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)

We are in receipt of your faxed letter of even date. The same was written in response to ours of even date.

We regret to advise that we do not share your views and that it is the policy of the OCG not to be intimidated by, nor to respond to, threats. The OCG is prepared to, and will vigorously defend its Report.

It is the OCG's considered view that the issues which you have raised merit no further or any response as it believes that the Conclusions which have been reached in its Report are supported by its Findings and that its Findings can be adequately and credibly substantiated by the evidence which it holds. You should also recall that the entity subject of the OCG's investigation, as it relates to your Client, is Elegant Traders Ltd.

As regards the copy of your Client's letter, dated July 18, 2006, to the Honourable Minister, the OCG has noted for the record that you had not previously alluded to this letter in your own letter to us of the 8th instant. You will recall that you had, instead, referred the OCG to your Client's letter of "June 2006", a copy of which you have not seen it fit to produce.

Be that as it may, your Client's letter of July 18, 2006, which we have noted was not, on the face of it, formally brought by your Client to the attention of PETCOM, does not adversely impact the OCG's Findings or Conclusions. In point of fact, your Client's July 18, 2006 letter supports the OCG's "conflict of interest" perception Conclusions.

Indeed, while a copy of your Client's letter of June 28, 2006 was conveyed to the OCG by PETCOM, no mention was ever made of her letter of July 18, 2006 in any of the communications which the OCG to date has had with PETCOM, the Ministry and, most curiously, with your Client herself. Further, there was no mention of Ms. Clarke's July 18, 2006 withdrawal in the Observer report of September 8, 2006, despite the fact that her letter was purportedly written and submitted to the Honourable Minister some 7 weeks before.

In the premises, and in light of the Recommendation in our Report which is numbered one (1), we would respectfully encourage your Client, in the interim, to formally communicate her decision to the Board and Executive Management of PETCOM in the event that she or the Honourable Minister has not yet done so.

We would also respectfully encourage you, if you have not yet done so, to comprehensively apprise yourself of the contents of the Government Procurement Procedures Handbook, dated May 2001, and the subsequent revisions which have been made thereto.

We so respectfully advise.

Very respectfully yours,

Greg Christie (Signed)

_____
Greg Christie
Contractor General

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