



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

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FOR IMMEDIATE RELEASE

**OFFICE OF THE CONTRACTOR GENERAL RAISES SERIOUS CONCERNS ABOUT GOVERNMENT'S
DECISION TO PROCEED WITH THE REVIEW OF THE GEASO CONTRACT AWARD
RECOMMENDATION**

Kingston, July 12, 2007 – The Office of the Contractor General (OC-G) has, with great concern, taken notice of media reports that the Ministry of Finance and Planning, in keeping with a directive of the Cabinet, has now established a Committee to review the decision which was made earlier by the Ministry to recommend that the GEASO Health Scheme contract should be awarded to Life of Jamaica Ltd.

It is the OC-G's understanding that the Review Committee is comprised of representatives of the Ministry and the GEASO Monitoring Committee and that the Review Committee will formally commence its deliberations on Friday, July 13, 2007. These reports are generally consistent with the contents of a letter, dated July 3, 2007, which was written to the Contractor General by the Minister of Finance and Planning.

The OC-G, in its prior correspondence to the Ministry of Finance, the Cabinet and the Solicitor General, had unequivocally advised that the participation by the GEASO Monitoring Committee in the GEASO Health Scheme contract award decision-making process, if permitted, would contravene the very Procurement Procedures and Guidelines which the Government itself has promulgated to regulate and to ensure probity in the Government's contract award process. The Ministry, with the full knowledge of the Cabinet Secretary and the Solicitor General, had expressed its agreement, in writing, with these positions.

The Government was also advised that to act in this manner would contravene the required principles of merit, impartiality, propriety and lack of irregularity, in the award of Government contracts, which are enshrined in Section 4 (1) of the Contractor General Act.

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It is instructive to note that the Contractor General, which is an independent Commission of Parliament, is expressly mandated by the Contractor General Act to ensure that these required principles, together with the Government's Procurement Procedures, are scrupulously observed by all Public Bodies and Public Procuring Entities in their award of Government contracts.

That the Cabinet and the Ministry of Finance have therefore chosen to proceed in a manner which the Ministry itself has conceded in writing would be "contrary to the Ministry's, the Government's and the Cabinet's stand on the matter", has raised very serious concerns about the credibility of the Government's undertakings and its willingness to abide by the rule of law.

It is the OC-G's considered view that the Government's deliberate and questionable actions in this matter have inflicted grave and irreparable harm to the integrity of the public-sector procurement process and the Independent Commissions which have been established by law to monitor and to regulate the award of Government contracts.

To the extent, therefore, that the review process which will be shortly commenced is one which will take place outside of the ambit of the Government's Procurement Procedures, and contrary to the provisions of the Contractor General Act, neither the process nor any contract award which results there-from will receive the affirmative sanction of the Commission of the Contractor General under Section 4 (1) of the Act.

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