
McMillan Publishers Limited	US\$ 20,000.00	US\$ 20,400.00	2010-05-13	2010-07-31	US\$ 20,400.00	All Island
Comments						
<p>The procurement opportunity was advertised in May 2009. e-Learning Jamaica Company Limited (e-ljam) invited proposals for the supply of Instructional Material to schools and colleges. The procurement opportunity consisted of six (6) Lots for the subject areas:</p> <ul style="list-style-type: none"> • Lot 1 - Building Technology Woods/ Construction • Lot 2 - Geography • Lot 3 - Integrated Science • Lot 4 - Physics • Lot 5 - Social Studies • Lot 6 - Spanish <p>The comparable estimate was US\$20,000.00 per Lot.</p> <p>Three (3) proposals were submitted by two (2) bidders for Lots 1, 4 and 6.</p> <p>In accordance with the evaluation criteria stated in the tender document and subsequent to the evaluation of the bid, MacMillan Publishers Limited was recommended for the award of the contract for Lot 4.</p> <p>The requisite approvals were gained and the contract was executed accordingly.</p> <p>The Procuring Entity advised the OCG, by way of letter which was dated November 10, 2010, that material for Lots 1, 4 and 6 were being delivered to schools islandwide.</p> <p>As at December 31, 2010, the contract was completed.</p> <p>With regard to the remaining three (3) Lots, these were re-advertised in November 2009. At the close of tender, only one (1) tender was received. The sole bid was found to be non-responsive and therefore the procurement process was aborted.</p>						
Status	Contract was completed.					

Project #	300					
Ministry / Agency	Office of the Prime Minister / e-Learning Jamaica Limited			Project Name	Procurement for the Supply of Instructional Material - Lot 6, Spanish	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-07-06	2010-02-14	2010-05-12	0000-00-00	0000-00-00	2010-05-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
The Book Merchant Limited	US\$ 20,000.00	US\$ 39,067.29	2010-05-12	2010-07-31	US\$ 39,067.29	All Island
Comments						
<p>The procurement opportunity was advertised in May 2009. e-Learning Jamaica Company Limited (e-ljam) invited proposals for the supply of Instructional Material to schools and colleges. The procurement opportunity consisted of six (6) Lots for the subject areas:</p> <ul style="list-style-type: none"> • Lot 1 - Building Technology Woods/ Construction • Lot 2 - Geography • Lot 3 - Integrated Science • Lot 4 - Physics • Lot 5 - Social Studies • Lot 6 - Spanish <p>The comparable estimate was US\$20,000.00 per Lot.</p> <p>At the close of tender, three (3) tenders were submitted by two (2) bidders for Lots 1, 4 and 6.</p> <p>In accordance with the evaluation criteria stated in the Tender Document and subsequent to the evaluation of the bid, The Book Merchant was recommended for the award of the contract for Lot 6.</p> <p>The requisite approvals were gained and the contract was awarded accordingly.</p> <p>The Procuring Entity advised the OCG, by way of letter which was dated November 10, 2010, that materials for Lots 1,4 and 6 were being delivered to schools island wide.</p> <p>As at December 31, 2010, the contract was completed.</p> <p>With regard to the remaining three (3) Lots, these were re-advertised in November 2009. At the close of tender, only one (1) tender was received. The sole bid was found to be non-responsive and therefore the procurement process was aborted.</p>						
Status	Contract was completed					

Project #	301					
Ministry / Agency	Office of the Prime Minister / Jamaica Fire Brigade			Project Name	Procurement of Firefighter's Protective Gear	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-02	2010-11-30	2010-12-06	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	US\$ 224,250.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on August 8, 2010. Tenders were to be submitted by September 2, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m.</p> <p>Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>One (1) tender was disqualified for failure to quote on one component of the package.</p> <p>Subsequent to the evaluation of the three (3) remaining tenders, the bidder who attained the highest evaluated score was recommended for the award of contract.</p> <p>The award recommendation was subsequently endorsed by the Procurement Committee.</p> <p>As at December 31, 2010, the Jamaica Fire Brigade is awaiting NCC endorsement. The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	302					
Ministry / Agency	Office of the Prime Minister / Jamaica Information Services			Project Name	Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-09	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement process commenced in October 2009.</p> <p>Further to the completion of the evaluation of the bids, a number of disparities, that needed to be addressed, were noted by the Sector Committee. These disparities were outlined by the Jamaica Information Services (JIS), in letter dated March 31, 2010, and were summarised as follows :</p> <ul style="list-style-type: none"> The RFP Appendix III(1) states that the contract is for a period of three (3) years, however not all proposals quoted for three (3) years; The RFP Appendix II (2) states that electronic monitoring is required at all locations, however not everyone quoted on electronic monitoring. Further, those who quoted included this as a part of their fees and there is an additional sum for the installation of same. The JIS further indicated that in putting out the tender, no provision was made for the installation of these devices; and there is no additional money in their budget for same. <p>In this regard, the JIS sought the advice of the National Contracts Commission (NCC).</p> <p>By way of a letter which was dated June 18, 2010, the NCC advised the JIS as follows; "...the National Contracts Commission... is of the opinion that potential bidders who were not aware of all the terms and conditions of the Request for Proposal at the time of the initial request would not be given an equal opportunity to submit a bid or would not have done so if all the conditions were initially stated. The NCC ...is recommending that the JIS abort the current tender process and re-tender for the required security services using the Revised Request for Proposal".</p> <p>The process was aborted accordingly.</p>						
Status	Procurement process aborted					

Project #	303					
Ministry / Agency	Office of the Prime Minister / Jamaica Social Investment Fund			Project Name	Waste Collection Equipment - Procurement of Skips	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Matrix Engineering Works Limited	J\$ 8,800,000.00	J\$ 10,450,000.00	2010-05-19	2010-11-19	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 1, 2009. Tenders were to be submitted by December 4, 2009 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:05 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>All bids were deemed responsive.</p> <p>Subsequent to the evaluation of the bids, the bidder who submitted the lowest priced proposal was recommended for the award of the contract.</p> <p>The requisite approvals were gained and the contract executed.</p> <p>A status report which was provided by the Jamaica Social Investment Fund stated, <i>inter alia</i>, that; "The skips are already fabricated and are being distributed in the slated communities."</p>						
Status	The contract is being implemented					

Project #	304					
Ministry / Agency	Office of the Prime Minister / National Environment and Planning Agency			Project Name	Environmental Monitoring Consultancy - Falmouth Cruise Ship Pier Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-10-02	2009-11-06	2009-11-10	0000-00-00	0000-00-00	2009-12-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
C L Environmental Limited	J\$ 0.00	J\$ 9,659,590.25	2010-01-04	2010-12-31	J\$ 8,795,609.30	Trelawny
Comments						
<p>The tender and award process was completed in 2009.</p> <p>In a status update which was provided to the OCG, the National Environment and Planning Agency (NEPA) stated that; "The quality of the monitoring and reporting conducted to date has been satisfactory and NEPA has received value for the money spent."</p> <p>NEPA has advised that although the contract has expired, they are in the process of extending the contract for one (1) month until the end of January 2011. This extension was granted in order to complete works which were halted in July 2010; however, this will not affect the contract price.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	305					
Ministry / Agency	Office of the Prime Minister / National Environment and Planning Agency			Project Name	Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-07-17	2009-11-06	2009-11-12	0000-00-00	0000-00-00	2009-11-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Milestone Environmental Limited	J\$ 0.00	J\$ 4,456,553.29	2010-01-02	2012-01-02	J\$ 2,901,831.20	Kingston
Comments						
<p>The tender and award process was completed in 2009.</p> <p>Payments were being made in accordance with the terms and conditions of the contract.</p> <p>A status update, which was provided by the agency, with regard to the performance of the contract, stated as follows:</p> <p><i>"The quality of the janitorial service provided by Milestone Environmental Limited is monitored continuously to meet the standards established by NEPA. An evaluation form is currently being used to assess the quality of the services on a weekly basis. NEPA will continue to manage the contract to ensure that value for money is received, and all obligation under the contract are satisfied."</i></p> <p>The OCG will continue to monitor the implementation of this contract.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	306					
Ministry / Agency	Office of the Prime Minister / National Environment and Planning Agency			Project Name	Private Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-04-15	2009-07-27	2009-08-04	0000-00-00	0000-00-00	2009-12-21
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Protection and Security Limited	J\$ 8,338,540.00	J\$ 7,740,000.00	2010-02-15	2012-02-14	J\$ 3,498,480.00	Kingston
Comments						
<p>The tender and award process was successfully completed in 2009.</p> <p>In a status update which was provided to the OCG, the National Environment and Planning Agency (NEPA) stated that; <i>"The quality of the security service being provided by Protection & Security is monitored continuously to meet the standards established by NEPA. An evaluation form is currently being used to assess the quality of the services on a weekly basis."</i></p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	307					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Architectural Services - Ruthven Road Housing Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-05-19	2010-06-22	2010-07-05	2010-07-28	2010-11-15	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 159,800,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on April 11, 2010. Tenders were to be submitted by May 12, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m. The deadline for submission was extended to May 19, 2010, due to amendments to the Request for Proposal.</p> <p>Ten (10) tenders were received, opened and verified in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Three (3) bidders failed to obtain the minimum score required in the technical assessment and, in this regard, failed to qualify for the financial evaluation. The financial proposals of the seven (7) remaining bidders were opened on June 4, 2010. The bidder with the lowest proposed price was recommended for the award of the contract.</p> <p>The requisite approvals were received.</p> <p>As at the end of December 2010, the contract was not executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was not yet executed.					

Project #	308					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Engineering Services - Balaclava Housing Development	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-30	2010-08-05	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
0	J\$ 1,572,372.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Elizabeth
Comments						
<p>Tenders were to be submitted by June 30, 2010 at 12:00 p.m., to be followed by a Tender Opening Ceremony at 12:15 p.m.</p> <p>Documentation which was provided to the OCG included an Inter-Office Memorandum dated July 22, 2010. The aforementioned document stated, <i>inter alia</i>, that; "In keeping with the GOJ procurement guidelines for the Selective Tender Methodology, the National Housing Trust placed an Invitation to Tender on the Jamaica Institute of Engineer's notice board... Tender Notices were also placed on the NHT and NCC websites."</p> <p>Seven (7) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>One (1) tender was deemed ineligible, for failure to submit a valid Tax Compliance Certificate.</p> <p>Subsequent to the evaluation of the bids, the bidder who submitted the lowest proposed price was recommended for the award of the contract.</p> <p>As at December 31, 2010, the contract had not yet been executed.</p> <p>The OCG will continue to monitor the procurement process.</p>						
Status	As at the time of this report, the contract had not yet been executed.					

Project #	309					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Group Health Insurance	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-12-16	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 93,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on November 17, 2010. Tenders were to be submitted by December 16, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Two (2) tenders were received from Health Insurance Providers, which were opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria of the Tender Document.</p> <p>The bids will be evaluated by the Actuarial firm, Eckler Consultants and Actuaries, who were retained by the National Housing Trust by way of the Limited Tender Procurement Methodology.</p> <p>As at December 31, 2010, the procurement was at the evaluation stage.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	310					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Provision of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Quest Security Limited	J\$ 63,000,000.00	J\$ 57,672,725.01	2010-07-10	2013-07-09	J\$ 12,129,773.24	Kingston
Comments						
<p>The procurement opportunity was advertised in August 2009. Bids were to be submitted by September 11, 2009 at 12:00 p.m., to be followed by a Tender Opening Ceremony. The deadline for submission was subsequently extended to September 25, 2009, due to the issuance of an Addendum.</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. Five (5) bids attained the minimum required points subsequent to the evaluation of technical proposals, and proceeded to the opening of the financial proposals. Quest Security Limited, the bidder with the lowest proposed price, was recommended for the award of the contract.</p> <p>The recommendation for award of contract was approved by the Board of Directors in meeting held on February 22, 2010.</p> <p>The National Contracts Commission (NCC) endorsed same on March 31, 2010, and the approval of the Cabinet was subsequently received.</p> <p>The contract was awarded on July 5, 2010. Expenditure as at December 31, 2010, was \$12,129,773.24.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	311					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Quantity Surveying Services Unions Estate- Phase 3, Twickenham Park	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-04	2010-02-15	2010-08-27	0000-00-00	0000-00-00	2010-08-27
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Henry Rose & Associates Limited	J\$ 0.00	J\$ 7,403,760.00	2010-03-10	2012-11-10	J\$ 0.00	Saint Catherine
Comments						
<p>The procurement opportunity was advertised on November 11, 2009. Tenders were to be submitted by December 4, 2009 at 1:00 p.m., to be followed by a Tender Opening Ceremony at 1:15p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the tender. The OCG observed that no Bid Receipt Record was prepared. As such, by way of letter which was dated January 13, 2010, the National Housing Trust (NHT) was informed that as per Sub-section S-2110, III, of the Handbook of Public Sector Procurement Procedures that: <i>"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..."</i></p> <p>Subsequent to evaluation of the tenders, Henry Rose & Associates Limited, the lowest priced bidder, was recommended for the award of contract.</p> <p>A Letter of Intent was issued on March 8, 2010; however, the formal contract was not signed and executed until August 27, 2010. This is as a result of several amendments which were requested.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	312					
Ministry / Agency	Office of the Prime Minister / National Housing Trust			Project Name	Supply of Uniform Fabric	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-03	2010-03-15	2010-04-13	0000-00-00	0000-00-00	2010-04-13
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
L.P. Azar Limited	J\$ 5,238,000.00	J\$ 3,342,450.00	2010-04-13	2010-07-06	J\$ 3,135,388.80	Saint Andrew
Comments						
<p>The procurement opportunity was advertised on February 4, 2010. Tenders were to be submitted by March 3, 2010 at 12:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 12:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>One (1) bidder was deemed ineligible as a tax compliance certificate was not submitted. Another tender was disqualified as the minimum qualifying score, subsequent to the evaluation of the technical proposals, was not attained. The remaining bidder, L. P. Azar Limited, was recommended for the award of contract in the amount of \$3,342,450.00.</p> <p>The contract was executed on April 13, 2010 and delivery was required with twelve (12) weeks.</p> <p>A status report from the Procuring Entity indicated that delays were experienced under the contract. The reasons which were outlined by the supplier were due to flooding and changes to the labour laws, in China, where the material was being prepared, as well as the colour of the fabric did not meet the requirement and had to be redone.</p> <p>The fabric was delivered in August 2010.</p> <p>As at December 31, 2010, the procured item was received, and expenditure under the contract was \$3,135,388.80.</p>						
Status	As at the time of this report, the procured item was received.					

Project #	313					
Ministry / Agency	Office of the Prime Minister / National Land Agency			Project Name	Forty (40) Desktop Computers	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-03-22	2010-04-20	2010-04-30	0000-00-00	0000-00-00	2010-06-14
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Medianet Limited	J\$ 4,032,720.00	J\$ 3,029,728.20	2010-06-21	2010-06-23	J\$ 3,029,728.00	All Island
Comments						
<p>The procurement opportunity was advertised on February 28, 2010. Tenders were to be submitted by March 22, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Seven (7) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, Medianet Limited, the bid with the lowest proposed price, was recommended and approved for the award of the contract.</p> <p>The computers were delivered in June 2010 and have been disseminated to the NLA offices in Kingston, Mandeville and Montego Bay.</p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	Contract was completed.					

Project #	314					
Ministry / Agency	Office of the Prime Minister / National Land Agency			Project Name	Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-01	2010-01-12	2010-01-28	0000-00-00	0000-00-00	2010-02-12
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Allied Insurance Brokers Limited	J\$ 0.00	J\$ 4,755,605.00	2010-02-12	2013-02-11	J\$ 4,755,605.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 11, 2009. Tenders were to be submitted by December 1, 2009 at 3:00 p.m., to be followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>Six (6) brokers who submitted a total of twenty-four (24) proposals, which were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the Tender Document.</p> <p>The evaluation of the proposals was completed by the Actuary, GFRAM Consulting, who was selected using the Limited Tender Procurement Methodology. The contract, with GFRAM Consulting, was executed on December 1, 2009 for the sum of J\$360,000.</p> <p>The requisite approvals were gained and the contract was awarded to Allied Insurance Brokers Limited accordingly. Please note that the contract value indicated above represents the first year insurance premium.</p> <p>As at the time of this report, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	315					
Ministry / Agency	Office of the Prime Minister / National Land Agency			Project Name	Provision of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-14	2010-12-17	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 48,525,704.50	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on August 13, 2010. Tenders were to be submitted by September 14, 2010 at 11:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 11:15 a.m.</p> <p>Suitably qualified security contractors were invited to tender on one (1) or multiple lots comprising National Land Agency's offices which are located in Kingston, Mandeville and Montego Bay.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document. One (1) tender was deemed ineligible.</p> <p>The five (5) remaining tenders were evaluated, and the responsive bidder, who submitted the lowest priced proposal, for each lot, was recommended for the award of the contract.</p> <p>The comparable estimate indicated above represents the combined total for the four (4) lots which were tendered. These are as follows: Lot 1 - \$10,365,660; Lot 2 - \$29,457,742; Lot 3 - \$1,489,455; and Lot 4 - \$7,212,847.50.</p> <p>As at December 31, 2010, the approval process was not completed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	316					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Lease of Heavy Equipment	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on October 5, 2010. Bids were to be submitted by October 27, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:30 a.m.</p> <p>Five (5) bidders responded. The tenders were opened and verified in accordance with the eligibility requirements of the Tender Document.</p> <p>As at December 31, 2010, the evaluation was completed and the requisite approvals were required.</p> <p>The OCG will continue to monitor this procurement opportunity.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	317					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Lease of Heavy Equipment - Doctor's Wood	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-19	0000-00-00	2009-12-01	0000-00-00	0000-00-00	2009-12-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Double Cannon Limited	J\$ 0.00	J\$ 5,491,200.00	2009-12-01	2010-11-30	J\$ 5,435,600.00	Portland
Comments						
<p>The procurement opportunity was advertised on May 31, 2009. Tenders were to be submitted by June 19, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 12:00 p.m.</p> <p>The National Solid Waste Management Authority (NSWMA) sought to procure the services of Heavy Duty operators to be deployed at the following eight (8) disposal sites: Riverton, St. Catherine; Myersville, St. Elizabeth; Retirement, St. James; Hadden, St. Ann; Church Corner, St. Thomas; Doctor's Wood, Portland; Tobalski, St. Ann; and Martin's Hill, Manchester.</p> <p>Fifteen (15) bidders submitted thirty-nine (39) tenders for various combinations of locations and equipment. The tenders were opened and verified at the Tender Opening Ceremony which was held on June 19, 2009.</p> <p>It has been reported that only one contractor, Double Cannon Limited, submitted a bid for this location.</p> <p>The contract for one (1) D6 Tractor was executed on December 1, 2009.</p> <p>As at November 2010, expenditure under the contract was J\$5,435,600.</p>						
Status	Contract has ended					

Project #	318					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Lease of Heavy Equipment - Martin's Hill	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-19	0000-00-00	2009-12-01	0000-00-00	0000-00-00	2009-12-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
R and W Glanville	J\$ 0.00	J\$ 3,748,000.00	2009-12-01	2010-11-30	J\$ 4,192,800.00	Manchester
Comments						
<p>The procurement opportunity was advertised on May 31, 2009. Tenders were to be submitted by June 19, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 12:00 p.m.</p> <p>The National Solid Waste Management Authority (NSWMA) sought to procure the services of Heavy Duty operators to be deployed at the following eight (8) disposal sites: Riverton, St. Catherine; Myersville, St. Elizabeth; Retirement, St. James; Hadden, St. Ann; Church Corner, St. Thomas; Doctor's Wood, Portland; Tobalski, St. Ann; and Martin's Hill, Manchester.</p> <p>Fifteen (15) bidders submitted thirty-nine (39) tenders for various combinations of locations and equipment. The tenders were opened and verified at the Tender Opening Ceremony which was held on June 19, 2009.</p> <p>Subsequent to evaluation, Ralph Glanville and William Glanville, trading as R and W Glanville, was recommended for the award of the following contracts:</p> <ul style="list-style-type: none"> • Martin's Hill - one (1) D8 Tractor - J\$1,824,000.00 • Martin's Hill - one (1) 966 Front end loader - J\$1,924,000.00 <p>The contract value indicated above represents the summation of the contracts for both equipment types.</p> <p>As at November 2010, cumulative expenditure under both contracts was \$4,192,800. With regards to the variance between the contract sum and the expenditure, the NSWMA in a status report to the OCG, has advised that; "at times the D8 was authorized to work additional hours whenever the company owned D8 was broken down".</p>						
Status	Contract has ended					

Project #	319					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Lease of Heavy Equipment - Myersville	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-19	0000-00-00	2009-11-09	2009-11-26	0000-00-00	2009-12-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Samson's Equipment and Haulage	J\$ 10,962,000.00	J\$ 10,727,100.00	2009-12-01	2010-11-30	J\$ 11,120,150.00	Saint Elizabeth
Comments						
<p>The procurement opportunity was advertised on May 31, 2009. Tenders were to be submitted by June 19, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 12:00 p.m.</p> <p>The National Solid Waste Management Authority (NSWMA) sought to procure the services of Heavy Duty operators to be deployed at the following eight (8) disposal sites: Riverton, St. Catherine; Myersville, St. Elizabeth; Retirement, St. James; Hadden, St. Ann; Church Corner, St. Thomas; Doctor's Wood, Portland; Tobalski, St. Ann; and Martin's Hill, Manchester.</p> <p>Fifteen (15) bidders submitted thirty-nine (39) tenders for various combinations of locations and equipment. The tenders were opened and verified at the Tender Opening Ceremony which was held on June 19, 2009.</p> <p>Samsung Equipment and Haulage, the sole responsive bidder, was recommended for the award of contract.</p> <p>The contract for one (1) D7 Tractor was executed on December 1, 2009. There was an addendum to the contract on March 1, 2009, which increased the hourly rate from J \$6,850 per hour, to \$7,250 per hour for the duration of the contract period. This increased the contract sum by J\$472,800.00.</p> <p>As at November 2010, expenditure under the contract was \$11,120,150.</p>						
Status	Contract has ended					

Project #	320					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Lease of Heavy Equipment - Retirement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-02-19	0000-00-00	2010-03-18	2010-04-14	0000-00-00	2010-05-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
General Maintenance & Construction Services Ltd.	J\$ 30,514,000.00	J\$ 29,270,000.00	2010-05-01	2011-04-30	J\$ 17,335,000.00	Saint James
Comments						
<p>The procurement opportunity was advertised on May 31, 2009. Tenders were to be submitted by June 19, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 12:00 p.m.</p> <p>The National Solid Waste Management Authority (NSWMA) sought to procure the services of Heavy Duty operators to be deployed at the following eight (8) disposal sites: Riverton, St. Catherine; Myersville, St. Elizabeth; Retirement, St. James; Hadden, St. Ann; Church Corner, St. Thomas; Doctor's Wood, Portland; Tobalski, St. Ann; and Martin's Hill, Manchester.</p> <p>Fifteen (15) bidders submitted thirty-nine (39) tenders for various combinations of locations and equipment. The tenders were opened and verified at the Tender Opening Ceremony which was held on June 19, 2009. No responsive tenders were received.</p> <p>The permission of the National Contracts Commission was sought to utilise the Limited Tender Procurement Methodology to invite six (6) contractors to tender. By way of letters dated January 25, 2010, the contractors were invited to tender. Four (4) bidders submitted tenders within the stipulated time period.</p> <p>General Maintenance and Construction Services, the lower priced bidder, was recommended for the award of contract.</p> <p>The contract for one (1) D8 Bulldozer was executed on May 1, 2010. There was an addendum to the contract on March 1, 2009, which increased the hourly rate from \$6,850 per hour, to \$7,250 per hour for the duration of the contract period. This increased the contract sum by \$472,800.00.</p> <p>As at November 2010, expenditure was \$17,335,000.00.</p> <p>The OCG will continue to monitor the referenced contract.</p>						
Status	Contract was being implemented					

Project #	321					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Lease of Heavy Equipment - Retirement and Riverton	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Limited Tender	2010-02-19	0000-00-00	2010-03-18	2010-04-14	0000-00-00	2010-05-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Wayne Rich Limited	J\$ 0.00	J\$ 39,835,000.00	2010-05-01	2011-04-30	J\$ 22,212,210.00	Saint James
Comments						
<p>The procurement opportunity was advertised on May 31, 2009. Tenders were to be submitted by June 19, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 12:00 p.m.</p> <p>The National Solid Waste Management Authority (NSWMA) sought to procure the services of Heavy Duty operators to be deployed at the following eight (8) disposal sites: Riverton, St. Catherine; Myersville, St. Elizabeth; Retirement, St. James; Hadden, St. Ann; Church Corner, St. Thomas; Doctor's Wood, Portland; Tobalski, St. Ann; and Martin's Hill, Manchester.</p> <p>Fifteen (15) bidders submitted thirty-nine (39) tenders for various combinations of locations and equipment. The tenders were opened and verified at the Tender Opening Ceremony which was held on June 19, 2009. No responsive tenders were received.</p> <p>The permission of the National Contracts Commission was sought to utilise the Limited Tender Procurement Methodology to invite six (6) contractors to tender. By way of letters dated January 25, 2010, the contractors were invited to tender. Four (4) bidders submitted tenders within the stipulated time period.</p> <p>Wayne Rich Limited was recommended for the award of the contracts for two (2) lots in Retirement and Riverton.</p> <p>The contracts were awarded as followings:</p> <ul style="list-style-type: none"> One (1) 966 Front End Loader - Riverton - J\$12,095,000.00 One (1) D8 Bulldozer - Retirement - J\$27,740,000.00. <p>The contracts were executed on May 1, 2010. Please note that the contract sum indicated in the table above represents the summation of the values for both locations.</p> <p>As at November 2010, cumulative expenditure under both contracts was \$22,212,210; broken down as J\$7,273,710 - Riverton and J\$14,938,500 - Retirement.</p> <p>The OCG will continue to monitor the referenced contract.</p>						
Status	Contract was being implemented					

Project #	322					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Lease of Heavy Equipment - Tobolski	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-19	2009-07-23	2010-03-18	0000-00-00	0000-00-00	2009-12-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Double Cannon Limited	J\$ 0.00	J\$ 5,491,200.00	2009-12-01	2010-11-30	J\$ 5,469,200.00	Saint Ann
Comments						
<p>The procurement opportunity was advertised on May 31, 2009. Tenders were to be submitted by June 19, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 12:00 p.m.</p> <p>The National Solid Waste Management Authority (NSWMA) sought to procure the services of Heavy Duty operators to be deployed at the following eight (8) disposal sites: Riverton, St. Catherine; Myersville, St. Elizabeth; Retirement, St. James; Hadden, St. Ann; Church Corner, St. Thomas; Doctor's Wood, Portland; Tobalski, St. Ann; and Martin's Hill, Manchester.</p> <p>Fifteen (15) bidders submitted thirty-nine (39) tenders for various combinations of locations and equipment. The tenders were opened and verified at the Tender Opening Ceremony which was held on June 19, 2009.</p> <p>It has been reported that only one contractor, Double Cannon Limited, submitted a bid for this location.</p> <p>The contract for one (1) D6 Tractor was executed on December 1, 2009.</p> <p>As at November 2010, expenditure under the contract was \$5,469,200.</p>						
Status	Contract has ended.					

Project #	323					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Lease of Heavy Equipment- Church Corner	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-06-19	0000-00-00	2009-12-01	0000-00-00	0000-00-00	2009-12-01
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Biersay Equipment	J\$ 0.00	J\$ 4,992,000.00	2009-12-01	2010-11-30	J\$ 4,580,200.00	Saint Thomas
Comments						
<p>The procurement opportunity was advertised on May 31, 2009. Tenders were to be submitted by June 19, 2009 at 10:00 a.m., followed by a scheduled Tender Opening Ceremony at 12:00 p.m.</p> <p>The National Solid Waste Management Authority (NSWMA) sought to procure the services of Heavy Duty operators to be deployed at the following eight (8) disposal sites: Riverton, St. Catherine; Myersville, St. Elizabeth; Retirement, St. James; Hadden, St. Ann; Church Corner, St. Thomas; Doctor's Wood, Portland; Tobalski, St. Ann; and Martin's Hill, Manchester.</p> <p>Fifteen (15) bidders submitted thirty-nine (39) tenders for various combinations of locations and equipment. The tenders were opened and verified at the Tender Opening Ceremony which was held on June 19, 2009.</p> <p>Paul Biersay trading as Biersay Equipment, the highest scored bidder, was recommended for the award of the contract.</p> <p>The contract for one (1) D6 Tractor was executed on December 1, 2009.</p> <p>As at November 2010, expenditure under the contract was J\$4,580,200.</p>						
Status	Contract has ended					

Project #	324					
Ministry / Agency	Office of the Prime Minister / National Solid Waste Management Authority			Project Name	Provision of Security Guard Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 37,374,898.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on October 3, 2010. Tenders were to be submitted by November 1, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 2:30 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements of the Tender Document.</p> <p>As at December 31, 2010, the evaluation of tenders was not yet completed.</p> <p>The OCG will continue to monitor the captioned procurement.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	325					
Ministry / Agency	Office of the Prime Minister / Office of Disaster Preparedness and Emergency Management			Project Name	Website Designer	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	2010-06-23	2010-07-29	2010-07-29	0000-00-00	0000-00-00	2010-07-31
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Info Exchange Limited	J\$ 0.00	J\$ 548,100.00	2010-08-11	2010-10-06	J\$ 548,100.00	Kingston
Comments						
<p>The procurement opportunity was advertised on June 9, 2010. Tenders were to be submitted by June 16, 2010 at 9:00 a.m. The Tender Notice did not indicate a date and time for the Tender Opening Ceremony. The Tender Opening Ceremony occurred on June 23, 2010.</p> <p>A number of deficiencies were observed in the Tender Notice, and also at the Tender Opening Ceremony.</p> <p>In this regard, the OCG, by way of letter which was dated July 5, 2010, recommended that the process be annulled and the opportunity re-tendered.</p> <p>In a letter, which was dated September 8, 2010, the Office of Disaster Preparedness and Emergency Management (ODPEM) advised the OCG that the process was; <i>"retracted as per the recommendations from the OCG..."</i> The letter further advised that a contract, valued at \$548,150.00, was awarded to Info Exchange Limited. This company was engaged using the Direct Contracting Tender Methodology.</p> <p>The OCG was advised that the project was completed.</p>						
Status	Contract was completed					

Project #	326					
Ministry / Agency	Office of the Prime Minister / Office of the Prime Minister			Project Name	Garbage Disposal Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Notch Line Traders Limited	J\$ 0.00	J\$ 2,160,000.00	2010-04-30	2012-04-30	J\$ 312,600.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 8, 2009. Tenders were to be submitted by December 7, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Three (3) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who submitted the lower proposed price was recommended, and approved, for the award of the contract.</p> <p>As at December 31, 2010, the contract is being implemented.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	327					
Ministry / Agency	Office of the Prime Minister / Office of the Prime Minister			Project Name	Provision of Janitorial Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Manpower and Maintenance Services Ltd.	J\$ 5,361,977.28	J\$ 18,103,930.00	2010-04-30	2013-04-29	J\$ 1,626,684.38	Kingston
Comments						
<p>The procurement opportunity was advertised on November 11, 2009. Tenders were to be submitted by December 7, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bidder who attained the highest evaluated score was recommended for the award of contract.</p> <p>The requisite approvals were received, and the contract was awarded accordingly.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	328					
Ministry / Agency	Office of the Prime Minister / Office of the Prime Minister			Project Name	Servicing & Maintenance of Air - conditioning units	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
n/a	J\$ 1,585,920.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on September 5, 2010. Tenders were to be submitted by September 28, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility criteria which were outlined in the Tender Document.</p> <p>As at December 31, 2010, the evaluation was not completed.</p> <p>A status report, which was provided by the Office of the Prime Minister, indicated that the tender report is being prepared for submission to the Procurement Committee for approval.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the evaluation stage.					

Project #	329					
Ministry / Agency	Office of the Prime Minister / Office of the Prime Minister			Project Name	Servicing and Maintenance of Fire Alarm System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Technology Plus	J\$ 0.00	J\$ 799,840.00	2010-04-30	2012-04-29	J\$ 57,140.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 11, 2009. Tenders were to be submitted by December 7, 2009 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Two (2) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria.</p> <p>Subsequent to the evaluation of the bids, the bidder who submitted the lower proposed price was recommended for the award of the contract.</p> <p>As at December 31, 2010, the contract was being executed.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	330					
Ministry / Agency	Office of the Prime Minister / Office of the Prime Minister (OPM)			Project Name	Local Area Network Infrastructure Renewal and Backbone Upgrade	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-28	2010-11-26	2010-12-06	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 18,980,900.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 5, 2010. Tenders were to be submitted by September 28, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility criteria.</p> <p>Subsequent to evaluation, the bidder who attained the highest evaluated score was recommended for the award of contract. The approvals of the Procurement Committee and the Head of Entity were received.</p> <p>The matter was reviewed by the National Contracts Commission, in its meeting of December 22, 2010. The NCC referred the submission to the Central Information Technology Office (CITO) for its review and recommendation.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the review of the Central Information Technology Office (CITO) was not completed.					

Project #	331					
Ministry / Agency	Office of the Prime Minister / Office of the Prime Minister (OPM)			Project Name	Procurement of Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-28	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
None	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on September 5, 2010. Tenders were to be submitted by September 28, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony at 10:15 a.m.</p> <p>The Office of the Prime Minister (OPM) requested tenders for the following services:</p> <ol style="list-style-type: none"> 1. Electrical Repair and Service (Framework Agreement); 2. Plumbing Repair and Service (Framework Agreement); 3. General Fix-it Repair and Service (Framework Agreement); <p>With regard to the Electrical Repair and Service tender, two (2) tenders were received. Both responses far exceeded the OPM's Comparative Estimate of \$ 1.6 million.</p> <p>With regard to the Plumbing Repair and Service tender, one (1) tender was received. The submission was deemed not to be in keeping with the OPM's Scope of Works.</p> <p>With regard to the General Fix-It Repair and Service tender, one (1) tender was received. The submission was deemed not to be in keeping with the OPM's Scope of Works. In addition, the proposed sum exceeded the OPM's budgeted amount.</p> <p>In light of the foregoing, the OPM, by way of a status report to the OCG, advised that it will be re-tendering for these services.</p>						
Status	The projects are to be re-tendered.					

Project #	332					
Ministry / Agency	Office of the Prime Minister / Post and Telecommunications Department			Project Name	Procurement of Private Security Services and/or Armoured Services at the Central Sorting Office and Post Offices Islandwide	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 32,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was originally advertised on March 29, 2009. Tenders were to be submitted by April 24, 2009. However, the bid submission deadline was subsequently extended to May 1, 2009, to be followed by a Tender Opening Ceremony at 2:00 p.m.</p> <p>Six (6) tenders were received at the close of the tender. Upon preliminary review, only one (1) tender met the eligibility requirements.</p> <p>Subsequent to the evaluation exercise, the Evaluation Committee recommended that the Tender process be aborted and the procurement opportunity be re-tendered, by way of Limited Tender Procurement Methodology.</p> <p>The National Contracts Commission, in its meeting of March 24, 2010, offered no objection to a request from the Post and Telecommunications Department to utilise the Limited Tender Procurement Methodology to invite request for proposals from six (6) companies who had previously participated in the tender exercise.</p> <p>On August 23, 2010, letters of invitation were dispatched to the bidders who had passed the preliminary assessment of the prior tender exercise. The deadline for submission of tenders was September 17, 2010 at 2:00 p.m.</p> <p>Five (5) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the Evaluation Committee submitted its recommendation for the contract award to the Procurement Committee. The Procurement Committee raised concerns regarding the evaluation process, and recommended that a review of the evaluation be conducted.</p> <p>As at December 31, 2010, the recommendations of the Procurement Committee were being reviewed.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the recommendation of the Procurement Committee was being reviewed.					

Project #	333					
Ministry / Agency	Office of the Prime Minister / Spectrum Management Authority			Project Name	External Auditing Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 1,600,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 19, 2010. Tenders were to be submitted by on October 8, 2010 at 3:00 p.m., to be followed by a scheduled Tender Opening Ceremony at 3:15 p.m.</p> <p>Seven (7) tenders were received, opened and verified at the Tender Opening Ceremony in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Two (2) tenders were deemed ineligible for failure to submit evidence of the possession of valid National Contracts Commission registration.</p> <p>Subsequent to evaluation, the bidder who attained the highest evaluated score was recommended for the award of contract.</p> <p>As at December 31, 2010, the requisite approvals were being sought.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	334					
Ministry / Agency	Office of the Prime Minister / St. Ann Parish Council			Project Name	Supply of Outdoor Solar Powered Lighting System	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	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
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Saint Ann
Comments						
<p>The procurement opportunity was advertised on August 11, 2010. Tenders were to be submitted by September 23, 2010 at 2:00 p.m. The National Contracts Commission registered individuals and companies were invited to submit proposals for the supply and installation of Solar Powered Lighting Systems for the Ocho Rios and St. Ann's Bay Transportation Centres.</p> <p>In responding to the OCG's request for a copy of the Tender Document, the Parish Council advised that; "...the Council's request for proposals as published in the Daily Observer is designed to elicit proposals from prospective suppliers; as such, there has been no tender document prepared.</p> <p><i>Interested suppliers are invited to visit the site, do their inspections and submit proposals, which will indicate various options to the Council.</i>"</p> <p>By way of letter which was dated September 13, 2010, the OCG recommended that the Parish Council withdrew the present advertisement and establish a scope of works for the project with supporting Tender Document.</p> <p>Consequently, documentation received by the OCG, indicated that the Parish Council suspended the project and informed the agencies which had expressed an interest of its decision.</p> <p>As at December 31, 2010, the project status remained the same.</p>						
Status	Project Withdrawn					

Project #	335					
Ministry / Agency	Office of the Prime Minister / St. James Parish Council			Project Name	Insurance Placement	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-04-27	2010-07-14	2010-07-14	0000-00-00	0000-00-00	2010-09-09
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Allied Insurance Brokers Limited	J\$ 0.00	J\$ 4,826,429.52	2010-09-09	2013-09-08	J\$ 3,200,526.10	Saint James
Comments						
<p>The procurement opportunity was advertised on January 11, 2010. Tenders were to be submitted by April 27, 2010 at 3:00 p.m., to be followed by a Tender Opening Ceremony at 3:15 p.m.</p> <p>A total of six (6) proposals were received from three (3) Brokers, which were opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements of the tender.</p> <p>The proposals were evaluated by the Actuary, Duggan Consulting Limited, who was engaged by way of the Limited Tender Procurement Methodology.</p> <p>Subsequent to the evaluation of the tenders, an alternative proposal which was received from Allied Insurance Brokers Limited, was recommended and approved for the award of the contract for the first year 2010/2011.</p> <p>Hence, the contract sum quoted above represents the premium for the contract year 2010/2011.</p> <p>Due to funding constraints, the St. James Parish Council was unable to make full payments for its insurance coverage each year; Premium Financing was arranged with JN Finance Limited, in the amount of \$4,826,430.00, at an interest rate of 6.1%, for year 2010/2011.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	336					
Ministry / Agency	Office of the Prime Minister / Statistical Institute of Jamaica			Project Name	Procurement of Computer Hardware for the Population Census Pilot Operation	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-22	2010-01-13	2010-01-20	0000-00-00	0000-00-00	2010-01-21
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Illuminat Jamaica Limited	US\$ 66,000.00	J\$ 4,339,924.10	2010-01-21	2010-04-23	J\$ 4,339,924.10	Kingston
Comments						
<p>The procurement opportunity was advertised on December 6, 2009. Tenders were to be submitted by December 22, 2009 at 3:00 p.m., to be followed by a Tender Opening Ceremony at 4:00 p.m.</p> <p>Eight (8) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the bid with the highest evaluated score was recommended for the award of contract.</p> <p>The requisite approvals were gained and the contract was awarded accordingly.</p> <p>Pilot testing of the equipment was conducted during the months of February and March 2010, the outcome of which was satisfactory. There were reported delays in the delivery of some components, which were attributed to delays experienced by the manufacturer.</p> <p>As at December 31, 2010, all procured items were delivered and payments were made according to the terms of the contract.</p>						
Status	Contract was completed					

Project #	337					
Ministry / Agency	Office of the Prime Minister / Statistical Institute of Jamaica			Project Name	Procurement of Consulting Services for 2011 Population & Housing Census Communications Campaign	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-10-05	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on September 5, 2010. Tenders were to be submitted by October 5, 2010 at 11:00 a.m., to be followed by a Tender Opening Ceremony at 11:30 a.m.</p> <p>No tenders were received in response to the Invitation to Tender.</p>						
Status	No tenders were received.					

Project #	338					
Ministry / Agency	Office of the Prime Minister / Universal Access Fund Company Limited			Project Name	Procurement for Islandwide Broadband Network	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Direct Contracting	0000-00-00	0000-00-00	2008-11-11	2008-11-19	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 500,000,000.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on April 2, 2006. The Universal Access Fund invited Telecommunications providers to design and implement a Wide Area Network to facilitate the delivery of education to secondary schools islandwide through the e-Learning Jamaica Company Limited.</p> <p>The Tender Opening Ceremony was scheduled for July 5, 2006. Four (4) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, two (2) tenders were considered responsive.</p> <p>The National Contracts Commission (NCC), in its meeting of May 28, 2008, recommended that the procuring entity negotiated with the two bidders which were considered responsive.</p> <p>The NCC having obtained the result of the requested negotiation, considered the matter at its meeting of November 19, 2008, and endorsed the recommendation of the Universal Access Fund to award contracts to the two (2) bidders across six (6) independent zones.</p> <p>A submission was subsequently forwarded to the Cabinet for approval. The Universal Access Fund, by way of letter dated August 5, 2009 to the OCG, has advised that the Infrastructure Committee of Cabinet requested that a consortium of relevant government agencies review the matter.</p> <p>As at December 31, 2010, the Cabinet's Approval was pending.</p>						
Status	As at the time of this report, the approval process was ongoing.					

Project #	339					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation			Project Name	Procurement for the Supply and Installation of Electrical System at Simon Bolivar Cultural Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-12-02	2010-07-19	2010-07-20	2010-11-10	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 18,679,139.91	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised on November 11, 2009. Tenders were to be submitted by December 2, 2009 at 1:00 p.m.</p> <p>Ten (10) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Upon preliminary examination, three (3) tenders were considered non-responsive.</p> <p>The seven (7) remaining bidders were initially evaluated based upon the Delivery Time. Subsequent to this, the four (4) bidders with the highest scores were shortlisted for further evaluation.</p> <p>The Evaluation Report, which was prepared by the Procuring Entity, indicated that;</p> <p><i>"The unit prices for material were observed to be lower than those in the pre-tender estimate for the shortlisted tenderers and varied by as much as 35% for the same item. The range of differences is a reflection of the discounts offered by the suppliers to the Tenderers and the varying levels passed on to the UDC by each Tenderer."</i></p> <p>The bidder, who attained the highest overall score, was recommended for the award of contract.</p> <p>The requisite approvals were obtained.</p> <p>As at December 31, 2010, the contract award was pending.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the contract award was pending.					

Project #	340					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation			Project Name	Provision of Security Services	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-09-14	0000-00-00	0000-00-00	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 0.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	All Island
Comments						
<p>The procurement opportunity was advertised on August 1, 2010. Tenders were to be submitted by September 2, 2010 at 10:00 a.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>The two-envelope methodology was utilised for the packaging and submission of tenders.</p> <p>A total of seven (7) packages were available, of which, bidders were able to tender on some and/or all packages.</p> <p>A pre-bid meeting was convened on August 8, 2010, with the primary objective being to go through key sections of the Tender Document.</p> <p>Further to concerns which were raised at the Pre-bid meeting, the deadline for submission was extended to 10:00 a.m. on September 9, 2010. The deadline was further extended, by way of an addendum, to September 14, 2010.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>One (1) tender was deemed ineligible, due to failure to provide a valid National Contract Commission (NCC) Certificate of registration.</p> <p>Subsequent to the evaluation of the Technical Proposals, only two (2) bidders achieved the minimum score of 80 points, which was required to qualify for Financial Evaluation.</p> <p>The financial opening of the tenders was conducted on September 21, 2010.</p> <p>The comparable estimate for packages IV and V, of \$67,197,368.98 and \$16,496,389.00 respectively, were not recorded on the bid opening record. Further, there is no evidence that comparable estimates were compiled for packages I, II, III, VI and VII.</p> <p>An award recommendation was made for packages I, II, III, IV, V and VI. The Evaluation Report stated that; <i>"Package VII will have to be re-tendered because the requisite tender security was not provided by the two (2) security companies that qualified for the financial evaluation process."</i></p> <p>As at December 31, 2010, the requisite approvals were pending.</p> <p>The OCG will continue to monitor this procurement process.</p>						
Status	As at the time of this report, the procurement was at the approval stage.					

Project #	341					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation			Project Name	Supply and Deliver of Floor Tiles, Thinset and Grout	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-06-29	2010-10-06	2010-10-06	0000-00-00	0000-00-00	0000-00-00
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
N/A	J\$ 4,459,011.00	J\$ 0.00	0000-00-00	0000-00-00	J\$ 0.00	Kingston
Comments						
<p>The procurement opportunity was advertised in June 2010. Tenders were to be submitted by 3:00 pm on June 29, 2010, to be followed by a tender opening ceremony at 3:15 pm.</p> <p>One (1) tender was received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Subsequent to evaluation, the sole bidder was recommended and approved for the award of contract.</p> <p>As at December 31, 2010, the contract was not yet awarded.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was not yet awarded.					

Project #	342					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation			Project Name	Supply and Installation of Diesel Generator and Storage Tank at Simon Bolivar Cultural Centre	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2009-11-25	2010-06-29	2010-07-07	0000-00-00	0000-00-00	2010-11-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Donaldson's Engineering Limited	J\$ 4,874,024.00	J\$ 3,682,038.49	2010-11-29	2011-01-31	J\$ 0.00	Kingston
Comments						
<p>The captioned procurement opportunity was advertised on November 11, 2009. Tenders were to be submitted by November 25, 2009 at 10:00 a.m., to be followed by a Tender Opening Ceremony at 10:30 a.m.</p> <p>Eight (8) tenders were received, opened and verified at the Tender Opening Ceremony.</p> <p>Upon preliminary examination of the tenders, one (1) tender was found to be ineligible for failure to submit evidence of the National Contracts Commission registration in the category and grade stipulated by the invitation to tender.</p> <p>The tenders were evaluated with regards to the price and delivery time. The three (3) tenders, which received the highest scores, were shortlisted for further evaluation.</p> <p>The Evaluation Report dated February 2010, indicated that;</p> <p><i>"None of the Tenderer [sic] was fully compliant with our technical specifications and it is believed that Donaldson's proposed equipment is the closest solution at the most competitive cost. The generator can be fitted with the necessary component to make it fully complaint, and it is recommended that we pursue and implement this as an option and the added cost taken from the contingency sum"</i></p> <p>The requisite approvals were obtained and the contract was awarded on November 29, 2010.</p> <p>As at December 31, 2010, the contract was being executed, however, no payments had been made to date.</p> <p>The OCG will continue to monitor the referenced project.</p>						
Status	As at the time of this report, the contract was being executed.					

Project #	343					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation			Project Name	Valuation Surveying for Properties Islandwide	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-15	2010-03-25	2010-03-26	0000-00-00	0000-00-00	2010-03-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
C.D Alexander Company Realty Limited	J\$ 27,365,000.00	J\$ 2,379,375.00	2010-03-29	2010-05-10	J\$ 2,377,625.00	All Island
Comments						
<p>The procurement opportunity was advertised on January 20, 2010. Tenders were to be submitted by February 15, 2010 at 2:00 p.m., to be followed by a scheduled Tender Opening Ceremony.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Of the six (6), two (2) bidders were found to be substantially responsive, and the higher scored bidder for each parish, was recommended for the award of contract.</p> <p>With regards to the difference between the estimate and the sums tendered, the Urban Development Corporation (UDC) stated in its Tender Report; <i>"The fees charged for valuation services have traditionally been charged on a percentage of the property value. The downturn in the property market has affected property business negatively. The variances observed may have resulted from increased competition between tenderers. Additionally the grouping of the properties according to clusters may have reduced the bid values..."</i></p> <p>C.D. Alexander Realty Company Limited was recommended and approved for the contract to value UDC's Freehold Interest in twenty-two (22) properties located in the parishes of St. James, Hanover and Kingston.</p> <p>The contract, in the amount of \$2,379,375.00 (inclusive of GCT), was awarded on March 29, 2010.</p> <p>The UDC, in response to an OCG request for proof of expenditure, provided a copy of cheque dated June 4, 2010 in the amount of \$2,377,625.00.</p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	Contract was completed					

Project #	344					
Ministry / Agency	Office of the Prime Minister / Urban Development Corporation			Project Name	Valuation Surveying for Properties Islandwide	
Procurement Method	Tender Opening Date	Procurement Committee Approval	Head of Entity Approval	NCC Endorsement Date	Cabinet Approval Date	Contract Award Date
Selective Tender	2010-02-15	2010-03-25	2010-03-26	0000-00-00	0000-00-00	2010-03-29
Contractor	Comparative Estimate	Contract Sum	Contract Start Date	Contract End Date	Expenditure To Date	Parish
Breakenridge & Associates	J\$ 27,365,000.00	J\$ 2,663,100.00	2010-03-29	2010-05-05	J\$ 2,830,575.00	All Island
Comments						
<p>The procurement opportunity was advertised on January 20, 2010. Tenders were to be submitted by February 15, 2010 at 2:00 p.m., to be followed by a Tender Opening Ceremony.</p> <p>Six (6) tenders were received, opened and verified at the Tender Opening Ceremony, in accordance with the eligibility requirements which were outlined in the Tender Document.</p> <p>Of the six (6), two (2) bidders were found to be substantially responsive, and the higher scored bidder for each parish, was recommended for the award of contract.</p> <p>With regards to the difference between the budgeted amount and the sums tendered, the Urban Development Corporation (UDC) stated in its Tender Report; <i>"The fees charged for valuation services have traditionally been charged on a percentage of the property value. The downturn in the property market has affected property business negatively. The variances observed may have resulted from increased competition between tenderers. Additionally the grouping of the properties according to clusters may have reduced the bid values..."</i></p> <p>Real Estate Solutions Limited trading as Breakenridge and Associates was recommended and approved for the contract to value UDC's Freehold Interest in thirty (30) properties located in the parishes of St. Catherine, St. Ann, Trelawny, Westmoreland and Portland.</p> <p>The contract in the amount of \$2,663,100.00 (inclusive of GCT) was executed on March 29, 2010.</p> <p>The UDC, in response to an OCG request for proof of expenditure, provided a copy of cheque dated October 19, 2010 in the amount of \$2,830,575.00.</p> <p>As at December 31, 2010, the contract was completed.</p>						
Status	Contract was completed					

APPENDIX VII - CONSTITUENCY DEVELOPMENT FUND (CDF) PROJECTS

Project #	1					
Implementing Agency	Clarendon Parish Council		Project Description	Reconstruction of Stewarton Road		
Constituency	Clarendon North Central		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
0000-00-00	J\$ 8,000,000.00	J\$ 8,000,000.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
Records from the entity indicated that the disbursed amount was returned to the Constituency Development Fund.						
Status	Project Aborted					

Project #	2					
Implementing Agency	Clarendon Parish Council		Project Description	Minor Water Supply Brandon Hill, Kelliotts		
Constituency	Clarendon Northern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-08-04	J\$ 4,175,100.00	J\$ 4,175,100.00	Rural Water Supply Ltd.	2009-08-04	2010-01-19	J\$ 4,343,500.00
Comments						
<p>This project was actually implemented by Rural Water Supply Limited (RWSL), which utilised the Force Account and Limited Tender Procurement Methodology to carry out the Works to this project. The project experienced some variations to the scope of the project, which were as follows:</p> <ol style="list-style-type: none"> 1. Provisions for Water to the Evelyn School amounting to J\$47,400.00. 2. Provisions for Water to Content and refurbishment of Content Tank amounting to J\$121,000.00. <p>Both provisions received approval from RWSL's Internal Committee and the Managing Director as reported by the Constituency Development Fund Programme Management Unit (CDFPMU) Project Officer which was assigned to the Constituency.</p> <p>The referenced variations resulted in the revised contract amount of J\$4,343,500.34.</p> <p>The Member of Parliament (MP), CDF Project Manager and Engineers from Rural Water Supply Limited is scheduled to conduct a final inspection on January 27, 2011 before the project is officially handed over to the school and community.</p> <p>As at December 31, 2010, no further updates were obtained from the CDFPMU.</p>						
Status	Practical Completion					

Project #	3					
Implementing Agency	Kingston and St. Andrew Corporation		Project Description	Road Patching Plumbago Path./Stand Pipe Ravinia Mews		
Constituency	St. Andrew Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-08-04	J\$ 908,250.00	J\$ 0.00	N/A applicable at this time	0000-00-00	0000-00-00	J\$ 0.00
Comments						
Project was not implemented during the reporting period.						
Status	Funding was not received for the project.					

Project #	4					
Implementing Agency	Kingston and St. Andrew Corporation		Project Description	Road Patching Plumbago Path/Stand Pipe, Ravinia		
Constituency	St. Andrew Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-08-04	J\$ 5,414,850.00	J\$ 0.00	N/a at this time	0000-00-00	0000-00-00	J\$ 0.00
Comments						
Funding was not received during the reporting period.						
Status	Project was withdrawn.					

Project #	5					
Implementing Agency	KSAC		Project Description	Zinc Fence Removal- 9 Grants Pen Road, 4 Federal Avenue and 2 & 13 National Road		
Constituency	St. Andrew North Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2010-11-30	J\$ 2,595,911.89	J\$ 2,595,911.89	Earnest Grant, Audrey Brown, Hyacinth Thomas, Wayne Lawrence, Marlon Sinclair, Stuart's Construction Services Limited and Phils Hardware Limited	2010-03-20	2010-04-14	J\$ 3,399,830.31
Comments						
<p>The projects involved Zinc Fence Removal at (3) locations in the Saint Andrew North Eastern Constituency. These locations are as follows: (1) 9 Grants Pen Road, (2) 4 Federal Avenue and (3) 2 & 13 National Road.</p> <p>The KSAC utilised both the Limited Tender and Direct Contracting Procurement Methodologies to undertake the material aspect of the works while the Force Account Methodology was used for the Labour portions of the Works.</p> <p>The KSAC engaged five (5) Contractors for the Labour aspect of the Works.</p> <p>Records indicated that the Works commenced in March 20, 2010 and was completed in April 14, 2010.</p> <p>By way of a letter, which was dated January 12, 2011, the KSAC outlined that the expended amount on the project was in the sum of J\$3,399,830.31 for all three (3) projects.</p>						
Status	Projects Completed					

Project #	6					
Implementing Agency	Ministry of Agriculture & Fisheries		Project Description	Rocky Point Beach Development/ Rehabilitation of Rocky Point Fishing Beach		
Constituency	Clarendon South Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2010-07-13	J\$ 5,000,000.00	J\$ 5,000,000.00	Howard Construction Company Limited	2010-10-18	2011-04-22	J\$ 0.00
Comments						
<p>Based upon documents , which were obtained from the Ministry of Agriculture and Fisheries, the OCG noted that the rehabilitation of the Rocky Point Beach falls under the <i>"Improving Jamaica's Agricultural Productivity Project (IJAPP) that is jointly funded by the Government of Jamaica through the Ministry of Agriculture and Fisheries and the Canadian International Development Agency (CIDA). The Inter-American Institute for the Cooperation on Agriculture (IICA) is the executing agency."</i></p> <p>The Rehabilitation Works which was to be undertaken at the Fishing Beach involved the construction of 46 Gear Sheds and Sanitary Block, with Tertiary Sewage Disposal, which includes a Septic Tank and an Evapotranspiration System in the form of a Reed Bed. Further documentation, which was obtained by the OCG, indicated that funding for the project was being sought since 2008.</p> <p>A Tender Notice was advertised on December 16, 2009. Tenders were to be submitted by January 22, 2010 at 10:00 a.m., 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>Subsequent to the evaluation of the tenders, the Bidder with the higher evaluated score was recommended for the award of contract.</p> <p>The amount which was approved for the project by the CDF Parliamentary Committee was \$5,000,000.00, while the Government of Jamaica, through the Ministry of Agriculture and Fisheries contributed \$6,000,000.00 and the balance is being paid by the IICA. The overall contract amount was \$34,929,252.00.</p> <p>The Contract was signed on October 6, 2010 between the Contractor and IICA. Work on the project began in November 2010 and is scheduled for completion in April 2011.</p> <p>The OCG will continue to monitor the project.</p>						
Status	As at December 31, 2010, the Contract was being executed.					

Project #	7					
Implementing Agency	Ministry of Transport and Works – National Works Agency (NWA)		Project Description	Spray Patching		
Constituency	St. Mary South Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
0000-00-00	J\$ 0.00	J\$ 0.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
<p>Reports indicated that the funding for this project, in the amount of J\$ 3,186,386.79, was re-allocated by the CDF on the request of the Member of Parliament to implement other projects in the Constituency.</p>						
Status	Project funds re-allocated.					

Project #	8					
Implementing Agency	National Works Agency		Project Description	Bellas Gate Wall Repairs		
Constituency	Clarendon North Central		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-08-04	J\$ 2,000,000.00	J\$ 0.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
Records received from the entity indicated that the project was aborted.						
Status	Project Aborted					

Project #	9					
Implementing Agency	National Works Agency (NWA)		Project Description	Rehabilitation of the Caldwell Community Centre		
Constituency	Hanover Western		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
0000-00-00	J\$ 5,115,033.00	J\$ 0.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
<p>This project has not yet been implemented by the National Works Agency, because of a Change Request for the reallocation of the funds to the Hanover Parish Council and which was submitted to the Parliamentary Committee in December 2010 for approval.</p> <p>As at December 31, 2010, there was no further updates submitted by the Constituency Development Fund Programme Management Unit (CDFPMU).</p> <p>The OCG will continue to monitor the project.</p>						
Status	Contract is being implemented					

Project #	10					
Implementing Agency	National Works Agency (NWA)		Project Description	Mountain View Back Bush Link Road - Phase 2		
Constituency	St. Andrew Eastern		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2008-11-11	J\$ 3,500,000.00	J\$ 2,000,000.00	National Works Agency	0000-00-00	0000-00-00	J\$ 2,000,000.00
Comments						
As at December 31, 2010, the Constituency Development Fund Programme Management Unit (CDFPMU) reported that the project was satisfactorily completed.						
Status	Contract is 100% completed					

Project #	11					
Implementing Agency	National Works Agency (NWA)		Project Description	Minor Bridge repairs, Sidewalk Paving and Bushing		
Constituency	St. Andrew North Central		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-08-04	J\$ 4,000,000.00	J\$ 0.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
As at December 31, 2010, the Constituency Development Fund Programme Management Unit (CDFPMU) informed the OCG that the project was withdrawn by the Member of Parliament.						
Status	Project Withdrawn/Aborted					

Project #	12					
Implementing Agency	National Works Agency (NWA)		Project Description	Road Rehabilitation		
Constituency	St. Ann South Western		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-03-03	J\$ 10,000,000.00	J\$ 5,000,000.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
This project has not yet commenced. The OCG was advised by the Constituency Development Fund Programme Management Unit (CDFPMU) that the Member of Parliament (MP) had not yet been in receipt of the J\$19,000,000.00 commitment from the Jamaica Social Investment Fund (JSIF) in order to facilitate the implementation of the project.						
The CDFPMU Project Officer was instructed to advise the Member of Parliament of the need to re-allocate funds to other development project(s) in the Constituency.						
As at December 31, 2010, no further status was received from the CDFPMU.						
Status	Put on hold					

Project #	13					
Implementing Agency	North Eastern 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	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 & Dental Supplies, and Donemar Limited	2010-11-01	0000-00-00	J\$ 1,430,822.50
Comments						
<p>Letters of Invitation were sent to six (6) prospective bidders on August 18, 2010, to tender for the supply of assorted Dental Equipment for the Port Maria Dental Clinic. Tenders were to be submitted by September 3, 2010.</p> <p>At the close of tender, three (3) bidders submitted tenders as follows:</p> <ul style="list-style-type: none"> • Two (2) bids for the supply of an X-ray Unit; • One (1) bid for the supply of an X-ray Film Processor; • Two (2) bids for the supply of an Autoclave; • Two (2) bids for the supply of a Dental Operatory Unit; and • Three (3) bids for the supply of an 8-Drawer Instrument Cabinet <p>The tenders were evaluated based upon price and compliance with the Technical specifications which were outlined in the Letter of Invitation.</p> <p>A memo which was dated September 22, 2010, from the Procurement Manager to the Procurement Committee, stated the following:</p> <p><i>"During the evaluation, a suggestion was made to purchase less hand pieces and more actual patient chairs, as one (1) chair would be sufficient to service the facility. Two instrument cabinets were also requested. As such, the decision was made to ask bidders to adjust the quantity of the items being supplied. This adjustment should not affect the outcome of the tender award."</i></p> <p>The recommendation for the award of contracts were subsequently made as follows:</p> <ol style="list-style-type: none"> 1. Cornwall Medical & Dental Supplies Limited, in the sum of \$1,620,480.00 was recommended to supply the following: <ul style="list-style-type: none"> ▪ Dental Operatory Units ▪ 12 Slow Hand Pieces ▪ 12 Fast Hand Pieces 2. Donemar Limited in the sum of J\$1,241,165.00, was recommended to supply the following: <ul style="list-style-type: none"> • 1 X-ray Unit • 1 Autoclave • Instrument Cabinet <p>The recommendations for the award of contract were approved by the Procurement Committee and the Chairman of the Board of Management on October 11, 2010 and October 22, 2010, respectively.</p> <p>The Contract with Cornwall Medical & Dental Supplies was signed on November 1, 2010; and the contract with Donemar Limited was signed on November 11, 2010.</p> <p>Based upon the terms of the contract a fifty percent (50%) deposit was made to the respective Contractors, in order to facilitate the submission of an order for the required items.</p> <p>Delivery of the procured items was scheduled to occur within 6-8 weeks.</p> <p>The OCG will continue to monitor the implementation of the Contract.</p>						
Status	Contracts are being implemented					

Project #	14					
Implementing Agency	Post and Telecommunications Department		Project Description	Renovations of Bangor Ridge Post Office		
Constituency	Portland Western		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-06-30	J\$ 1,191,526.90	J\$ 1,191,526.90	G.M. and Associates Limited	2010-03-20	2010-04-06	J\$ 1,365,729.00
Comments						
<p>On June 30, 2009, approval was given for the disbursement of J\$1,191,526.90 for the captioned project.</p> <p>At the end of the 2009 reporting period, the OCG reported that the tender process was not completed.</p> <p>During the reporting period, the project was re-tendered and by way of the Limited Tender Procurement Methodology, a contract was awarded to G.M. and Associates Limited, in the sum of J\$1,379,007.00.</p> <p>As at December 31, 2010, the project was reportedly completed ahead of the scheduled Completion Date and at a cost of J\$1,365,729.00.</p>						
Status	Project was completed ahead of the scheduled completion and below the contract sum of \$1,379,007.00					

Project #	15					
Implementing Agency	Saint Catherine Parish Council		Project Description	Road Repairs & Development		
Constituency	St. Catherine Central		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-02-17	J\$ 5,203,980.00	J\$ 1,218,470.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
<p>By way of a letter, which was received from the CDF Project Manager, and which was dated July 29, 2010, the OCG was advised that no work had commenced.</p> <p>As at December 31, 2010, no further status was received from the Constituency Development Fund Programme Management Unit (CDFPMU).</p> <p>The OCG will continue to monitor the project.</p>						
Status	Has not yet commenced					

Project #	16					
Implementing Agency	Saint Mary Parish Council		Project Description	Construction of 4 Recording Studios - Oracabessa, Gale, Charles Town & Windsor Castle		
Constituency	St. Mary Western		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-12-08	J\$ 4,000,000.00	J\$ 4,000,000.00	Duane Marzouca Equipment Company	2010-04-30	2010-09-04	J\$ 2,300,000.00
Comments						
<p>The project involved the Construction of four (4) Recording Studios at Oracabessa, Gale Charles Town and Windsor Castle in the Saint Mary Western Constituency.</p> <p>The Council, by way of the Limited Tender Procurement Methodology, engaged Duane Marzouca Equipment Company to supply two (2) used 20 feet unfurnished containers for storage purposes and two (2) modified/ furnished 20 feet containers.</p> <p>By way of a letter, which was dated January 24, 2011 from the Council, the OCG was advised that in keeping with a project progress report, which was dated November 4, 2010, the containers were supplied and modification was 100% completed.</p> <p>The project expenditure for the works accumulated to J\$2,702,500.00 of the allotted approved disbursed amount.</p>						
Status	Contract is 100% completed					

Project #	17					
Implementing Agency	Social Development Commission		Project Description	Welfare and Emergency		
Constituency	Clarendon South Western		Project Type	Welfare and Emergency		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-12-08	J\$ 1,000,000.00	J\$ 1,000,000.00	Numerous Suppliers	0000-00-00	0000-00-00	J\$ 952,880.14
Comments						
<p>Based upon documents, which were obtained from the Social Development Commission (SDC), the OCG found that the approved amount was received in May 2010.</p> <p>Upon a review of the respective files, the OCG found that funds were disbursed to numerous beneficiaries for purposes such as Funeral Expenses, Medications, and food items for shut-in and indigent persons, amongst other things.</p> <p>As at December 31, 2010, J\$952,880.14 was expended under the project.</p>						
Status	Ongoing					

Project #	18					
Implementing Agency	Social Development Commission		Project Description	Consultancy Funding		
Constituency	Kingston Central		Project Type	Human and Social Development		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2010-08-17	J\$ 1,500,000.00	J\$ 1,500,000.00	Jennifer Keane-Dawes	2010-03-31	0000-00-00	J\$ 1,068,680.00
Comments						
<p>Upon a review of the documents related to the project, the OCG noted, <i>inter alia</i>, a document which was entitled Project Management Consultancy Contract. The referenced document, which was dated March 31, 2010, was between the Member of Parliament and the Contractor.</p> <p>The OCG also evidenced that monthly payments, in the amount of J\$125,000.00, were made to the Consultant for Administrative Services for the Kingston Community Development Project.</p> <p>As at December 31, 2010, J\$1,068,680.00, was expended under the project.</p>						
Status	Ongoing					

Project #	19					
Implementing Agency	Social Development Commission		Project Description	Economic Enablement		
Constituency	Manchester Southern		Project Type	Economic Enablement		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2010-02-09	J\$ 2,000,000.00	J\$ 2,000,000.00	N/A	2010-06-15	0000-00-00	J\$ 450,926.20
Comments						
<p>Documents which were obtained from the Social Development Commission (SDC) revealed that J\$1,900,000.00, the approved amount less the 5% administrative fee, was received on May 10, 2010.</p> <p>The Office of the Contractor General (OCG), under cover of letter which was dated August 25, 2010, requisitioned the Implementing Agency, in order to ascertain the status of the captioned project.</p> <p>In this regard, the Implementing Agency, under cover of letter which was dated September 21, 2010, submitted evidence of the Needs Assessment, as well as invoices of payments to various agricultural stores for the supply of chickens and bags of feed. Additionally, payments to whole sale food stores were also noted in support of entrepreneurial ventures for listed beneficiaries. Further documentation indicated that funds were disbursed to a hardware store, in order to purchase items to assist in the rebuilding of a workshop which was destroyed by fire.</p> <p>On October 28, 2010, the OCG accompanied by two (2) CDFPMU Project Officers, conducted a visit to the premises of four (4) of the listed beneficiaries. The OCG observed that the beneficiaries had received the procured items in accordance with the documentation which was provided by the Implementing Agency.</p> <p>The OCG also noted that additional requests for disbursement of funds were submitted on behalf of beneficiaries for purchases of supplies at agricultural stores, supermarkets and liquor stores within the Constituency.</p> <p>The expenditure as at December 31, 2010, was J\$450,926.20.</p> <p>The OCG will continue to monitor the project.</p>						
Status	Project implementation is ongoing.					

Project #	20					
Implementing Agency	Social Development Commission		Project Description	Sports Development		
Constituency	St. Andrew Southern		Project Type	Human and Social Development		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-04-08	J\$ 10,000,000.00	J\$ 5,000,000.00	N/A	0000-00-00	0000-00-00	J\$ 2,404,862.42
Comments						
<p>A sum of \$10,000,000.00 was initially approved for Sports Development within the Constituency. However, on December 8, 2009, the Parliamentary Committee approved a transfer of funds (totalling 1,500,000.00) to Kingston and St. Andrew Corporation for Christmas Works and the Employment Generation project.</p> <p>The Office of Contractor General (OCG) commenced monitoring the captioned project in September 2010. During the period, the OCG noted that a sum of \$5,000,000.00 was received by the Social Development Fund on September 16, 2010, to procure sports gears and lunches for netball and football teams in the Constituency.</p> <p>During the monitoring period, the OCG noted payments which were made to the following Suppliers:</p> <ul style="list-style-type: none"> Numerous payments were made over the period to Locker Room Sports, totalling \$1,171,119.67, for the provision of assorted sporting gears; Numerous payments were made over the period to Denbud Catering, totalling \$876,750.00, for the provision of lunches; Numerous payments were made over the period to Loran V. Boutique Limited totalling \$89, 593.75, for the provision of netball jerseys; and Numerous payments were made over the period to Western Sports Limited totalling \$267,399.00, for the provision of assorted sporting gears. <p>The OCG did not identify any documentation regarding the tender process which was undertaken to award a contract to the referenced companies.</p>						
Status	Project is ongoing.					

Project #	21					
Implementing Agency	Social Development Commission		Project Description	Youth and Sports Development		
Constituency	St. Ann North Western		Project Type	Human and Social Development		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2010-07-13	J\$ 4,000,000.00	J\$ 4,000,000.00	N/A	2010-08-12	0000-00-00	J\$ 3,465,159.53
Comments						
<p>Documents which were obtained from the Social Development Commission (SDC) revealed that the funds, inclusive of 5% administrative fee, were received during July 2010.</p> <p>Upon a review of documents related to the project, <i>inter alia</i>, the following payments were seen:</p> <ul style="list-style-type: none"> Payments were made to several persons, in the amount of \$249,000 each, to clean/ maintain playfields in the Constituency. Among the playfields which were reported as being cleaned were Lilifield, Queen Heights, Salem, Dumdarton, and Ticketts. A payment of J\$204,942.03 was made to the Achievers' Sports & Trophies for items which were to be utilised in the Under -17 competition. Examples of the items procured were footballs, football boots, netballs, bats and batting gloves. Payments of J\$250,000 were made to two (2) individuals to organise and coordinate the preparation of pitches for cricket and football competitions, and to oversee the running of the competitions. Payments of J\$250,000 were made to four (4) individuals to provide snacks and lunches for officials and members of the competing teams, and to provide transportation to and from grounds on days of football and cricket competitions. <p>As at December 31, 2010, expenditure under the project was J\$3,465,159.53, and there was a remaining balance of J\$334,840.47</p>						
Status	Ongoing					

Project #	22					
Implementing Agency	Social Development Commission		Project Description	Welfare Assistance		
Constituency	St. Catherine North Eastern		Project Type	Human and Social Development		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2009-12-08	J\$ 1,500,000.00	J\$ 1,500,000.00	Numerous Beneficiaries	0000-00-00	0000-00-00	J\$ 1,498,528.63
Comments						
Documents which were reviewed at the Social Development Commission (SDC) indicated that funds were disbursed to numerous beneficiaries for purposes such as Funeral Expenses, medication, school expenses, amongst other things. Further documentation provided by the SDC, indicated that a total of J\$1,471.37 remains in the CDF Account.						
Status	Funds remains in the CDF Account					

Project #	23					
Implementing Agency	Social Development Commission		Project Description	Consultancy		
Constituency	St. Catherine North Western		Project Type	Disaster Mitigation		
Parliamentary Committee Approval	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\$ 0.00
Comments						
By way of a letter, which was dated October 6, 2010, the OCG requested that the Social Development Commission (SDC) provide information regarding the captioned project. The SDC responded, by way of a letter which was dated October 22, 2010, and indicated that the referenced project was on hold. As at December 31, 2010, the status of the project had not changed.						
Status	On Hold					

Project #	24					
Implementing Agency	Social Development Commission		Project Description	Sports Development		
Constituency	St. Thomas Eastern		Project Type	Human and Social Development		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2010-02-09	J\$ 960,000.00	J\$ 960,000.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
<p>Documents which were obtained from the Social Development Commission (SDC) revealed that the approved sum, inclusive of 5% administrative fee, was received during March 2010. Documentation from the SDC indicated that there was a balance of J\$1,629,915.00 on the project account prior to the receipt of the new allocation.</p> <p>Upon a review of the documents related to the project, <i>inter alia</i>, the following payments were seen:</p> <ul style="list-style-type: none"> • A payment of J\$252,902.49, representing a portion of an invoiced amount of J\$254,100.00 to the St. Thomas Referee's Group, for duties at sixty (60) games. • A payment of J\$30,996.50 to Giscombe's Sports Warehouse for the purchase of twenty (20) footballs for a community competition. • Payments of J\$75,000 on two (2) occasions to Locker Room Sports to assist two (2) Football Clubs. Locker Room Sports was also paid J\$120,000 on behalf of Paul Bogle High School. <p>Given that a running balance of the account is maintained, and the information that was presented, the OCG was unable to determine the portion of this approved amount that has been expended.</p>						
Status	Ongoing					

Project #	25					
Implementing Agency	St. Ann Parish Council		Project Description	Sports Development		
Constituency	St. Ann South Eastern		Project Type	Human and Social Development		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
0000-00-00	J\$ 0.00	J\$ 1,214,687.00	N/A	0000-00-00	0000-00-00	J\$ 0.00
Comments						
<p>By way of a letter which was dated September 24, 2010, the Implementing Agency informed the Office of the Contractor General of the following:</p> <p><i>"The St. Ann Parish Council received a notice that a sum of J\$ 1,214,687 had been deposited to its account on the 5th May 2010, to complete the Youth Sports Development Project...The project outline indicated that the following would be the major area of activity</i></p> <ul style="list-style-type: none"> • <i>Supply labour to scarify and level a playfield area</i> • <i>Spread and level top soil on the playfield</i> • <i>Lay grass turf to the playfield.</i> <p><i>Implementation of the project has been delayed because of issues surrounding the titular ownership of land on which the project is to be located."</i></p> <p>As at December 31, 2010, no work had commenced.</p>						
Status	Project is on hold					

Project #	26					
Implementing Agency	St. Catherine Parish Council		Project Description	Repairs to existing		
Constituency	St. Catherine East Central		Project Type	Physical Infrastructure		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
2010-02-09	J\$ 800,000.00	J\$ 800,000.00	Several	2010-09-04	2010-10-12	J\$ 806,106.65
Comments						
<p>Payments totalling J\$273,000.00 was expended to Noel King for labour relating to internal and external finishes for Concrete Works.</p> <p>Payments totalling J\$ 493,106.65 was expended to Phil's Hardware for the supply of materials. The OCG also noted that the Council retained a five percent (5%) management fee.</p> <p>The CDF allocation allowed for:</p> <ol style="list-style-type: none"> 1. Installation of windows to a section of the building; 2. Installation of grillwork to the building; 3. Completion of the floor slab; and 4. Rendering to internal and external wall finishes. <p>As at December 31, 2010, the project was completed.</p>						
Status	Completed					

Project #	27					
Implementing Agency	Trelawny Parish Council		Project Description	Cottage Industry Training and Tool		
Constituency	Trelawny Northern		Project Type	Economic Enablement		
Parliamentary Committee Approval	Project Sum Approved	Project Sum Disbursed	Contractor / Supplier	Project Implementation Date	Completion Date	Expenditure to Date
0000-00-00	J\$ 1,500,000.00	J\$ 1,500,000.00	N/A	0000-00-00	0000-00-00	J\$ 30,000.00
Comments						
<p>Documents which were obtained from the Trelawny Parish Council revealed that \$1,500,000 (inclusive of 5% administration fee) was received. The purpose of the project as stated on the CDF Project Submission Form was; <i>"To assist and provide support for community based production in terms of tools and other working infrastructure. Also to establish craft and artisan villages."</i></p> <p>A status report from the Parish Council, which was dated August 18, 2010, indicated that the project had not yet been implemented, and that the technical department was in communication with the Member of Parliament.</p> <p>A further status update indicated that as at December 31, 2010, one disbursement was made to a beneficiary, in the amount of \$30,000 for <i>"Stone Dust for Roadway"</i>.</p> <p>The OCG will continue to monitor the project.</p>						
Status	Project is ongoing					

APPENDIX VIII - QCA SUMMARY TABLE

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
1 Accountant General Department	4 Qtrs	1	\$4.61M	0 0%	1 100%	0 0%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
2 Administrator General's Department	4 Qtrs	6	\$4.46M	0 0%	0 0%	5 83%	0 0%	1 17%		0 0%	\$0.36M 8%	0	0%	0	0%	0	0%
3 Aeronautical Telecommunication Limited	4 Qtrs	5	\$9.12M	0 0%	1 20%	3 60%	0 0%	1 20%		0 0%	\$0.57M 6%	1	20%	3	60%	0	0%
4 Agricultural Credit Board	4 Qtrs	0	\$0.00M														
5 Agricultural Marketing Corporation	4 Qtrs	0	\$0.00M														
6 Agro Investment Corporation	4 Qtrs	6	\$6.18M	0 0%	0 0%	3 50%	0 0%	0 0%		3 50%	\$0.00M 0%	0	0%	0	0%	0	0%
7 Air Jamaica Ltd.	3 Qtrs	29	\$27.84M	0 0%	0 0%	12 41%	0 0%	16 55%		1 3%	\$14.38M 52%	1	3%	28	97%	4	14%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
8 Airports Authority of Jamaica	4 Qtrs	30	\$46.75M	0	1	28	0	1		0	\$0.36M	0	0%	5	17%	0	0%
				0%	3%	93%	0%	3%		0%	1%						
9 Anti-Dumping and Subsidies Commission	4 Qtrs	3	\$3.90M	0	0	2	0	1		0	\$0.65M	0	0%	1	33%	0	0%
				0%	0%	67%	0%	33%		0%	17%						
10 Attorney General's Department	4 Qtrs	2	\$1.01M	0	0	2	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	15	\$18.08M	0	0	13	0	2		0	\$4.15M	0	0%	3	20%	1	7%
				0%	0%	87%	0%	13%		0%	23%						
12 Banana Board	4 Qtrs	3	\$3.26M	0	0	3	0	0		0	\$0.00M	0	0%	1	33%	0	0%
				0%	0%	100%	0%	0%		0%	0%						
13 Bank of Jamaica	3 Qtrs	178	\$221.60M	0	12	60	6	35		65	\$53.68M	122	69%	55	31%	15	8%
				0%	7%	34%	3%	20%		37%	24%						
14 Bath Fountain Hotel and Spa	4 Qtrs	0	\$0.00M														

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 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 Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
15	Bauxite and Alumina Trading Company (B.A.T.C.O)	4	Qtrs	1	0	0	100%	0	0	0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%		0%	0%						
16	Bellevue Hospital	4	Qtrs	143	0	0	99	12	2	30	\$1.24M	37	26%	22	15%	0	0%
				0%	0%	69%	8%	1%		21%	1%						
17	Betting, Gaming and Lotteries Commission	4	Qtrs	13	0	1	7	0	0	5	\$0.00M	1	8%	3	23%	0	0%
				0%	8%	54%	0%	0%		38%	0%						
18	Broadcasting Commission	4	Qtrs	14	0	0	3	6	5	0	\$4.84M	0	0%	10	71%	3	21%
				0%	0%	21%	43%	36%		0%	23%						
19	Bureau of Standards	4	Qtrs	37	0	2	21	2	12	0	\$18.68M	9	24%	20	54%	5	14%
				0%	5%	57%	5%	32%		0%	29%						
20	Bureau of Women's Affairs	4	Qtrs	0													
21	Caribbean Maritime Institute	3	Qtrs	15	4	0	4	0	4	3	\$1.97M	0	0%	7	47%	0	0%
				27%	0%	27%	0%	27%		20%	17%						

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
22	Caymanas Track Limited	3 Qtrs	\$14.11M	0 0%	1 10%	9 90%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	1	10%	0	0%
23	Central Information and Technology Office (CITO)	4 Qtrs	\$2.03M	0 0%	0 0%	1 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
24	Child Development Agency	4 Qtrs	\$8.36M	0 0%	2 40%	3 60%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
25	Clarendon Alumina Production Limited (CAP)	4 Qtrs	\$7.23M	0 0%	0 0%	1 50%	0 0%	0 0%		1 50%	\$0.00M 0%	1	50%	1	50%	0	0%
26	Clarendon Parish Council	4 Qtrs	\$12.24M	0 0%	1 20%	4 80%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
27	Coconut Industry Board	4 Qtrs	\$28.18M	11 31%	1 3%	2 6%	0 0%	21 60%		0 0%	\$11.40M 40%	1	3%	13	37%	0	0%
28	Coffee Industry Board	4 Qtrs	\$6.69M	0 0%	0 0%	6 50%	0 0%	6 50%		0 0%	\$2.56M 38%	0	0%	10	83%	0	0%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
29	College of Agriculture, Science and Education (CASE)	4	\$4.11M	1 25%	1 25%	2 50%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
30	Commission for the Prevention of Corruption	0	\$0.00M														
31	Companies Office of Jamaica	20	\$14.59M	0 0%	0 0%	11 55%	0 0%	9 45%	0 0%	0 0%	\$8.06M 55%	2	10%	8	40%	2	10%
32	Consumer Affairs Commission	4	\$2.79M	0 0%	0 0%	2 50%	0 0%	1 25%		1 25%	\$0.35M 13%	2	50%	1	25%	0	0%
33	Council of Community Colleges of Jamaica	4	\$3.87M	0 0%	1 25%	3 75%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
34	Creative Production and Training Centre	10	\$7.26M	0 0%	0 0%	3 30%	0 0%	1 10%		6 60%	\$0.60M 8%	0	0%	7	70%	0	0%
35	Culture, Health, Arts, Sports and Education (C.H.A.S.E.)	9	\$25.69M	0 0%	5 56%	4 44%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	1	11%	0	0%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 Covering the 1st, 2nd, 3rd and 4th Quarters

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
36	4 Qtrs	0	\$0.00M														
37	4 Qtrs	261	\$156.99M	0 0%	3 1%	245 94%	10 4%	3 1%		0 0%	\$1.10M 1%	0	0%	11	4%	0	0%
38	4 Qtrs	21	\$24.39M	0 0%	0 0%	10 48%	0 0%	8 38%		3 14%	\$11.50M 47%	0	0%	6	29%	3	14%
39	4 Qtrs	3	\$1.00M	0 0%	0 0%	2 67%	0 0%	1 33%		0 0%	\$0.33M 32%	0	0%	2	67%	0	0%
40	4 Qtrs	11	\$12.46M	0 0%	1 9%	5 45%	0 0%	4 36%		1 9%	\$2.84M 23%	2	18%	7	64%	0	0%
41	4 Qtrs	12	\$46.87M	0 0%	9 75%	0 0%	2 17%	0 0%		1 8%	\$0.00M 0%	0	0%	3	25%	0	0%
42	4 Qtrs	1	\$0.59M	0 0%	0 0%	0 0%	0 0%	1 100%		0 0%	\$0.59M 100%	0	0%	0	0%	0	0%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 Covering the 1st, 2nd, 3rd and 4th Quarters

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
43	Factories Corporation of Jamaica Ltd.	20	\$23.36M	0 0%	3 15%	11 55%	0 0%	1 5%		5 25%	\$0.62M 3%	0	0%	4	20%	0	0%
44	Fair Trading Commission	0	\$0.00M														
45	Financial Services Commission	37	\$32.34M	0 0%	0 0%	12 32%	0 0%	25 68%		0 0%	\$20.55M 64%	33	89%	26	70%	3	8%
46	FINSAC	0	\$0.00M														
47	Firearm Licence Authority	0	\$0.00M														
48	Fiscal Services Limited	43	\$63.01M	0 0%	6 14%	28 65%	0 0%	6 14%		3 7%	\$12.35M 20%	17	40%	6	14%	6	14%
49	Food Storage and Prevention of Infestation Department	0	\$0.00M														

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(Contracts Which Do Not Require NCC Endorsement)***

For 2010 Covering the 1st, 2nd, 3rd and 4th Quarters

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
50	Forestry Department	3 Qtrs	\$5.39M	0 0%	0 0%	3 75%	1 25%	0 0%		0 0%	\$0.00M 0%	0	0%	1	25%	0	0%
51	G.C. Foster College of Physical Education	3 Qtrs	\$10.39M	0 0%	2 25%	6 75%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	2	25%	0	0%
52	Golden Age Home	4 Qtrs	\$4.60M	0 0%	0 0%	5 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
53	Government Chemist	4 Qtrs	\$1.56M	0 0%	0 0%	1 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	1	100%	0	0%
54	Hanover Parish Council	4 Qtrs	\$0.00M														
55	Harmonisation Ltd.	4 Qtrs	\$0.00M														
56	Health Corporation of Jamaica	4 Qtrs	\$2.71M	0 0%	0 0%	3 75%	0 0%	1 25%		0 0%	\$1.22M 45%	0	0%	2	50%	1	25%

**Public Body Quarterly Contract Award (QCA) Report
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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
57	Housing Agency of Jamaica Ltd	4	Qtrs	44	\$84.94M	0	7	21	5	8	3	1	2%	32	73%	2	5%
				0%	16%	48%	11%	18%		7%	\$7.15M						
58	Human Employment and Resource Training/HEART Trust NTA	4	Qtrs	472	\$496.81M	17	33	305	6	111	0	4	1%	86	18%	41	9%
				4%	7%	65%	1%	24%		0%	\$119.88M						
59	Independence Park Limited	4	Qtrs	41	\$30.60M	11	0	22	0	7	1	0	0%	1	2%	2	5%
				27%	0%	54%	0%	17%		2%	\$5.35M						
60	Independent Commission of Investigations	2	Qtrs	0	\$0.00M												
61	Inland Revenue Department	4	Qtrs	49	\$56.43M	0	1	28	5	13	2	0	0%	8	16%	11	22%
				0%	2%	57%	10%	27%		4%	\$23.52M						
62	Institute of Jamaica	4	Qtrs	7	\$11.70M	1	0	6	0	0	0	0	0%	0	0%	0	0%
				14%	0%	86%	0%	0%		0%	\$0.00M						
63	International Centre for Environment and Nuclear Science	4	Qtrs	3	\$1.78M	0	0	0	0	2	1	0	0%	3	100%	0	0%
				0%	0%	0%	0%	67%		33%	\$1.04M						

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
64 Jamaica 4-H Clubs	4 Qtrs	1	\$0.44M	0	0	1	0	0		0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%		0%	0%						
65 Jamaica Bauxite Institute	3 Qtrs	7	\$6.99M	0	0	4	0	2		1	\$1.73M	1	14%	4	57%	1	14%
				0%	0%	57%	0%	29%		14%	25%						
66 Jamaica Bauxite Mining	4 Qtrs	8	\$6.81M	0	0	3	0	4		1	\$5.08M	0	0%	5	63%	2	25%
				0%	0%	38%	0%	50%		13%	75%						
67 Jamaica Business Development Centre	3 Qtrs	5	\$5.86M	0	0	4	0	1		0	\$0.36M	0	0%	1	20%	0	0%
				0%	0%	80%	0%	20%		0%	6%						
68 Jamaica Civil Aviation Authority	4 Qtrs	37	\$38.33M	0	0	13	0	22		2	\$29.46M	0	0%	19	51%	4	11%
				0%	0%	35%	0%	59%		5%	77%						
69 Jamaica Constabulary Force	4 Qtrs	332	\$383.09M	0	77	152	0	31		72	\$62.38M	73	22%	35	11%	15	5%
				0%	23%	46%	0%	9%		22%	16%						
70 Jamaica Cultural Development Commission (JCDC)	4 Qtrs	59	\$56.67M	0	0	16	6	22		15	\$19.76M	46	78%	39	66%	6	10%
				0%	0%	27%	10%	37%		25%	35%						

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
71	Jamaica Customs Department	3 Qtrs	\$80.16M	1 1%	1 1%	56 73%	0 0%	19 25%		0 0%	\$16.67M 21%	0	0%	8	10%	4	5%
72	Jamaica Defence Force	4 Qtrs	\$77.97M	0 0%	13 25%	23 45%	0 0%	6 12%		9 18%	\$11.22M 14%	0	0%	17	33%	2	4%
73	Jamaica Deposit Insurance Corporation	4 Qtrs	\$23.96M	1 4%	0 0%	10 38%	0 0%	9 35%		6 23%	\$3.80M 16%	12	46%	15	58%	0	0%
74	Jamaica Exotic Flavours and Essences	4 Qtrs	\$0.00M														
75	Jamaica Fire Brigade	4 Qtrs	\$21.88M	0 0%	0 0%	21 91%	0 0%	2 9%		0 0%	\$4.03M 18%	0	0%	1	4%	2	9%
76	Jamaica Foundation for Life Long Learning	4 Qtrs	\$5.81M	0 0%	1 33%	2 67%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
77	Jamaica Information Service	4 Qtrs	\$34.90M	0 0%	0 0%	4 6%	1 2%	36 55%		25 38%	\$22.56M 65%	64	97%	4	6%	7	11%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
78	Jamaica Intellectual Property Office	4 Qtrs	\$6.14M	0 0%	5 63%	1 13%	1 13%	1 13%		0 0%	\$1.00M 16%	3	38%	2	25%	1	13%
79	Jamaica International Free Zone Development Ltd.	4 Qtrs	\$17.95M	0 0%	0 0%	2 33%	1 17%	1 17%		2 33%	\$2.13M 12%	0	0%	1	17%	1	17%
80	Jamaica Library Service	3 Qtrs	\$16.89M	1 6%	0 0%	16 94%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	1	6%	0	0%
81	Jamaica Mortgage Bank	4 Qtrs	\$9.49M	0 0%	1 14%	4 57%	0 0%	2 29%		0 0%	\$2.83M 30%	0	0%	2	29%	1	14%
82	Jamaica National Commission for UNESCO	4 Qtrs	\$0.00M														
83	Jamaica National Heritage Trust	4 Qtrs	\$24.44M	0 0%	2 8%	17 65%	1 4%	1 4%		5 19%	\$0.51M 2%	0	0%	11	42%	0	0%
84	Jamaica Promotions Corporation a/c JAMPRO.	4 Qtrs	\$37.73M	3 9%	5 15%	5 15%	0 0%	18 55%		2 6%	\$12.26M 32%	0	0%	27	82%	4	12%

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For 2010 Covering the 1st, 2nd, 3rd and 4th Quarters

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
85	Jamaica Racing Commission	4 Qtrs	\$3.67M	0 0%	0 0%	2 40%	0 0%	0 0%		3 60%	\$0.00M 0%	3	60%	0	0%	0	0%
86	Jamaica Railway Corporation	4 Qtrs	\$0.00M														
87	Jamaica Social Investment Fund	4 Qtrs	\$248.03M	0 0%	9 7%	44 34%	0 0%	76 59%		0 0%	\$122.54M 49%	0	0%	106	82%	32	25%
88	Jamaica Tourist Board	3 Qtrs	\$212.81M	0 0%	1 1%	47 25%	1 1%	137 72%		4 2%	\$180.67M 85%	15	8%	172	91%	51	27%
89	Jamaica Ultimate Tyre Company Ltd	4 Qtrs	\$100.29M	0 0%	0 0%	63 72%	0 0%	0 0%		24 28%	\$0.00M 0%	0	0%	32	37%	0	0%
90	Jamaica Urban Transit Company (JUTC)	4 Qtrs	\$1,048.85M	0 0%	4 1%	96 30%	66 21%	143 45%		7 2%	\$641.19M 61%	0	0%	85	27%	117	37%
91	Jamaica Vacations Limited	4 Qtrs	\$78.99M	0 0%	0 0%	0 0%	0 0%	14 100		0 0%	\$78.99M 100%	0	0%	14	100%	14	100%

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For 2010 Covering the 1st, 2nd, 3rd and 4th Quarters

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
92 Kingston and St. Andrew Corporation	4 Qtrs	106	\$105.10M	0	0	106	0	0		0	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	100%	0%	0%		0%	0%						
93 Kingston Free Zone	4 Qtrs	4	\$2.92M	0	0	3	0	1		0	\$0.40M	0	0%	0	0%	0	0%
				0%	0%	75%	0%	25%		0%	14%						
94 Management Institute for National Development (M.I.N.D)	4 Qtrs	6	\$2.80M	0	0	5	0	0		1	\$0.00M	0	0%	1	17%	0	0%
				0%	0%	83%	0%	0%		17%	0%						
95 Manchester Parish Council	4 Qtrs	42	\$26.87M	0	10	31	0	0		1	\$0.00M	3	7%	3	7%	0	0%
				0%	24%	74%	0%	0%		2%	0%						
96 Maritime Authority of Jamaica	4 Qtrs	3	\$2.62M	0	0	3	0	0		0	\$0.00M	0	0%	1	33%	0	0%
				0%	0%	100%	0%	0%		0%	0%						
97 Meteorological Department	4 Qtrs	3	\$6.41M	0	0	1	0	0		2	\$0.00M	0	0%	0	0%	0	0%
				0%	0%	33%	0%	0%		67%	0%						
98 Micro Investment Development Agency (MIDA)	4 Qtrs	2	\$1.58M	1	0	1	0	0		0	\$0.00M	0	0%	0	0%	0	0%
				50%	0%	50%	0%	0%		0%	0%						

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
99	Milk River Bath 3 Qtrs	0	\$0.00M														
100	Mines and Geology Division 4 Qtrs	0	\$0.00M														
101	Ministry of Agriculture and Fisheries 4 Qtrs	50	\$54.03M	0 0%	1 2%	32 64%	0 0%	9 18%		8 16%	\$7.53M 14%	0	0%	14	28%	2	4%
102	Ministry of Education 4 Qtrs	124	\$304.56M	0 0%	45 36%	28 23%	0 0%	7 6%		44 35%	\$10.43M 3%	2	2%	16	13%	5	4%
103	Ministry of Energy and Mining 4 Qtrs	2	\$1.23M	0 0%	0 0%	1 50%	0 0%	1 50%		0 0%	\$0.59M 48%	0	0%	0	0%	0	0%
104	Ministry of Finance and the Public Service 4 Qtrs	50	\$65.20M	0 0%	3 6%	32 64%	0 0%	1 2%		14 28%	\$1.72M 3%	0	0%	7	14%	1	2%
105	Ministry of Foreign Affairs and Foreign Trade 4 Qtrs	25	\$13.71M	0 0%	0 0%	5 20%	0 0%	0 0%		20 80%	\$0.00M 0%	21	84%	12	48%	0	0%

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
106	Ministry of Health and Environment	4 Qtrs	\$70.06M	2	4	8	0	4		0	\$17.76M	0	0%	4	22%	3	17%
				11%	22%	44%	0%	22%		0%	25%						
107	Ministry of Industry, Investment and Commerce	4 Qtrs	\$10.66M	0	0	6	0	4		0	\$5.91M	0	0%	4	40%	2	20%
				0%	0%	60%	0%	40%		0%	55%						
108	Ministry of Justice	4 Qtrs	\$24.37M	0	0	21	0	7		1	\$4.06M	0	0%	3	10%	1	3%
				0%	0%	72%	0%	24%		3%	17%						
109	Ministry of Labour and Social Security	4 Qtrs	\$74.00M	0	0	54	0	5		23	\$4.84M	0	0%	15	18%	1	1%
				0%	0%	66%	0%	6%		28%	7%						
110	Ministry of National Security	4 Qtrs	\$88.14M	0	1	6	0	8		18	\$38.34M	1	3%	0	0%	7	21%
				0%	3%	18%	0%	24%		55%	43%						
111	Ministry of Tourism	4 Qtrs	\$7.72M	0	0	5	0	3		4	\$1.05M	11	92%	4	33%	0	0%
				0%	0%	42%	0%	25%		33%	14%						
112	Ministry of Transport and Works	3 Qtrs	\$10.11M	0	0	5	1	0		1	\$0.00M	0	0%	1	14%	0	0%
				0%	0%	71%	14%	0%		14%	0%						

**Public Body Quarterly Contract Award (QCA) Report
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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
113	Ministry of Water and Housing	4	Qtrs	25	\$40.68M	0	8	32%	14	56%	0	0	4%	1	84%	1	4%
114	Ministry of Youth, Sports and Culture	4	Qtrs	8	\$8.85M	0	0	0%	8	100%	0	0	0%	0	0%	0	0%
115	Montego Bay Free Zone Co. Ltd.	3	Qtrs	0	\$0.00M												
116	Montego Freeport Limited	4	Qtrs	1	\$4.58M	0	1	100%	0	0%	0	0	0%	0	0%	0	0%
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	0	\$0.00M												

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
120	National Environment and Planning Agency (NEPA)	4 Qtrs	\$15.50M	0 0%	0 0%	16 62%	0 0%	4 15%		6 23%	\$5.45M 35%	6	23%	9	35%	2	8%
121	National Export-Import Bank of Jamaica Limited	4 Qtrs	\$2.69M	0 0%	0 0%	3 100%	0 0%	0 0%		0 0%	\$0.00M 0%	2	67%	0	0%	0	0%
122	National Family Planning Board	4 Qtrs	\$7.00M	2 29%	1 14%	1 14%	0 0%	0 0%		3 43%	\$0.00M 0%	4	57%	4	57%	0	0%
123	National Health Fund	4 Qtrs	\$15.18M	0 0%	0 0%	7 39%	1 6%	9 50%		1 6%	\$5.05M 33%	0	0%	8	44%	0	0%
124	National Housing Trust	4 Qtrs	\$207.12M	0 0%	17 14%	63 50%	16 13%	3 2%		26 21%	\$3.52M 2%	4	3%	50	40%	2	2%
125	National Irrigation Commission Ltd.	4 Qtrs	\$20.94M	0 0%	0 0%	17 94%	1 6%	0 0%		0 0%	\$0.00M 0%	1	6%	1	6%	0	0%
126	National Land Agency	4 Qtrs	\$45.40M	0 0%	6 17%	24 67%	0 0%	6 17%		0 0%	\$4.70M 10%	0	0%	2	6%	1	3%

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
127	National Library of Jamaica	4	Qtrs	5	\$4.97M	0	0	2	0	1	\$1.17M	0	0%	1	20%	1	20%
				0%	0%	40%	0%	20%		40%	23%						
128	National Road Operating and Constructing Company (NROCC)	4	Qtrs	5	\$9.46M	0	1	3	0	1	\$0.58M	0	0%	2	40%	0	0%
				0%	20%	60%	0%	20%		0%	6%						
129	National Solid Waste Management Authority (NSWMA)	4	Qtrs	791	\$1,045.76M	0	0	590	0	17	\$14.16M	57	7%	10	1%	5	1%
				0%	0%	75%	0%	2%		23%	1%						
130	National Water Commission	4	Qtrs	804	\$821.07M	43	11	560	16	88	\$128.83M	25	3%	87	11%	35	4%
				5%	1%	70%	2%	11%		11%	16%						
131	National Works Agency	4	Qtrs	280	\$392.19M	0	10	18	0	155	\$195.11M	20	7%	1	0%	67	24%
				0%	4%	6%	0%	55%		35%	50%						
132	National Youth Service (NYS)	4	Qtrs	24	\$11.17M	0	0	21	3	0	\$0.00M	0	0%	8	33%	0	0%
				0%	0%	88%	13%	0%		0%	0%						
133	Norman Manley International Airport	4	Qtrs	175	\$222.30M	1	2	133	1	33	\$48.17M	1	1%	37	21%	16	9%
				1%	1%	76%	1%	19%		3%	22%						

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
134	North East Regional Health Authority	4 Qtrs	\$35.27M	0 0%	6 30%	14 70%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
135	Nutrition Products Ltd.	4 Qtrs	\$142.42M	0 0%	6 15%	31 78%	0 0%	0 0%		3 8%	\$0.00M 0%	0	0%	5	13%	0	0%
136	Office of Disaster Preparedness and Emergency Management	4 Qtrs	\$20.92M	0 0%	1 5%	18 82%	0 0%	1 5%		2 9%	\$0.47M 2%	0	0%	6	27%	0	0%
137	Office of the Children's Advocate	4 Qtrs	\$2.68M	0 0%	0 0%	3 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	2	67%	0	0%
138	Office of the Contractor General	4 Qtrs	\$10.46M	0 0%	0 0%	8 89%	0 0%	1 11%		0 0%	\$0.62M 6%	0	0%	2	22%	0	0%
139	Office of the Prime Minister	4 Qtrs	\$134.93M	3 3%	0 0%	36 39%	17 18%	11 12%		26 28%	\$9.83M 7%	59	63%	41	44%	3	3%
140	Office of the Public Defender	4 Qtrs	\$0.00M														

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141	Office of the Trustee in Bankruptcy	4 Qtrs	\$0.00M														
142	Office of Utilities Regulation (OUR)	4 Qtrs	\$4.57M	0 0%	0 0%	5 63%	0 0%	2 25%		1 13%	\$1.10M 24%	0	0%	2	25%	0	0%
143	Overseas Examinations Office	4 Qtrs	\$11.81M	2 29%	4 57%	1 14%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
144	Passport, Immigration & Citizenship Agency (PICA)	4 Qtrs	\$49.53M	0 0%	2 5%	24 56%	1 2%	8 19%		8 19%	\$7.04M 14%	1	2%	12	28%	2	5%
145	Pesticides Control Authority	4 Qtrs	\$0.00M														
146	Petrojam Limited	4 Qtrs	\$768.93M	0 0%	18 4%	153 31%	0 0%	197 40%		125 25%	\$241.28M 31%	0	0%	299	61%	83	17%
147	Petroleum Company of Jamaica	4 Qtrs	\$53.92M	0 0%	66 99%	0 0%	0 0%	1 1%		0 0%	\$0.60M 1%	1	1%	1	1%	0	0%

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				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
148	Petroleum Corporation of Jamaica	3 Qtrs	\$56.16M	2 5%	5 11%	19 43%	2 5%	5 11%		11 25%	\$4.79M 9%	1	2%	21	48%	2	5%
149	Planning Institute of Jamaica	4 Qtrs	\$10.80M	0 0%	0 0%	7 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
150	Police Public Complaints Authority	2 Qtrs	\$0.00M														
151	Port Authority of Jamaica	4 Qtrs	\$562.98M	0 0%	0 0%	545 77%	0 0%	104 15%		60 8%	\$114.79M 20%	454	64%	342	48%	29	4%
152	Port Security Corps	4 Qtrs	\$1.02M	0 0%	0 0%	1 50%	0 0%	0 0%		1 50%	\$0.00M 0%	0	0%	1	50%	0	0%
153	Portland Parish Council	4 Qtrs	\$14.35M	0 0%	1 6%	17 94%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	6	33%	0	0%
154	Portmore Municipal Council	4 Qtrs	\$8.40M	0 0%	0 0%	12 86%	0 0%	2 14%		0 0%	\$0.89M 11%	0	0%	6	43%	0	0%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 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 Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
155	Post and Telecommunications Department	4 Qtrs	\$12.18M	0 0%	0 0%	9 60%	0 0%	6 40%		0 0%	\$6.84M 56%	0	0%	1	7%	2	13%
156	Private Security Regulation Authority	4 Qtrs	\$1.35M	0 0%	0 0%	1 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
157	Public Broadcasting Corporation	4 Qtrs	\$0.76M	0 0%	0 0%	1 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
158	Real Estate Board	4 Qtrs	\$6.45M	0 0%	0 0%	3 60%	1 20%	1 20%		0 0%	\$1.41M 22%	0	0%	2	40%	1	20%
159	Registrar General's Department	4 Qtrs	\$18.12M	0 0%	0 0%	18 90%	0 0%	2 10%		0 0%	\$1.04M 6%	0	0%	2	10%	0	0%
160	Road Maintenance Fund	4 Qtrs	\$1.32M	0 0%	0 0%	2 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
161	Rural Agricultural Development Authority (RADA)	4 Qtrs	\$5.83M	0 0%	0 0%	4 57%	1 14%	0 0%		2 29%	\$0.00M 0%	0	0%	1	14%	0	0%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
162	Rural Electrification Programme 4 Qtrs	9	\$22.51M	0 0%	1 11%	8 89%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
163	Rural Water Supply Company 4 Qtrs	6	\$13.03M	0 0%	2 33%	3 50%	0 0%	1 17%		0 0%	\$0.32M 2%	0	0%	0	0%	0	0%
164	Scientific Research Council 4 Qtrs	20	\$12.73M	0 0%	0 0%	18 90%	0 0%	2 10%		0 0%	\$1.19M 9%	2	10%	7	35%	0	0%
165	SCJ Holdings Limited 3 Qtrs	586	\$1,300.89M	0 0%	5 1%	405 69%	45 8%	0 0%		131 22%	\$0.00M 0%	0	0%	192	33%	0	0%
166	Self Start Fund 4 Qtrs	0	\$0.00M														
167	Social Development Commission 4 Qtrs	47	\$33.68M	0 0%	0 0%	7 15%	0 0%	0 0%		40 85%	\$0.00M 0%	42	89%	8	17%	0	0%
168	South East Regional Health Authority 4 Qtrs	838	\$1,270.57M	2 0%	10 1%	342 41%	298 36%	186 22%		0 0%	\$200.62M 16%	292	35%	336	40%	65	8%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
169	Southern Regional Health Authority	4 Qtrs	\$102.49M	0 0%	23 44%	20 38%	0 0%	3 6%		6 12%	\$2.11M 2%	1	2%	4	8%	1	2%
170	Spectrum Management Authority	4 Qtrs	\$17.89M	0 0%	0 0%	9 64%	0 0%	1 7%		4 29%	\$1.19M 7%	4	29%	2	14%	1	7%
171	Sports Development Foundation	3 Qtrs	\$36.49M	0 0%	0 0%	20 95%	1 5%	0 0%		0 0%	\$0.00M 0%	0	0%	1	5%	0	0%
172	St. Ann Parish Council	4 Qtrs	\$9.12M	0 0%	9 69%	3 23%	0 0%	0 0%		1 8%	\$0.00M 0%	0	0%	0	0%	0	0%
173	St. Catherine Parish Council	4 Qtrs	\$24.76M	6 50%	6 50%	0 0%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
174	St. Elizabeth Parish Council	4 Qtrs	\$23.94M	0 0%	4 36%	4 36%	0 0%	3 27%		0 0%	\$1.45M 6%	0	0%	1	9%	0	0%
175	St. James Parish Council	4 Qtrs	\$15.43M	0 0%	0 0%	10 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	1	10%	0	0%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
176	4 Qtrs	21	\$17.31M	0 0%	0 0%	21 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
177	4 Qtrs	31	\$27.39M	0 0%	0 0%	15 48%	0 0%	16 52%		0 0%	\$15.53M 57%	5	16%	10	32%	3	10%
178	4 Qtrs	26	\$28.89M	2 8%	0 0%	10 38%	0 0%	13 50%		1 4%	\$11.27M 39%	0	0%	4	15%	2	8%
179	4 Qtrs	12	\$13.88M	0 0%	0 0%	6 50%	0 0%	5 42%		1 8%	\$7.18M 52%	0	0%	0	0%	1	8%
180	4 Qtrs	2	\$6.56M	0 0%	1 50%	0 0%	0 0%	1 50%		0 0%	\$2.91M 44%	0	0%	0	0%	1	50%
181	4 Qtrs	0	\$0.00M														
182	4 Qtrs	28	\$32.63M	0 0%	0 0%	12 43%	0 0%	11 39%		5 18%	\$4.54M 14%	0	0%	3	11%	1	4%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
183	4 Qtrs	8	\$5.61M	0 0%	1 13%	7 88%	0 0%	0 0%		0 0%	\$0.00M 0%	0	0%	0	0%	0	0%
184	3 Qtrs	19	\$33.28M	4 21%	0 0%	13 68%	0 0%	2 11%		0 0%	\$6.51M 20%	7	37%	8	42%	2	11%
185	4 Qtrs	37	\$49.49M	0 0%	1 3%	31 84%	4 11%	1 3%		0 0%	\$1.63M 3%	0	0%	15	41%	1	3%
186	4 Qtrs	1	\$1.01M	0 0%	0 0%	0 0%	1 100%	0 0%		0 0%	\$0.00M 0%	1	100%	1	100%	0	0%
187	4 Qtrs	34	\$68.94M	0 0%	7 21%	8 24%	11 32%	6 18%		2 6%	\$6.46M 9%	1	3%	18	53%	3	9%
188	4 Qtrs	2	\$0.82M	0 0%	0 0%	1 50%	1 50%	0 0%		0 0%	\$0.00M 0%	0	0%	1	50%	0	0%
189	4 Qtrs	21	\$33.20M	0 0%	4 19%	12 57%	0 0%	5 24%		0 0%	\$9.57M 29%	0	0%	2	10%	2	10%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 Contracts	(7) Contracts Not Approved by Public Body's Procurement Committee		(8) Contracts Reported, Not Awarded to NCC Registered Contractors		(9) Contracts over \$1 Million Procured by Sole Source Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
190	Trelawny Parish Council	4 Qtrs	\$13.12M	0 0%	0 0%	9 82%	0 0%	2 18%		0 0%	\$1.40M 11%	0 0%	0%	0 0%	0%	0 0%	0%
191	Universal Access Fund	4 Qtrs	\$2.25M	0 0%	1 25%	3 75%	0 0%	0 0%		0 0%	\$0.00M 0%	0 0%	0%	0 0%	0%	0 0%	0%
192	University Council of Jamaica	4 Qtrs	\$0.34M	0 0%	0 0%	1 100%	0 0%	0 0%		0 0%	\$0.00M 0%	0 0%	0%	0 0%	0%	0 0%	0%
193	University Hospital of the West Indies	1 Qtrs	\$352.85M	146 57%	112 43%	0 0%	0 0%	0 0%		0 0%	\$0.00M 0%	3 1%	1%	50 19%	19%	0 0%	0%
194	University of Technology, Jamaica	3 Qtrs	\$333.20M	0 0%	20 8%	96 38%	6 2%	54 22%		74 30%	\$89.75M 27%	13 5%	5%	103 41%	41%	21 8%	8%
195	Urban Development Corporation (UDC)	4 Qtrs	\$107.29M	0 0%	2 4%	22 42%	0 0%	12 23%		17 32%	\$18.03M 17%	4 8%	8%	20 38%	38%	7 13%	13%
196	Water Resources Authority	4 Qtrs	\$0.61M	0 0%	0 0%	0 0%	0 0%	0 0%		1 100%	\$0.00M 0%	0 0%	0%	1 100%	100%	0 0%	0%

**Public Body Quarterly Contract Award (QCA) Report
(Contracts Which Do Not Require NCC Endorsement)***

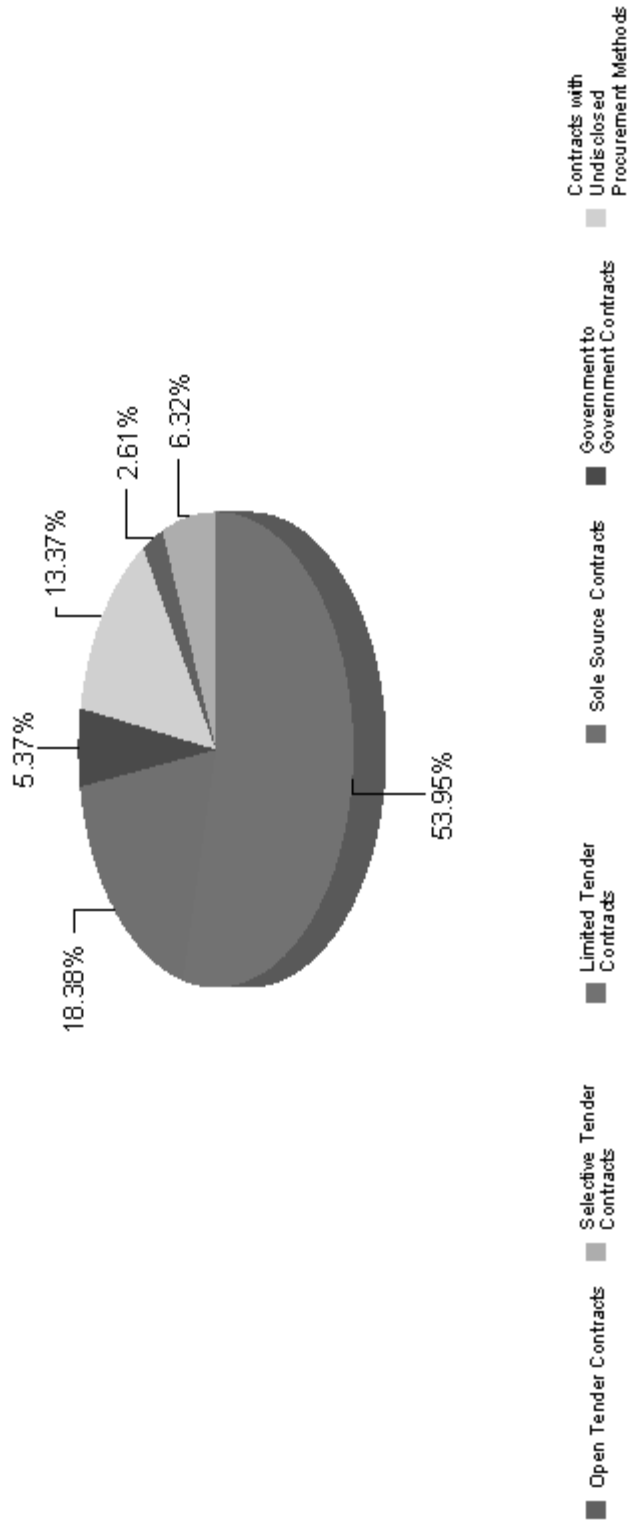
For 2010 Covering the 1st, 2nd, 3rd and 4th Quarters

(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 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 Methodology	
				Open Tender	Selective Tender	Limited Tender	Gov. to Gov	Sole Source	Direct Contract	Not Stated		Num.	% of Total Contracts	Num.	% of Total Contracts	Num.	% of Total Contracts
197	4 Qtrs	160	\$210.24M	0 0%	4 3%	114 71%	0 0%	30 19%		12 8%	\$54.60M 26%	0	0%	18	11%	15	9%
198	4 Qtrs	15	\$22.53M	6 40%	4 27%	4 27%	0 0%	1 7%		0 0%	\$0.59M 3%	0	0%	2	13%	0	0%
199	3 Qtrs	10	\$12.82M	0 0%	0 0%	5 50%	1 10%	2 20%		2 20%	\$1.63M 13%	0	0%	5	50%	1	10%
TOTALS		10,455	\$14.31B	273 3%	661 6%	5,640 54%	561 5%	1,922 18%		1,398 13%	\$2.88B 20%	1500	14%	2893	28%	764	7%

Public Body Quarterly Contract Award (QCA) Report (Contracts Which Do Not Require NCC Endorsement)*

For 2010 Covering the 1st, 2nd, 3rd and 4th Quarters

Pie Chart Comparing Procurement Methods



Public Body Quarterly Contract Award (QCA) Report **(Contracts Which Do Not Require NCC Endorsement)***

For 2010 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 #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.

- 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

- Contracts which are reported without a contract value are assumed to have a contract value of JMD\$0.
- Contracts which are reported with a contract award date which is outside of 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 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

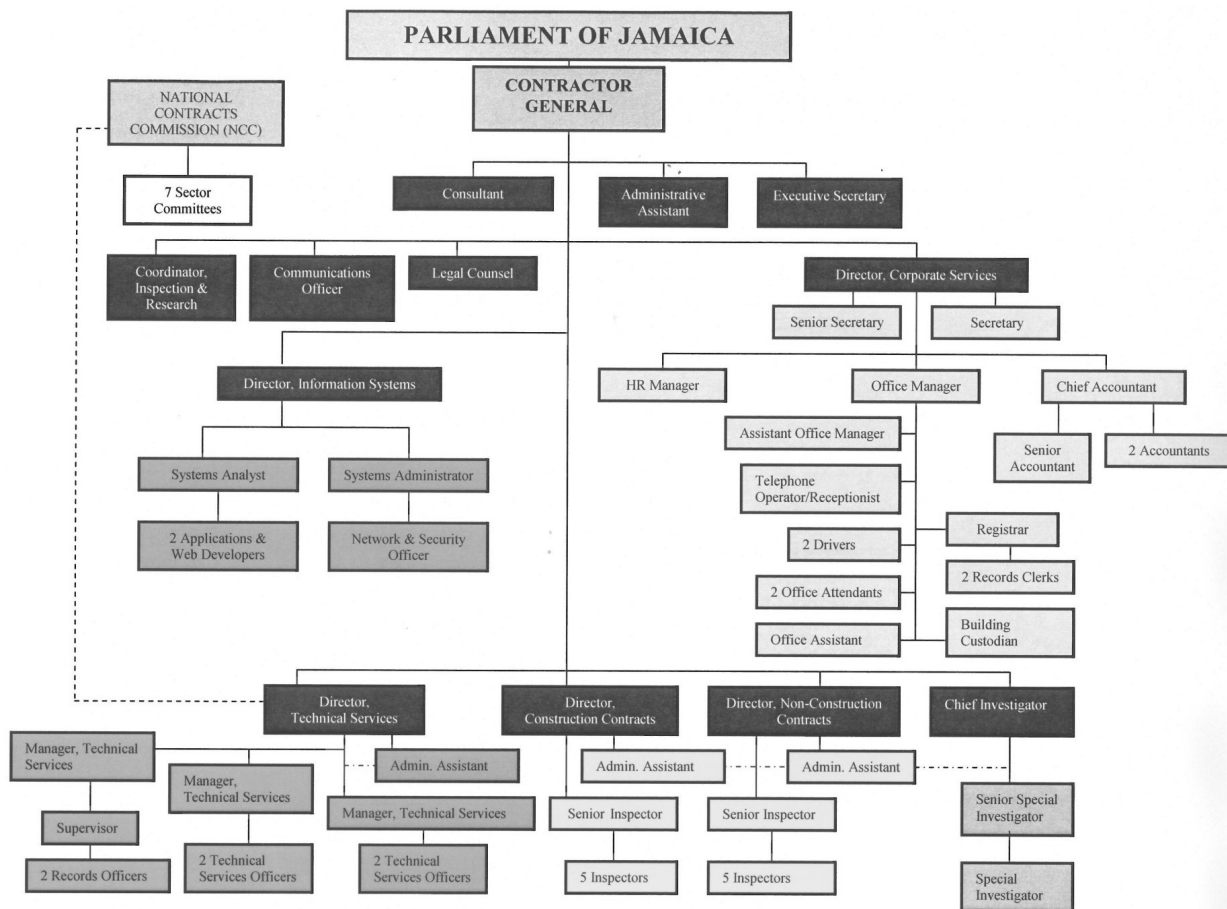
SCHEDULE OF OCG STAFF TRAINING FOR THE YEAR 2010

START DATE	POSITION	ORGANISATION/LOCATION	COURSE	DURATION
January 30	Driver	Grennell's Driving School	Defensive Driving	January 30
January 30	Inspectors (2)	Mona School of Business	Executive Speaking Edge	January 30 - February 13
February 1	Contractor General	Commonwealth Secretariat, Singapore	Better Governance- Issues and Challenges in Corruption Control	February 1- 12
February 6	Senior Special Investigator & Manager - Technical Services Division	Mona School Of Business	Project Management	February 6 - March 13
February 6	Office Attendant	Institute for Workforce Education and Development	Housekeeping Course	February 6 - March 27
February 8	Senior Secretary	Professional Trainers Institute	Reproducing Documents and Note Taking Skills	February 8 & 9
March 15	Administrative Assistant to the Contractor General	Professional Trainers Institute	Business Writing for Secretaries and Administrative Assistants	March 15 & 16
April 28	Supervisor -Technical Services Division	University of the Caribbean	Superior Customer Service Training	April 28
April 30	Inspectorate pool	In -House	Seminars on The Improvement of Post Contract Construction Monitoring	April 30
May 1	Technical Officer	Mona School of Business	Project Management	May 1 - June 5
May 5	Chief Investigator	World Bank, Miami, USA	The Misuse of Corporate Vehicles in Grand Corruption Cases, Miami Roundtable Meeting	May 5
May 7	Inspectorate pool	In-house	Training on Practical use of the 1999 FIDIC conditions of a contract	May 7
May 11	Inspector (1)	Dunn, Pierre, Barnett & Associates Limited	Forensic Auditing Contract & Procurement Fraud Workshop	May 11 & 12
May 15	Chief Investigator	Utech/JIM School of Advancement Management	Supervisory Management	May 15 - June 19
May 14	Inspectorate pool	In-house	The Role of the Quantity Surveyor	May 14
May 17	Director, Non-Construction Contracts, Licenses & Permits	Commonwealth Secretariat, St. Lucia	Commonwealth Public Procurement Network Conference.	May 17 - 19
May 28	Inspectors (9)	In-House	Good Construction Technology and Quality Control	May 28

START DATE	POSITION	ORGANISATION/LOCATION	COURSE	DURATION
June 20	Application & Web Developers (2)	Mona School of Business	Project Management	June 20 - September 12
June 28	Technical Officer (1)	Mona School of Business	Project Management	June 28 - August 12
July 13	Records Officer (1)	University College of the Caribbean	Superior Customer Service Training	July 13
August 9	Systems Administrator	Mona School of Business	Business Communication Suite	August 9 - September 1
November 10	Contractor General	14 th IACC Conference, Bangkok, Thailand	International Anti-Corruption Conference	November 10 - 13
November 11	Director, Information Systems & Senior Secretary	Mona School of Business	Supervisory Management	November 11 - 25
December 2	Senior Inspectors	Bureau of Standards	Root Cause Analysis	December 2

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APPENDIX X - ORGANISATION STRUCTURE



APPENDIX XI - STAFF SITUATION

STAFF SITUATION FOR 2010

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	-
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	10	
Chief Accountant	1	1	-
Systems Administrator	1	1	-
Communications Officer	1	1	-
Network and Security Officer	1	1	-
Application and Web Developers	2	2	-
Administrative Assistants	4	4	-
Technical Officers	4	3	1
Goods and Services Supervisor	1	1	-
HR Manager	1	1	-
Office Manager	1	1	-
Executive Secretary 1	1	1	-
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	-

COMPLEMENT	APPROVED	EMPLOYED	VACANT
Drivers	2	2	-
Office Assistant	1	1	-
Office Attendants	2	2	-
Building Custodian	1	1	-
Chief Investigator	1	1	-
Systems Analyst	1	-	1
TOTAL	64	59	5