



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

No. :

TELEPHONE No.:876-929-8560/6466

FAX No. : 876-929-2476

E-mail: communications@ocg.gov.jm

**OFFICE OF THE CONTRACTOR-GENERAL**

**PIOJ Building**

**16 Oxford Road**

**P.O. BOX 540**

**KINGSTON 5**

**JAMAICA, W.I**

**MEDIA RELEASE**

**OCG Responds to Public Statements Attributed to Jamaica  
Association of Contractors and Consultants (JAC)**

**Kingston; August 20, 2012** – The Office of the Contractor General (OCG) has taken note of a story which appears in today’s edition of the Observer Newspaper entitled “**Angry Contractors tackle OCG on Thursday**”.

The story indicates, among other things, that “*the OCG will be meeting with more than just representatives of the Jamaica Association of Contractors and Consultants (JAC) as, since last week, the protesting contractors have been joined by members of the Incorporated Master Builders Association of Jamaica (IMAJ) and the Medium, Small and Micro Enterprise (MSME) Alliance.*”

The OCG, however, wishes to publicly advise that by way of letter, dated August 15, 2012, addressed to Mr. Percival LaTouche of the JAC, a formal invitation was issued by the OCG to meet with a “*maximum*” of three (3) named representatives of the JAC. While no OCG invitation has been issued by the OCG to meet with any other person or group, the OCG would, however, have no objection should Mr. LaTouche wish to include in his three (3) person team, a representative from the IMAJ and a representative from the MSME Alliance.

The OCG’s decision to limit those who can attend the meeting, or who will be admitted to its Offices, arises in part from certain OCG security considerations which have emanated from threats of violence which were directed by members of the JAC to OCG officers at the JAC’s inaugural meeting of July 28.

Representatives of the OCG have since given formal statements to the Police and at least three (3) meetings have been held between members of the Police High Command and OCG officers. The OCG is also aware of the fact that Mr. Percival LaTouche was called in to meet with the Police.

The Observer story has also stated that the Contractors “*are protesting against what they have listed as: the inadequacy of the existing policy framework to assist local contractors; the “onerous” registration and re-registration process; and the inappropriate criteria for grading contractors.*”

The OCG, however, must make it clear, as it has publicly done on several previous occasions, that it is in no position whatsoever to address any of the concerns that any Contractor group may have regarding the National Contracts Commission’s (NCC’s) prescribed criteria for the registration, re-registration or the grading of Government Contractors.



In point of fact, in an open OCG letter, that was dated August 9, 2012, and which was addressed to Mr. LaTouche, and copied to the Media, the OCG went to pains to explain to him that the referenced prescribed criteria have been developed and promulgated, not by the OCG, but by the Government of Jamaica (GOJ) and by the NCC and that, consequently, *“if the membership of the JAC feels that the prescribed criteria are too onerous, unreasonable or burdensome, the JAC should be encouraged to direct its concerns, or any proposals that it might have for amending the criteria, not to the OCG, but to the Ministry of Finance and the NCC.”*

Mr. LaTouche is also quoted in the Observer newspaper as stating that *“the IMAJ and the MSME Alliance have teamed with JAC for a comprehensive approach to addressing their concerns, and expect that the Ministry of Finance and Planning and the NCC will also be represented at the meeting, at the highest level.”*

The OCG, however, believes that any such *“comprehensive approach”* must be led by those who make the rules – namely the Ministry of Finance and the NCC – and not by the OCG, which is required by law to simply enforce the rules, whatever they may be.

Indeed, in its August 15 Letter of Invitation to the JAC, the OCG emphasized to Mr. LaTouche that *“the OCG is mindful of its responsibilities under law, and would respectfully ask that the proposed discussions are confined to those of the OCG’s mandates which are prescribed by the Contractor General Act”*.

The OCG, therefore, wishes to publicly state that it cannot, and will not, host any group meeting that purports to examine the adequacy or reasonableness of rules or regulations that have been promulgated by other State Authorities. The OCG has no lawful authority to do so.

Finally, the OCG has noted that the Observer newspaper has reported that the JAC has expressed its *“dissatisfaction with the inordinate delay being experienced by Government contractors in re-registration with the National Contracts Committee (NCC)”*.

The OCG, again, wishes to state, for the record, that where Contractors submit re-registration applications to the NCC which contain misleading, false or fraudulent representations, the NCC’s prescribed and published criteria are clear that the Contractors cannot be re-registered.

To state, therefore, that there is a delay in the re-registration of such contractors, and that the OCG is responsible for same, is not only misleading, but amounts to a deliberate and calculated distortion of the facts, and a clear attempt to discredit the OCG and the work that it is required to do in enforcing the laws and regulations of the land.

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Contact: The Communications Department, Office of the Contractor General of Jamaica  
C/o Craig Beresford, Senior Director of Monitoring Operations, Corporate Communications and Special Projects  
E-mail: [communications@ocg.gov.jm](mailto:communications@ocg.gov.jm). Tel: 876-929-8560; Direct: 876-926-0034; Mobile: 876-564-1806