



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

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MEDIA RELEASE

OCG Concludes Investigation into Norman Manley International Airport Security Services Contract Award to Protection and Security Limited

Kingston, April 12, 2012 – The Office of the Contractor General (OCG) has concluded its Special Investigation into the award of a three (3) year \$149,940,000 contract to Protection and Security Ltd. for the provision of landside security services at the Norman Manley International Airport (NMIA).

The OCG's Investigation, which was commenced on May 6, 2010, was prompted by certain considerations which included the following:

- (1) The fact that the principal of Protection and Security Ltd., Mr. Dennis Morgan, was, at the time, a serving member of the Board of Directors of the Airports Authority of Jamaica.
- (2) The seemingly wide void which existed between NMIA's \$198,458,716.95 Comparable Estimate for the contract and the contract bid amount of \$149,940,000 which was proposed by Protection and Security. The final bids of the other four (4) tenderers were \$184,856,001, \$187,157,250, \$207,281,867.72 and \$209,619,615, respectively.
- (3) The OCG's receipt of a Letter of Complaint, dated May 4, 2010, from Guardsman Limited, one of the tenderers for the referenced Government contract, in which Guardsman alleged, among other things, (a) that "the Shareholder and Chief Executive Officer of Protection and Security Ltd. is a member of the Board of Directors for NMIA", and (b) "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".
- (4) The fact that the OCG had on several previous occasions expressed to the Parliament and the Government of Jamaica, the inherent dangers which exist, and the inescapable perception of a conflict of interest which arises, when a Public Body awards a Government contract to a Contractor in which a Board Member of the Awarding Public Body has a pecuniary interest.

However, and despite the foregoing, the OCG wishes to publicly highlight the fact that its Investigation has not resulted in any referrals being made by it pursuant to 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”.

As is required by Section 20 (1) of the Contractor General Act, copies of the OCG’s 203 page Report of Investigation into the matter have today been despatched by Contractor General, Greg Christie, to Dr. the Hon. Omar Davis, the Minister of Transport, Works and Housing, Mrs. Audrey Sewell, the Permanent Secretary in the Ministry of Transport, Works and Housing, and Mr. Earl Richards, the President & CEO of the Airports Authority of Jamaica and the Norman Manley International Airport.

It is instructive to note that Section 20 (1) also empowers a Contractor General to *“make such recommendations as he considers necessary in respect of any matter which was investigated”*, and that the Contractor General has indeed made a number of recommendations in the instant matter.

In the exercise of the discretionary powers that are reserved to a Contractor General by Section 28 (2) of the Contractor General Act, the Contractor General has also today formally conveyed copies of the Report to the Honourable Speaker of the House of Representatives and the Honourable President of the Senate.

Section 28 (3) of the Contractor General Act requires the Speaker and the President to have the Reports tabled in both Houses of Parliament *‘as soon as possible’*.

An electronic copy of the OCG’s Report of Investigation will be published on the OCG’s website at www.ocg.gov.jm once the Report has been tabled in both Houses of Parliament.

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