



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 RESPONDS TO PUBLIC
STATEMENTS MADE BY JOHN JUNOR ON THE GEASO MATTER

Kingston, June 27, 2007 – The Contractor General, Greg Christie, today dispatched a letter to Member of Parliament, Mr. John Junor, in response to the recent public statements which Mr. Junor made with respect to the legality and timing of the actions of the OCG in relation to the GEASO contract award matter.

The letter is being sent to the Jamaican media in the interest of transparency and having regard to the potential damage that Mr. Junor's statements are likely to inflict upon the OCG, if they are not responded to.

...MORE



"June 27, 2007

Mr. John Junor, MP
Member of Parliament, Partner and Attorney-at-Law
Knight, Junor & Samuels
Attorneys-At-Law
4 Duke Street
Kingston

Dear Mr. Junor:

Re: Powers of the Contractor General – Recommendation for the Award of Contract – Government Employees Administrative Services Only (GEASO) Health Scheme

It has come to our attention that you have publicly questioned the legality and the timing of the exercise of the functions and powers of the Contractor General in so far as the recent actions of the Office of the Contractor General (OC-G), in relation to the captioned GEASO matter, are concerned.

The OC-G is prepared to vigorously defend all of its actions in this matter and believes that it has acted lawfully and in the public's interest, in the discharge of its functions under Section 4 (1) of the Contractor General Act and in pursuance of the powers which are reserved to it by Section 24 (1) (b) of the Act.

Specifically, the OC-G's regular release of the National Contracts Commission's endorsements of recommendations for the award of contracts, prior to such matters being considered by Cabinet, has already been reviewed by the country's Solicitor General and has not only been determined by him to be devoid of any illegality but also to be an exemplary practice to be emulated by the Cabinet. You may wish to consult with the Cabinet Secretary or with the Solicitor General, himself, in this regard.

It would also be well for you to know that successive Contractors General, inclusive of myself, in the interest of public transparency, have consistently released this information to the media, *every* month, for the past several years. We would see no reason, therefore, why anyone would deem it fit to exclude from the purview of such monthly media releases, the NCC's endorsement, on May 30, 2007, of the Ministry of Finance's recommendation of the award of the GEASO contract in favour of Life of Jamaica Limited.

If your difficulty resides with the publication to the media of my letter of June 24, 2007, to the Financial Secretary, you would be well advised to be guided by the expressed provisions of Section 4 (1) and Section 24 (1) (b) of the Contractor General Act, together with the same principles which were addressed by the Solicitor General in his written remarks on the above matter.



(2)

You have also stated in Parliament that the Contractor General has published on the OC-G's website that the GEASO contract has already been "approved" in favour of Life of Jamaica Limited. It appears to us that the context in which your statement was made was to suggest that the matter of the GEASO contract award was already settled despite the fact that it was still in the "recommendation" phase and had not yet been referred to and considered or approved by Cabinet.

We believe that your assertion, as above, Sir, is a reckless one, as it can in no way be substantiated. The OC-G's website states no such thing. Quite to the contrary, it specifically speaks to a listing of recommendations for the award of Government contracts which have been endorsed by the NCC, subject to the further approval of Cabinet in instances where the value of the proposed award exceeds J\$15 Million. The following verbatim statements, which are embodied in the preamble to the lists of NCC endorsements which appear on the OC-G's website, unequivocally bears this point out:

- (1) "In keeping with the requirements of current Government Procurement Procedures, recommendations for the award of all Government contracts, which are valued at \$4 Million and above, must be independently reviewed, scrutinized and endorsed by the NCC before the contract can be awarded by the recommending Public Body or Government agency."
- (2) "Where a Government contract is valued at \$15 Million or over, the recommendation must also be endorsed by the Cabinet prior to the award being made."
- (3) "Below is a complete list of the Government contract award recommendations which have been reviewed, scrutinized and endorsed by the NCC since June 2000."
- (4) "**Disclaimer:** It is important to note that the contracts which are included in this list are not necessarily an indication of the actual contracts which have been subsequently awarded. Contracts are typically awarded by the relevant contracting Public Body or Government agency following after endorsement by the NCC or by the Cabinet."

As a Member of Parliament and as a former member of the Cabinet, we would strongly urge you to be more careful, responsible and circumspect in your public utterances.

I am copying the Cabinet Secretary and the Solicitor General so that they are forewarned of my response to you. I am also copying the Jamaican Media, having regard to the potential damage that your unfortunate statements are likely to have upon the integrity of the Office of the Contractor General.

Very respectfully yours,

Greg Christie (Signed)

Greg Christie
Contractor General

Dr. The Hon. Carlton Davis, Cabinet Secretary
The Hon. B. St, Michael Hylton, Solicitor General"



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