



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

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URGENT

May 30, 2007

Mr. Garfield Grandison
Editor-in-Chief
The Gleaner Company Limited
7 North Street
Kingston

Dear Mr. Grandison:

Re: Article entitled "ODPEM Says Christie Contract Report False"

In an article which is published in today's (May 30, 2007) edition of The Gleaner, you have named the Office of Disaster Preparedness and Emergency Management (ODPEM), the Jamaica Students Loan Bureau (SLB) and the Jamaica Trade and Invest (formerly Jamaica Promotions or JAMPRO), as having "*taken issue*" with the Office of the Contractor General (OCG) for referring their names to the Director of Public Prosecutions (DPP) for delinquency.

In the case of ODPEM, you have reported that its Director General, Mr. Ronald Jackson, has branded our report about ODPEM as being "*false*".

We would be grateful if you would permit us to respond to your report since, based upon the evidence which the OCG currently holds, none of the claims which has been reportedly made by these three (3) entities can be credibly substantiated.

The OCG's May 29, 2007 Referral to the DPP, which is the main subject of your article, lists thirty-two (32) Public Bodies, inclusive of ODPEM, JAMPRO and the SLB, which have failed to comply with a lawful Requisition of the OCG. The Requisition in question, which is dated July 11, 2006, expressly requires the named Public Bodies, together with other Procuring Public Bodies, to submit a 2007 1st Quarter QCA Report to the OCG, in both electronic and certified hard copy formats on or before April 30, 2007.

Electronic copies of QCA Reports are required by the OCG for upload to, and publication on, its website. The mirrored hard copies, on the other hand, are required to be signed by the Accounting or Principal Officer of each Public Body in order to certify to the OCG that the data which is being submitted is entirely accurate. A person who, without lawful justification or excuse, fails to fully comply with this Requisition is deemed to have committed a criminal offence under Section 29 of the Contractor General Act.

In the case of ODPEM, to date the OC-G has received neither an electronic or hard copy of that entity's 2007 1st Quarter QCA Report. In a telephone discussion which took place this morning between ODPEM's Mr. Jackson and the OC-G's Manager of Investigations, Mr. Jackson has acknowledged this fact and has confirmed that ODPEM's 2007 1st Quarter QCA Report (in both electronic and hard copy versions) is yet to be submitted to the OCG.



(2)

Indeed, in a letter which was dated yesterday, May 29, 2007, and which was faxed by Mr. Jackson to the OCG today, he has expressly advised that ODPEM's "report for the 1st Quarter of 2007 will arrive a bit late, a situation we regret but do not intend to institutionalize". The Gleaner's report, on the other hand, specifically and erroneously states that "the report had been submitted before the April 30 deadline".

In the case of JAMPRO, the electronic copy of its 2007 1st Quarter QCA Report was received by the OC-G on May 4, 2007. The hard copy version was hand-delivered to the OCG on May 9, 2007. It is also instructive to note that, contrary to what was asserted in your article, JAMPRO's electronic QCA Report was computer-stamped as being emailed to the OCG on May 4 at 10.51AM. It is therefore evident that JAMPRO's QCA Reports were submitted to the OCG several days *after* the prescribed deadline and not on "April 30" as the Gleaner has inaccurately reported.

In the case of the SLB, the electronic copy of its 2007 1st Quarter QCA Report was received by the OC-G on May 1, 2007. The hard copy version was hand-delivered to the OC-G on May 2, 2007. The SLB's electronic QCA Report was computer-stamped by the SLB as being emailed to the OCG on May 1 at 12.45 PM. In both instances, the Reports were therefore submitted to the OCG *after* the prescribed deadline.

We have stated in our Referral to the DPP that both ODPEM and JAMPRO are 'repeat offenders'. We stand by this assertion. Both of these entities were previously referred by the OCG to the DPP because of their failure to submit their 2006 4th Quarter QCA Reports on or before the prescribed deadline of January 31, 2007.

As regards ODPEM's 2006 4th Quarter QCA Report, the hard copy of this Report, which was dated April 18, 2007, was hand-delivered to the OCG on April 19, 2007, some 11 weeks *after* the prescribed deadline. The OCG has not, to date, received an electronic copy of ODPEM's 2006 4th Quarter QCA Report.

It is instructive to note that in ODPEM's May 29, 2007 letter to the OCG, it has claimed that its 2006 4th Quarter QCA Report was sent to the OCG "in November 2006". The illogic of this statement speaks for itself as it is difficult to fathom how a 2006 4th Quarter Report could be possibly settled, much less submitted, more than a month *before* the ending of the Quarter to which it relates.

In any event, the ODPEM submission, which was dated November 28, 2006, was captioned "QCA Report ... Second and Third Quarters". The covering letter, which was signed by ODPEM's Acting Deputy Director General, expressly stated that "attached" were ODPEM's "QCA Reports for the 2006 second and third quarters". There was no mention of a 2006 4th Quarter Report. Further, the QCA Report which was attached to the ODPEM covering letter was expressed to cover the period "July - November 2006".

As regards JAMPRO, the hard copy of its 2006 4th Quarter QCA Report was dated January 31, 2007. However, it was hand-delivered to the OC-G on February 7, under cover of a letter which too was dated February 7, 2007. The electronic copy of the Report was computer-stamped as being emailed to the OCG on February 2 at 5.42PM. In both instances, the Reports were therefore submitted to the OCG *after* the prescribed deadline.

In its March 21, 2007 Referral to the DPP, the OCG had named forty-five (45) Public Bodies as being delinquent. As at even date, my Office has received only three (3) complaints, inclusive of ODPEM's, as regards this specific Referral. All three complaints have been determined by the OCG to be baseless and without merit. It is also instructive to note that, before today, no complaint was received by the OCG from ODPEM as regards the OCG's March 21, 2007 Referral.

While we accept that challenges will be made, from time to time, to the OCG's published determinations, we would nevertheless wish to assure you, your readers, the Jamaican public and all Procuring Public Bodies, that as a matter of course, the OC-G exercises an over-abundance of care, caution and diligence in its preparation and submission of its Reports.



(3)

I should also wish to point out that the OCG's Referrals to the DPP are in every instance accompanied by formal files for each of the Public Bodies which has been named as delinquent. Each physical case file includes sworn statements and declarations as to the veracity of the facts and evidence upon which the Referral for that Public Body is based. We believe that this strengthens our assertion that our submissions are made with diligence and, above all, in good faith.

As at the time of my writing of this letter, the OCG has been presented with no credible reason or evidence which would require it to revise, withdraw or retract any of the Referrals which it has so far made to the DPP. The OCG's Referrals of March 21, 2007 and May 29, 2007, to the DPP, will therefore stand in their entirety and in respect of all of the delinquent Public Bodies which have been named therein, inclusive of ODPEM, JAMPRO and the SLB.

In light of the foregoing and, in particular, ODPEM's written confirmation to the OCG of May 29, 2007 as regards the inaccuracy of The Gleaner's report, I would be grateful if my letter is given the same prominence as was given to the report which is carried in today's edition of your newspaper.

With gratitude.

Very respectfully yours,

Greg Christie (Signed)

Greg Christie
Contractor General

Copy: Mr. Kent Pantry, Director of Public Prosecutions
Mr. Ronald Jackson, Director General (Acting), ODPEM
Mr. Robert Gregory, President, Jamaica Trade and Invest (formerly JAMPRO)
Mrs. Lenice Barnett, Executive Director, SLB