



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. : 876-929-7335

E-mail: gchristie@ocg.gov.jm

OFFICE OF THE CONTRACTOR-GENERAL
17 KNUTSFORD BOULEVARD
P.O. Box 540
KINGSTON 5
JAMAICA, W.I.

URGENT

January 9, 2007

Mitchell Hanson Law Offices
Attorneys at Law
Suite #18, 1D-1E Braemar Avenue
Kingston 10

Attention: Mr. Howard S. Mitchell, LL.M., Consultant

Dear Sirs/Mesdames:

Re: Report of Investigation Conducted into the Procurement of Goods, Works and Services by the Petroleum Company of Jamaica (PETCOM)

I write in acknowledgement of and further to your letter of the 8th instant in the captioned regard. Your letter was received in our Offices this morning, via facsimile. We note that you are acting on behalf of Ms. Barbara Clarke, the Chairperson of PETCOM.

Having carefully read your comments, I must respectfully advise that the Office of the Contractor General (OCG) reiterates and stands firmly behind each and every one of its Findings and Conclusions as are set out in the referenced Report.

We have noted, in particular, your statement, at the top of page two of your letter, to the effect that "these several instances of various training sessions are what you now erroneously describe as 'contracts' ...".

You went on to state that "... we are aware that your conclusions were no doubt arrived at on the basis of investigation but submit that the research was neither diligent nor thorough".

We would respectfully advise that you should confer, in the above regard, with the Ministry of Industry, Technology, Energy & Commerce (MITEC), particularly as it relates to the written representations which have been made by the Ministry to the OCG in its letter, dated October 13, 2006, at the hand of the Permanent Secretary of the Ministry, Dr. Jean A. Dixon.

We are attaching herewith, for your ease of reference, a copy of the said letter. You should note that the letter, which clearly challenges your positions and unequivocally supports and substantiates the findings of the OCG, was copied almost three (3) months ago to the Hon. Phillip Paulwell, Minister of Industry, Technology, Energy and Commerce, Dr. Ruth Potopsingh, Group Managing Director, Petroleum Corporation of Jamaica (PCJ), and Mr. Desmond Thomas, General Manager, PETCOM.

To date, despite the fact that the Ministry's representations to the OCG were made known to the referenced PCJ and PETCOM executives, they have not in any way been challenged, denied, refuted or contested by the PCJ or by PETCOM.



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We have also taken note of your very surprising, but instructive, admission which speaks for itself and which substantiates the referenced findings of the OCG as they relate to your Client. You have stated that following an award of a contract, in 1998, by PETCOM, by way of tender, presumably to Ms. Clarke, "there was no other tender subsequently offered and Ms. Clarke in her capacity as Principal Officer of her Company was recalled on several other occasions to conduct training at various locations".

Finally, you have stated that your "... client's reputation and standing will suffer irreparable harm if the erroneous and misleading statements made in your Report are not amended. The more so since our Client has in writing since June 2006 withdrawn from **any** supply opportunity at PETCOM ..." (My emphasis).

We would wish to respectfully advise you that we have in our files, a copy of a letter, dated June 28, 2006, from Elegant Traders Ltd. to PETCOM, signed on behalf of your Client in her capacity as Managing Director of Elegant Traders Ltd. Contrary to what you have stated, this letter refers to the withdrawal, by Elegant Traders Ltd., of a single "Proposal for Customer Care Training for Service Station/Filling Plant Attendants which was submitted in February 2006 ...".

If this is the letter to which you are referring, then we do not see how it can, by any stretch of the imagination, be elevated to a written "(withdrawal) from **any** supply opportunity at PETCOM".

Very respectfully yours,

Greg Christie (Signed)

Greg Christie
Contractor General

Copy: The Hon. Phillip Paulwell, Minister of Industry, Technology, Energy and Commerce
Dr. Jean A. Dixon, PHD., MBA, Permanent Secretary, Ministry of Industry, Technology, Energy and Commerce
Mr. Desmond Thomas, General Manager, PETCOM
Dr. Ruth Potopsingh, Group Managing Director, PCJ

Enclosure