

HOUSE OF REPRESENTATIVES*Friday, June 28, 2013*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I have received communication from the hon. Dr. Tim Gopeesingh, Member of Parliament for Caroni East, who is currently out of the country and has asked to be excused from sittings of the House during the period June 22 to July 01, 2013. Also, the hon. Vernella Alleyne-Toppin, Member of Parliament for Tobago East, has asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

PAPERS LAID

1. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Housing Authority for the year ended September 30, 2000. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
2. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Housing Authority for the year ended September 30, 2001. [*Hon. R. Indarsingh*]
3. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Housing Authority for the year ended September 30, 2002. [*Hon. R. Indarsingh*]
4. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Housing Authority for the year ended September 30, 2003. [*Hon. R. Indarsingh*]
5. Financial Statements of the Water and Sewerage Authority for the year ended September 30, 2008. [*The Minister of State in the Ministry of the Environment and Water Resources (Hon. Ramona Ramdial)*]

Papers 1 to 5 to be referred to the Public Accounts Committee.

ORAL ANSWERS TO QUESTIONS

**PTSC Bus Service to Cascade
(Details of)**

34. Mrs. Patricia Mc Intosh (*Port of Spain North/St. Ann's West*) asked the Minister of Transport:

Could the Minister indicate when would the PTSC bus service to Cascade be resumed?

Mr. Speaker: The hon. Minister of Transport.

The Minister of Transport (Hon. Chandresh Sharma): Thank you very much, Mr. Speaker. Mr. Speaker, the bus service of Trinidad and Tobago is available to almost every citizen, both in the island of Trinidad and in the island of Tobago. [*Desk thumping*]

Mr. Speaker, it is instructive that I say that, because for a time in this twin-island Republic of Trinidad and Tobago, it appears the buses were only in the major towns. It was not available to citizens in the rural communities. Today, you can go to Cedros by bus; you can come from Cedros. You can go to Laventille, Cascade; you name it. The bus service is available.

More than that, Mr. Speaker, like all public transport providers and services, it is subsidized by the State to the benefit of the user. And a good example, Mr. Speaker, is, by taxi, it would have taken from Chaguanas to Talparo, \$40. Courtesy your bus, a service provided by the Government of Trinidad and Tobago, that ride is now \$4. [*Desk thumping*]

Today, citizens—soon I will qualify—but citizens, like some opposite, over 65, can ride for free. In fact, I have a letter written by a pensioner coming all the way from Cedros into Port of Spain and returning at no cost. Because he is a pensioner, he is qualified to get that bus service for free.

Miss Mc Donald: That was under the PNM; introduced under the PNM.

Hon. C. Sharma: As my good friend indicated, they had introduced, but nothing worked under their period. They had no buses. Today, the largest number of buses are available—[*Desk thumping*]—and I want to thank the Member for bringing that to our attention. The largest number—the fleet keeps increasing.

Hon. Member: How much is it?

Hon. C. Sharma: And the Member has asked a supplemental. The number: in excess of 400 buses, for the first time in Trinidad and Tobago. And I want to thank the former Minister, Minister Devant Maharaj [*Desk thumping*]; both as former Minister and when he was Chairman of PTSC. Today, within 24 hours, a bus can be returned to service.

In Cascade area, for instance—

Mr. Roberts: Repeat that? How long?

Hon. C. Sharma: Within 24 hours. That never obtained in the past.

Mr. Roberts: “Three months and ting, bus sitting dong.”

Hon. Member: “Yuh working man, yuh working.”

Hon. C. Sharma: Never obtained in the past.

Miss Cox: “Yuh answering the question or yuh—”

Mr. Roberts: “But a-a. He answering.”

Hon. C. Sharma: You have a supplemental? The TV covers you 24.

Mr. Speaker, daily seats: in reference to the Member’s question, we make available 462. The actual utilization is in excess of 300, close to 70 per cent. The number of daily trips: 14. More than that, this information is also available on the website to make sure that citizens, wherever they are, can go on the website and find what is available.

Outbound to Cascade from east north gate: South Quay, Broadway, Independence Square, Edward Street, Maraval Road, St. Ann’s, Cascade. This service starts to Cascade from 5.15 a.m.; from Cascade, 6.15 a.m.; to Cascade 7.15 a.m.; then again at 8.15; then at 9.15, returning 10.15; then 1.15 p.m., on to 2.15 p.m.; 3:15 p.m., returning at 4.15 p.m.; 5.15 p.m. returning at 6.15; 7.15 p.m., concluding at 8.15 p.m. on a daily basis.

Mr. Speaker, I beg that answers the Member’s question, but I would welcome supplemental.

Mr. Speaker: The hon. Member for Port of Spain North/St. Ann’s West.

Mrs. Mc Intosh: Could the hon. Minister state when exactly did this service resume? Because it was discontinued for quite a while, and that is why I presented the question, because my constituents were quite concerned, especially those living in the higher end of Cascade. They were unable to get bus service. So

when exactly did it resume? I understand you say the service is provided now. But for a very long period of time, there was absolutely no service.

Hon. C. Sharma: Mr. Speaker, during the watch of the PNM administration they had stopped; they never resumed. And since 2010, it has been going nonstop every day. [*Desk thumping*]

Hon. Member: That is not correct.

Mr. Speaker: The hon. Member for Port of Spain South.

Miss Mc Donald: Thank you, Mr. Speaker. Question number 50 standing in my name to the Minister of Gender, Youth and Child Development.

St. James Youth Centre

(Details of)

50. Miss Marlene Mc Donald (*Port of Spain South*) asked the Minister of Gender, Youth and Child Development):

Could the Minister state when will the St. James Youth Centre be opened for use by residents?

Mr. Speaker: The hon. Minister of Gender, Youth and Child Development. [*Desk thumping*]

The Minister of Gender, Youth and Child Development (Sen. The Hon. Marlene Coudray): Thank you, Mr. Speaker. Mr. Speaker, the St. James Youth Centre was started—construction commenced in September of 2006 with an estimated completion date of December, 2007. Up to this date, June, 2013, that facility remains incomplete on account of the following—and I will start by saying it is a facility located at the George Cabral Street in St. James. A four-storey, structural steel-framed structure of reinforced concrete, built to accommodate industrial training with classrooms, office accommodation and auditorium, indoor sports, toilet facilities, and basement parking. External facilities or features include an open multipurpose court, with a structural steel pavilion, change rooms, toilet facilities and guard huts, approximately 3,168.5 square metres.

Mr. Speaker, from the records, there is a report that says there were a number of reasons advanced for the delay in completion of that facility:

- (1) the shortage of labour;
- (2) difficulty in obtaining work permits for foreign labour in a timely manner;
- (3) internal labour disputes between the contractor and the workforce;

- (4) request for modification to the design by the client to meet the change of use, and functionality of the facility; and
- (5) modifications in the design by the consultants due to site conditions.

The last two items were said to have directly affected the duration and cost of the project.

When this Government took office in 2010, it was discovered that there were significant defects to that building, and nothing was done in terms of the outstanding work, because the contractor, at that stage, was fully paid and could not be found. The Ministry, since then—since I took office as Minister in June last year, I had been meeting with the Ministry of Sport—officials from NIPDEC and the Ministry of Sport, because on a site visit there, there were several apparent structural issues with the building, and a team was brought in. The assistance was sought from the Ministry of Works and Infrastructure to bring in a team of competent technical people to view the building, and make recommendations. That report has been submitted, and the Ministry is now in the process of having NIPDEC, who is the project manager for that facility—NIPDEC is now compiling a bill of quantities, based on estimates submitted, to have funding requested for the proper completion of that facility.

Mr. Speaker, in the interim, in September 2012, this Ministry was of the view—the Ministry of Gender, Youth and Child Development—that progress can be made in terms of the delivery of the facility, and we sought to deal with the court—the court outside, with the pavilion.

However, unfortunately, there was bad work there too, and it was discovered that the mix—the asphalt used there was not the type for a court, but instead, what is used for road paving. So the entire court has to be dug up, and in that regard, assistance has been sought through the Minister of Local Government to see if we can even expedite the external facility, to have that facility put in use by members of the public.

The Ministry has been meeting. The councillor for St. James, Councillor Bynoe, has been very concerned about that facility, and we have been holding meetings to see how best we can expedite and deal with it. More recently, a community needs assessment for the St. James Youth Centre was prepared, following a stakeholder focus group meeting in February of this year, in which community stakeholders, youth service providers, and the youth living in St. James and environs participated.

Mr. Speaker, 450 persons were surveyed in addition to that to ascertain the needs of the community; and with this information, when this building is finally handed over to the Ministry of Sport for the—because the contract was between the Ministry of Sport, initially, and that building has not been handed over to the Ministry of Sport. So the Ministry of Gender, Youth and Child Development is not yet in possession of that facility, but we are engaging all the key stakeholders in terms of the proper completion and handover of that building.

So, Mr. Speaker, we anticipate that in this fiscal year, we can deal with the external facilities—the courts to be handed over to the people—and we hope that in the fiscal year, 2014, we will acquire the funds for the completion of the said building.

Mr. Speaker, also, I need to put on record that there is no final completion certificate for the building. Even though it is up, and it looks completed on the outside, there is no completion certificate, because the drawings that were approved by the Port of Spain Corporation—and those drawings were approved in 2010—the building was built contrary to the approved plans. So the Ministry has asked for the “as built” drawings and for the scrutiny of the city engineer, and the Port of Spain Corporation, and that is still outstanding. In the meantime, the Ministry has awarded a contract to the Sports Company to start the procurement process for the outfitting of the building, notwithstanding all the problems, in terms of the timelines.

Mr. Speaker, I thank you.

Mr. Speaker: Yes. The hon. Member for Diego Martin Central.

Dr. Browne: A supplemental, Mr. Speaker. Just to be clear, for the past three years, has there been any construction, reconstruction or refurbishment on that particular site since 2010?

Sen. The Hon. M. Coudray: Mr. Speaker, as I indicated, some assessments have been conducted over the last two years in terms of the structural integrity of that building, and other defects that were seen, and this is where we are.

I do not understand what—

STATEMENT BY MINISTER
Statements Appearing in the Press
(Government’s Condemnation of)

Mr. Speaker: The hon. Minister of Housing, Land and Marine Affairs.

The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Mr. Speaker, the Ministry of Housing, Land and Marine Affairs,

vehemently condemns statements appearing in the press today, notably the *Trinidad Express* of today's date, June 28, that United States based computer forensic analyst, Mr. Jon Berryhill, is being provided accommodation, funded by the Housing Development Corporation of Trinidad and Tobago, during any of his stays in Trinidad.

Statements that Mr. Berryhill has been quietly occupying a unit at the HDC Federation Park Villas are utterly untrue. Such statements, Mr. Speaker, are deemed malicious, mischievous and designed to taint public perception of on-going, current investigations into a matter of national concern.

The Ministry of Housing, Land and Marine Affairs deems as unfortunate, that clarification of such information was not first sought directly from the HDC before being prominently printed on the front page of a local daily newspaper as "Secret Government Housing for Prime Minister's Expert".

Such outlandish statements, based on unknown sources with absolutely no evidence of accuracy, are most regrettable. The effect of this, and possibly, the objective of this, was to injure the reputation of a respected international forensic analyst visiting Trinidad and Tobago to assist a client in the conduct of his duties, in a private capacity.

Mr. Speaker, this is not a message we must send to the international community and to other professionals across the world who may wish to do business in Trinidad and Tobago. We condemn this statement, Mr. Speaker, and indicate that it is completely untrue and rather unfortunate, that it would have been printed in the manner it was. Thank you, Mr. Speaker. [*Desk thumping*]

PROCUREMENT LEGISLATION

(GOVERNMENT'S FAILURE TO IMPLEMENT)

Mr. Speaker: The hon. Member for Diego Martin North/East. [*Desk thumping*]

Mr. Colm Imbert (*Diego Martin North/East*): Thank you, Mr. Speaker. I am being assisted by the Member for St. Augustine. Thank you very much.

Yes, Mr. Speaker. Thank you. The Motion standing in my name reads as follows:

Whereas in the latter half of 2010 the Government promised to reform the Public Sector procurement regime based on the principles of good governance, the involvement of civil society, and a new legal and

regulatory framework promoting proper oversight of public expenditure, but has failed to date to do so, and

Whereas the Government also promised to promote equity, transparency, and good governance in the procurement by state enterprises, statutory authorities, ministries, government departments and agencies of public goods and services, and;

Whereas over the last three years there have been numerous reports and manifest evidence of cronyism, misrepresentation, bid rigging, nepotism, inequity, conflict with civil society, conflict of interest, lack of accountability, poor governance, and breaches of established procurement procedures within state enterprises, statutory authorities, ministries and government departments agencies:

Be it resolved that this honourable House express its disapproval of the Government's failure to implement and enact a new legal and regulatory framework for public sector procurement and its poor governance and poor oversight of procurement by state enterprises, statutory authorities, ministries and government departments/agencies of public goods and services.

Mr. Speaker, speaking to the third preamble about numerous reports and manifest evidence of cronyism, et cetera, if I were to speak in this House on the number of reports of irregularities and cronyism and bid rigging within state enterprises and ministries, I would have to speak for 11 hours.

I understand there was a legislator in the United States that recently spoke for 11 hours. We do not have that luxury here, but I can assure you, I have enough material to speak for that length of time.

The words in the Motion are taken from a statement made by the hon. Vasant Bharath, who, in October, 2010, very proudly proclaimed the following at a conference on Caribbean Public Procurement (Law and Practice); very confidently proclaimed the following, after talking about the wonderful things the Government was going to do. He said:

“For that reason, in moving forward, the Government will adopt a procurement policy based on the principles of good governance, the involvement of civil society and a legal and regulatory framework promoting proper oversight.

This will provide a mechanism for ongoing public evaluation of the efficiency and effectiveness of the procurement process.”

So that was Minister Bharath, speaking on behalf of the Government at a procurement seminar in Trinidad, in October, 2010.

Mr. Speaker, going backwards, one of the first things this Government did when it came into office, was to lay a draft procurement policy for adoption by this Parliament. Following that, a committee was appointed under the chairmanship of the Member for Caroni East—who is absent today—by way of a resolution passed in the House of Representatives on October, 08, 2010. And this Committee, Mr. Speaker, spent almost one year examining the legislative proposals from the Government, and determining a way forward with respect to reforming the public procurement regime. Like this Government is going to do in two years, the Committee died when the Parliament was prorogued.

Hon. Member: Two months.

Mr. C. Imbert: Two months; two years, whatever.

Mr. Speaker, they then started the process all over again: appointed a new Committee; abandoned everything done by the previous Committee; appointed a new chairman—the Minister of Planning; started all over again, and we just span around in endless circles, until we arrived at a report that was submitted in June of 2012. We are now, two years after the fact, where the Government came with great fanfare and asked this Parliament to proceed with the reform of the public procurement regime; two years later a report is submitted to the Parliament. And now, one year after that, what has happened? Nothing; absolutely nothing.

So we had the Minister of—what is he now? Trade or something? The Minister of Trade—Minister Bharath—talking his usual talk in 2010, but achieving nothing. Then we had the Minister of Education chairing a committee and achieving nothing. And then we had the Minister of Planning chairing a committee and achieving nothing.

So three years later, Mr. Speaker, we are now in June 2013, and they had a lot to say in the election campaign in 2010, about tendering, and irregularities, and bid rigging, and so on, and they promised this country that they would be different; that they would do something. But, Mr. Speaker, this Government is very good at talking, not very good at doing.

So after the Minister of Planning came and regaled us in this Parliament—with a bit of arrogance, I might say—he has achieved nothing; absolutely nothing. I saw a comment in the papers the other day from the Minister of Finance and the

Procurement Legislation
[MR. IMBERT]

Friday, June 28, 2013

Economy that they are working on a draft legislation with respect to procurement. That is three years later, Mr. Speaker. And you must arrive at the inescapable conclusion that they are not serious. They are not serious about enacting proper procurement legislation, or reforming the system, or ensuring equity, transparency, and value for money.

Mr. Speaker, the very Minister who piloted the report—the second report—himself appears to have no understanding whatsoever of procurement rules within the public service. There has been an argument going on for over a year, about the invitation of bids for a development at Invaders Bay, which is being managed by the Minister of Planning, who I see is here with us today. I see he is here with us today.

But the Ministry of Planning, in complete defiance, and in complete breach of the Central Tenders Board Act, invited bids for the development of Invaders Bay, a billion dollar project, when the limit of a ministry is \$1 million, if it is the Permanent Secretary, and \$2 million if it is a ministerial tenders committee. The Minister of Planning invited bids for the development of Invaders Bay—as I said, a billion dollar project; or, perhaps, two or three billion dollars—and seems not to be aware that he and his Ministry did not have the power to do this.

And I read some very interesting correspondence between the Minister and the Joint Consultative Council for the Construction Industry, which is a group of people who represent the various stakeholders within the construction industry: the contractors, the consultants, the quantity surveyors, the planners, and so on. They have all come together under an umbrella body called a Joint Consultative Council for the Construction Industry.

And when the Ministry of Planning, in complete breach of the Central Tenders Board Ordinance, invited proposals for the development of Invaders Bay, which is state property—so they invited tenders for the disposal of state property, worth, as I said, billions of dollars—a freedom of information request was made to the Minister, and in addition, letters were written by the Joint Consultative Council to the Minister of Planning, and his response was, “I will have to check with the Attorney General to find out whether there is any point in the issue you are making about my inability to invite tenders.” And months later he says, “The Attorney General advised that the invitation is all well and good.”

But, Mr. Speaker, I have in my possession, correspondence from the Solicitor General’s Department to the Ministry of Planning, advising the Ministry of Planning that what they were doing was unlawful; that under the Central Tenders

Board Ordinance, the only way that project could have been implemented is through a state enterprise such as NIPDEC, or some other state enterprise or statutory authority. I have in my possession correspondence from the State Solicitor's office to that Ministry, which they completely ignored. And I will deal with that in a short while, as I get on with my presentation. I will read the advice that the Minister of Planning received, when he was told that what he was doing was illegal. And this is the gentleman that they have in charge of their procurement process.

It is little wonder that they have refused to bring legislation to this Parliament, because by refusing to bring legislation, they can continue with what they are doing, Mr. Speaker. And I want to go back to one of the first projects that was awarded by this administration, which is the contract for the Point Fortin highway.

Mr. Speaker, the tenders were invited for the extension of the Solomon Hochoy Highway to Point Fortin under the previous administration sometime in April or May—no; tenders were invited before the May, 2010 election. The projects were part of a large group of projects including a highway from San Fernando to Princes Town, and then Mayaro; a highway from San Fernando to Point Fortin; a highway from Wallerfield to Manzanilla, and a highway from Port of Spain to Diego Martin. It was a group of projects, and it was supervised by a ministerial committee, chaired by Dr. Saith at the time. And the purpose of the ministerial committee was to ensure proper oversight of the procurement process, and also, Mr. Speaker, when funds were required—because these were huge projects; the highways were estimated to cost—those highways I have just described, were estimated to cost about \$15 billion. And the agency that was inviting tenders on behalf of the State, was the National Infrastructure Development Company—it was being done correctly, in accordance with the Central Tenders Board Act—certainly would not have had the funds. They would not have had five billion or three billion, or six billion dollars as the case may be, to construct any of these highways. So the way the system was set up, NIDCO would invite the tenders, evaluate the bids, make a recommendation, which would then be taken to Cabinet for Cabinet to agree that funds be provided for this particular project.

So tenders were received, Mr. Speaker, just before the 2010 general election, and the tenders that came in were as follows—three proposals were submitted: Construtora OAS, in the sum of \$5.28 billion; China Railway, in the sum of \$6.36 billion, and GLF in the sum of \$5.38 billion.

The Board of NIDCO then continued with its process to evaluate the bids and make a recommendation, and eventually they did make a recommendation, sometime after the general election. But in the interim, we at the Ministry were asked to start looking at sourcing the funds, because the lowest bid was Construtora OAS in the sum of \$5.28 billion. And the first question we asked was, when we saw that the lowest bill was \$5.3 billion—so we knew that we would have to approach Cabinet to make available at least \$5.38 billion for this project. Because they also had land acquisition and other costs which might have increased the project, maybe to \$5.5 or \$5.6 billion. The first question that we asked was what was the engineer's estimate.

This is the response we received, Mr. Speaker, and it is all very well documented. The engineer's estimate for the San Fernando to Point Fortin highway was \$3.6 billion; \$3.6 billion. So having established that the bids were all much higher than the engineer's estimate—the lowest bidder, \$5.3 billion; the next bidder, \$5.4 billion, and another bidder at \$6.4 billion—the first thing we at the Ministry decided to do was to reassess this project, because you have the bids coming in at \$1.7 billion higher than your engineer's estimate.

But not this Government. They were not interested in the fact that the professional engineers had estimated that this project should cost \$3.6 billion. They went ahead with the \$5.3 billion, without a care in the world. And I will also tell this Parliament that based on the documentation received from NIDCO, that the cost of land acquisition, for the Point Fortin highway, was \$175 million, Mr. Speaker. And that information is, in fact, contained in a Cabinet Note that was prepared in the Ministry in April of 2010, and also contained in a Board paper that was sent for discussion by the Board of NIDCO. And I have, in fact, the Note to the Board of Directors. And in this, this Note speaks about land acquisition. And it speaks about land acquisition for the Solomon Hochoy Highway extension; the Princes Town to Mayaro highway, and the Churchill Roosevelt extension to Manzanilla. And the Board of NIDCO was advised by way of this Note, that: "The cost for compensation to affected persons, taking into consideration the replacement cost for land and buildings, as well as cost of disturbance, are estimated as follows: Solomon Hochoy Highway to Point Fortin, \$175 million; Princes Town to Mayaro, \$145 million; Churchill Roosevelt to Manzanilla, \$100 million.

So you had a bid of \$5.3 billion for the construction work, and you had an estimate of land acquisition of \$175 million. And this estimate was based on surveys that would have been done in the years prior to the invitation of tenders when the preliminary design for the highway was finalized, Mr. Speaker.

So what happens when the new Government comes in? Of course, everything that the PNM was involved in was bad, so the project is put on ice. The new Minister comes in, full of sound and fury, freezes the project. And then the new Minister goes to World Cup 2010 in South Africa, and has a meeting with representatives of this construction firm, who are associated with FIFA and are linked to all sorts of questionable deals involving former members of the FIFA hierarchy, who have now been disgraced because of allegations and admissions of bribery. So the Minister goes off to South Africa to the World Cup, meets with representatives of this project, and then after that, what happens? The same contract, where you have an estimate of \$3.6 billion, and the bid is \$5.3 billion is suddenly revived. And in a matter of weeks, NIDCO is giving instructions to hustle through this contract, and to execute a contract with OAS, the Brazilian firm.

No source of funds. The Cabinet has no money available for this project, but the objective was to get the contract signed. [*Interruption*]

Yes, it is all right. That pales into insignificance when you are talking about \$5.3 billion. And I hear a set of noise over there. I will talk about the Couva hospital just now.

So, Mr. Speaker, here we have a huge, multibillion dollar contract, which is \$1.7 billion over budget already, before it starts, and a cost of land acquisition of \$175 million. What is the cost now? There were questions posed in this Parliament, and answers given, and the cost of this highway is now \$7.5 billion, Mr. Speaker.

So land acquisition that was supposed to cost \$175 million is now somewhere in the vicinity of a billion dollars. And when you hear the reports of persons who have been hired to negotiate compensation for persons affected by the highway, and you hear that these people are, in fact, beneficiaries of compensation for land acquisition, Mr. Speaker—I mean, these are things that have already been in the public domain. But it is necessary to remind the people.

So this Government, which promised transparency, awarded a contract at a cost of over \$1.7 billion over the engineer's estimate and has managed to escalate land acquisition from \$175 million to \$1 billion, Mr. Speaker.

It explains why there was this mad rush to break down that camp down in Debe, and it explains why the project has been approached in a particular way, where no funding has been sourced from any bank; no funding has been sourced from any multilateral agency; the project is just being funded by direct revenues from the Treasury.

Procurement Legislation
[MR. IMBERT]

Friday, June 28, 2013

Mr. Speaker, I estimate that in that \$7.5 billion, you have a slush fund of at least two and a half billion dollars. That is the over inflation of the cost of this project; at least \$20 billion in additional costs that should not be associated with this project. And, Mr. Speaker, that is why when people who are monitoring this project see certain things, that you have questions being asked about relationships between members of the Government and people involved in that project.

One of the first scandals that the Government had to deal with was the question of the contract at National Petroleum, where a \$40 million project, or \$40 million contract was to be awarded to a company associated with a family by the name of Gopaul. And that entire process is eventually scrapped because the Attorney General determined that there were irregularities in the procurement process. But you see, Mr. Speaker, for friends and financiers of this Government, all you have to do is duck on this side, and then you float up on the other side, because we learnt subsequently that a company associated with the Gopauls was awarded a contract in the sum of \$600 million to provide aggregate for the Point Fortin highway project.

So that was the Government's first foray into the procurement process; their first foray into the procurement process; awarding a contract at over \$1 billion over the engineer's estimate. Nobody else does that. When you have professional engineers working for you and they give you an estimate, and the bids come in at billions of dollars over the estimate, every other country in the world, every other right-thinking organization would revisit the contract, retender the contract, and see if they could get more competitive bids. But not this Government; this Government that promised value for money for Trinidad and Tobago. No, Mr. Speaker.

They have gone right ahead and awarded this contract, and are now expending seven and a half billion dollars of public funds on a project that should cost maybe \$3 or \$4 billion. But we will have a lot to say about that project in due course, when we are able to get access to exactly what happened. Why did the then Minister of Works and Transport hustle through the signing of that contract without a source of funds? Why did the Government agree to award a contract for \$5.3 billion, when you had an engineer's estimate of \$3.6 billion? I am sure that in the fullness of time, we will discover what went on with that project, and who benefited from the additional \$2 billion that is being paid to the contractor and other interested parties.

But I want, now, to fast-forward to present day. And I want to fast forward to the contract for the Penal hospital. And there is a common theme in all of this.

You see, this is a Government that talks a lot, and they bring Ministers here who talk a lot. But when you examine the horns, you do not get the same picture. That is just a local saying. I am not saying that anybody here resembles any devilish character.

But, Mr. Speaker, we heard—and I have to give credit to the media. I notice the Member for Oropouche East was a bit uptight about a report in the papers that the computer expert, hired by certain members of the Government to defend themselves, was allegedly staying at a house in Federation Villas, owned by the Government.

But, you see, the media does not always get it right, but sometimes they get it right. And we have the scandal—the brewing scandal of the Penal hospital project. And I could not have summed it up better. I would have to read from an editorial in the *Guardian*, Mr. Speaker, which summed up this project exceedingly well, and gave the reasons why the Government must put a stop to that project. But before I do that, let me connect the dots for you.

The Government of Trinidad and Tobago has entered into a government-to-government arrangement with the Government of Canada for the construction of a hospital in Penal. When “the mark buss”, that this billion dollar project, or \$800 million project, or whatever it is—Mr. Speaker, they operate in the hundreds of millions: nine hundred million; eight hundred million, billion; two billion; three billion; five billion; six billion, Mr. Speaker. So when “de mark buss” about the project, the responses of the Government were very, very revealing. And this is the editorial:

“Government must clear air on Penal hospital”—project

“If ever there was a good reason for transparency and accountability in government procurement...the situation with SNC-Lavalin, the Canadian firm hired to handle the construction of the Penal hospital...should serve as its most visible rationale.”

And it goes on to talk about all of the corruption scandals that SNC-Lavalin has found itself embroiled in. It goes on to say:

“In the wake of these revelations, which include payments of Can\$56 million to undisclosed foreign agents and the firing of CEO Pierre Duhaime charged for fraud involving Can\$22.5 million, that the governments of both T&T and Canada are to be found wiping their hands of liability for the selection of SNC-Lavalin for the Penal project.”

So, Mr. Speaker, you know, if it was not so serious, you would laugh. A billion dollar contract is awarded to a contaminated, discredited, corrupt, foreign company, and when you ask everybody what is going on, hear this:

“Political counsellor at the Canadian High Commission”—says: “‘We ask that for questions on the tendering and selection process, that you please contact the Government of T&T.’ Kurt Ramlal, CEO of Udecott, disagreed. ‘I think all questions that relate to the contract must be directed to the Canadian government because we had no control at all on the tendering or selection of this contract.’”

Now, Mr. Speaker, that has several questions of its own. But just look at what is being said here.

The representative of the Canadian Government, when “de mark buss”, says, ask the Trinidad and Tobago Government. When you ask the representative of the Trinidad and Tobago Government or the company that is doing it for the Government, he says, “All questions must be directed to the Canadian government because we had no control at all on the tendering or selection of this contract.”

Mr. Speaker, this is taxpayers’ money. This project is going to be funded by way of a loan. It is not a gift. It is not a grant. So whether it is \$800 million or \$900 million, the money to pay for this hospital has to come out of the pockets of Trinidad and Tobago taxpayers. But listen to what the Government is saying, “We had no control at all on the tendering or selection of this contract.” Now, this is the same Government, promised with great fanfare, to ensure accountability, transparency, equity, honesty, value for money, Mr. Speaker, but the Government is saying, “We had no control at all on the tendering or selection of this contract.” It is a good thing it was not \$8 billion, because the message we are getting from the Government, they say whatever the Canadian Government tell them, they say we are going with that. So it could have been \$800 million; it could have been \$2 billion; it could have been \$3 billion, they are going with that, because they had nothing to do with the tendering or selection of this contract.

“This isn’t a heartening sign that transparency will be a hallmark of any review of the current situation. This is after a month in which it’s become clear that procurement and tendering processes are leading to staggering mismanagement of state funds and review of those incidents offers little evidence of institutional accountability.”

Of course, this is the same period of the infamous fire truck. And we will come to that in a little while. But let us take a look at what happened here. First, let us look at the CV of the High Commissioner to Canada, Mr. Phillip Buxo. And here we have an article in Jyoti Communication, complete with UNC logo. [*Crosstalk*].

“Phil Buxo—T & T’s new man in Ottawa charts a different course.

‘Call me Phil,’ the new high commissioner for Trinidad and Tobago says, quickly dispensing with formalities.”

Then he goes on to say:

“I have a specific agenda, to raise the profile of trade and investment opportunities in Trinidad and Tobago with Canada’...

Mr. Buxo was raised in the southern part of Trinidad, where many foreign energy companies operate offshore rigs...”

He goes on, and on, and on. He says, he found himself drawn to the world of offshore rigging.

Hon. Member: Did you ever meet him?

Mr. C. Imbert: Once. I will tell you about that in a short while.

“I could clearly see that there was need for a good logistics supplier.”

He was talking about opportunities in Mayaro. And then:

“Scrounging what money he had, borrowing from banks and making what promises he needed to, he bought 30 acres of industrial real estate near the southeastern tip of Trinidad”

Then...he signed contracts with some of the most important...companies operating in the country, agreeing to provide them equipment, supplies, workers and even buildings...

Eventually I recommended that the government build a port there because there was so much activity.”

At the same time his family continued to grow and eventually he decided to migrate to Canada.

“To facilitate the move, Mr. Buxo sold part of the business, while his father took over managing it.

Procurement Legislation
[MR. IMBERT]

Friday, June 28, 2013

‘I was thinking about maybe opening a Tim Horton’s or something’, but there were no plans to retire permanently.

Eventually SNC-Lavalin came knocking, offering to make him director of the company’s CARICOM energy and infrastructure division.”

Dr. Rowley: Repeat that.

Mr. C. Imbert:

“Eventually SNC-Lavalin came knocking...”

Dr. Rowley: The same Lavalin?

Mr. C. Imbert: The same Lavalin.

“offering to make him director of the company’s CARICOM energy and infrastructure division.”

And he worked for them for over three years. He was their man on the ground in the Caribbean, in Trinidad and Tobago; the same Phillip Buxo, who is now the UNC appointed High Commissioner to Canada. He was SNC-Lavalin’s representative; [*Desk thumping*] worked for them. He is our High Commissioner. [*Interruption*]

Hon. Member: I know him; crooked. [*Crosstalk*]

Mr. C. Imbert: I will tell you where I met him just now. Take it easy. So, Mr. Speaker, let us talk about SNC-Lavalin. Mr. Speaker, on April 17, 2003, not too long ago, the World Bank issued a press release: “World Bank debarms SNC-Lavalin Inc. and its affiliates for 10 years.”

Miss Cox: The same Lavalin?

Mr. C. Imbert: The same Lavalin.

“The World Bank today announced a debarment of SNC-Lavalin—in addition to its over 100 affiliates—...”

That means Lavalin, and anything name Lavalin, or “Lavala”, or “Lavalee”; anything looking like Lavalin. They have banned SNC-Lavalin in addition to its over 100 affiliates, associates, subsidiaries:

“for a period of 10 years following the company’s misconduct in relation to the Padma Multipurpose Bridge Project in Bangladesh, as well as misconduct under another Bank-financed project.”

And the article goes on to talk about SNC-Lavalin's misconduct involved a conspiracy to pay bribes and misrepresentations when bidding for bank-financed contracts.

So that is World Bank. But somehow the Government of Canada, through this government-to-government arrangement and UDeCOTT, do not know that; that the World Bank has banned SNC-Lavalin and 100 of its affiliates for 10 years. [Interruption]

No, no. Wait, wait, wait. It gets worse, Mr. Speaker. You could say that is the World Bank. You could say that is the World Bank. So, all right. So that is just one agency. But I have in my possession, Mr. Speaker, an article from the Star in Canada; April, 25, 2013.

“CIDA to ban SNC-Lavalin from bidding on contracts.”

If anybody has been involved in multilateral negotiations, they will know what the acronym CIDA means. It is the Canadian International Development Agency; a state entity in Canada. It is the Canadian State Agency that gets involved in international development.

“The Canadian International Development Agency will join the World Bank in banning SNC-Lavalin from bidding on any of its contracts...”

This is the Canadian International Development Agency:

“over allegations for misconduct in Bangladesh and Cambodia.

Firms or individuals who have been sanctioned by a development organization, including the World Bank, for engaging in corrupt or fraudulent practices, will be ineligible to bid on CIDA-funded projects, Agency spokesperson, Amy Wills wrote in an emailed statement.”

And there was widespread agreement among all sides of the Parliament in Canada that this should be done; that the Canadian International Development Agency should also ban SNC-Lavalin from bidding on any of its contracts.

So the World Bank banned them for 10 years, and banned all their associates. The Canadian International Development Agency, a State agency in Canada, banned them too. What are they doing in Trinidad, Mr. Speaker? What are they doing in Trinidad?

And, Mr. Speaker, let me read from an article—and what is frightening about all of this, is the statement coming from the Government's representative. “We had no part, no control in the tendering.” So who, who was it, Mr. Speaker? [Desk thumping]

We are entering into a contract to take a billion dollars of taxpayers' money, Mr. Speaker, and give it to a Canadian outfit that has been banned by the World Bank, and by an agency within Canada—the Canada Government—for bribery and corruption. Who did it? What kind of people are running this Government? If it is not them, if it is not the Government that picked SNC-Lavalin, then how can the Government be agreeing to hand over a billion dollars with their eyes closed, Mr. Speaker? Is this what is going on in this country? They do not monitor anything? Is this what this Partnership promised? Is that the new form of transparency and accountability to taxpayers? That statement: “We have no control over the tendering for this contract”, is that accounting to the taxpayer, Mr. Speaker? Is this tendering and expenditure UNC style? It has to be. But let us go on and get some more information about SNC-Lavalin, Mr. Speaker.

2.30 p.m.

I have another article from CBC News:

“SNC-Lavalin...used secret code for ‘bribery’ ...

Former employees say some of the money”—this is a bribery complaint they are dealing with—“was earmarked to help the company win contracts funded by international development agencies such as the World Bank and the African Development Bank.

CBC News and the Globe and Mail have discovered that...SNC-Lavalin...used the code words ‘PCC’ or ‘CC’ interchangeably to describe hidden so-called ‘project consultancy costs’.

‘PCC, they interchangeably used the word,’ said former SNC-Lavalin International engineer Mohammed Ismail. ‘Sometimes it was ‘project consultancy cost,’ sometimes ‘project commercial cost,’”—but the real meaning of this was bribe. [*Laughter*]

So when you saw “PCC” or “CC” in a budget for a project, what this gentleman is saying—and he is on trial for bribery, he has pleaded guilty. Ismail is accused of attempted bribery in Bangladesh and awaits trial in Toronto, and he has admitted that the real intention of that code was a bribe. I wonder how many PCCs and CCs exist in that billion dollars that taxpayers are going to pay SNC-Lavalin, Mr. Speaker.

You know, the audacity of the whole thing, is that the high commissioner worked for SNC-Lavalin. The firm is corrupt. The Canadian International Development Agency “ban dem”, but this Government is pretending that they

know nothing. My good friend, the Minister of Health, who is not here, what did he have to say? I am just reading it from the newspaper. This is no disrespect; I am just reading the article:

“Health Minister Dr. Fuad Khan is washing his hands off the controversial Penal hospital project...‘I don’t know anything about that. All I know about it is that it is in the hands of UDeCott...and...Southwest Regional Health Authority.’”

Mr. Speaker, this is unfortunate. The South-West Regional Health reports to the Minister of Health, by law. “But when de mark buss, he says, ‘doh ask me, ask UDeCott and ask de South-West RHA’; de same RHA that reports to him.”

Instead of saying, “I will investigate; I will call in the Chairman of the South-West RHA; I will ask the Board of the South-West RHA for a report telling me what is going on, telling me how did this corrupt company come to be the contractor who is going to get the contract.” “No, he have nuttin to do with it.”, The Minister of Housing, Land and Marine Affairs, who UDeCott reports to, “he have nuttin to do with it”; the general manager or the CEO of UDeCOTT, “Not me; go and asked the Canadians.” You ask the Canadians, “Not me, go and ask the Trinidadians.” Mr. Speaker, I would hope that today we are going to have a definitive statement from this Government with respect to this scandal. I hope we are going to have a definitive statement with respect to this scandal.

What is also distressing is that when the hon. Members opposite were in Opposition, they made “a lot ah noise” about local content—“a lot ah noise”. They spoke about megaprojects being given to foreign contractors, particularly Chinese contractors. [*Laughter*] If they continue along this way—this is \$1 billion for this Penal hospital being given to a Canadian company; where is the local content? Mr. Speaker, \$1.5 billion for the Couva hospital.

Let me come to the Couva hospital now, because what is happening with the Couva hospital is very, very disturbing. When the sod was turned for that project, the cost was given at \$950 million. I have the press release from the Government, June, 2013, the estimated cost of construction was US \$150 million, TT \$975 million, government-to-government arrangement again. Then you have the Minister of Health who comes three weeks later—this is June 01, now we have June 26—\$1.5 billion approved for children’s hospital. Mr. Speaker, the Minister said that the total cost of the project was estimated at \$1,520,000,000 and Cabinet has approved a budget of \$1.521 billion. So how can the cost of a project for a

hospital move from \$975 million on June 01, 2013, to \$1.5 billion on June 26, 2013? How?

Dr. Rowley: “Same ting like de highway.”

Mr. C. Imbert: Yes, as the Leader of the Opposition has reminded me, you have a highway project estimated at \$3.6 billion, you award a contract at \$5.3 billion and now it is \$7.5 billion; \$3.5 billion more than it is supposed to cost, “jus’ so”, and no answers, and then people who are doing land acquisition actually receiving money for land acquisition themselves. Let us go back to this.

I tried to find out how the cost of this project, which again is government to government, so we do not know what is the tender process. Where is the transparency? Where is the accountability with respect to the contract for the Couva Children’s Hospital? They promised transparency and accountability. How do we know that this is value for money? “De cost gone from \$1 billion to \$1.5 billion in three weeks.” When you look at what the additional money is for: \$464 million for project development, consultancy, duties, taxes, site development and project management fees. Mr. Speaker, \$400 million in fees? So it is \$1 billion for the construction and \$400 million for the consultants? This is a record.

I have been in the construction industry for over 30 years, and I have never heard of consultancy fees and associated costs related to a project of the order of 40 to 45 per cent, which is what is going on here. There has to be an enquiry into this. How could you spend \$464 million on non-construction items? It has nothing to do with the outfitting of the hospital; it is project development, consultancy, project management, miscellaneous expenses. What is this?

Hon. Member: New politics.

Mr. C. Imbert: What is going on? What is that \$464 million for? I hope somebody on the other side at some point in time answers these questions. I hope so, because this is becoming a very, very serious matter.

We heard that they are going to do a hospital in Arima as well—this is what I heard—and Point Fortin as well. So are we to expect that the hospital at Point Fortin would cost \$1 billion, and then a month after they turn the sod it would go to \$1.5 billion? Are we to expect the Arima hospital to cost \$1 billion and then escalate to \$2 billion? This is what is going on in this country with this Government. The point is, they like to talk, Mr. Speaker; they like to talk. But three years have elapsed, and we do not have any transparent procurement

procedures for this kind of expenditure. They have done nothing—absolutely nothing. Anyway, let us move on from that. Let us go back to cronyism and nepotism and so on.

Let me read from a very interesting newspaper: *Sunshine*. [Laughter] *Sunshine* is owned by a UNC bigwig. I do not know if you have read this newspaper, Mr. Speaker, the *Sunshine* newspaper. It is owned by Jack Warner, who is no longer a Member of this House. In the edition of the *Sunshine* June 14, 2013, the newspaper tells us:

Just 18 months after Super Industrial Services landed a \$38 million contract to pave the western end of the Couva interchange, the asphalt has started to raise, forcing the company to redo the job. Extremely poor, shoddy work resulted in about 95 per cent of the asphalt crumbling, making the surface bumpy. This is unlike the eastern section of the interchange which was done by Seereeram Bros at a cost of \$27 million, and remains solid as a rock up to today. SIS which is owned by Krishna Siew Lalla, has reportedly been a major financier of the United National Congress for a considerable length of time.”

“Dis is ah UNC papers saying dis, yuh know.”

Lalla, who is said to be a UNC blue-eyed boy has been raking in millions of dollars in contracts over the past three years from the People’s Partnership Government. He is reportedly the owner of 23 companies many of which he uses to assist him in obtaining government contracts. A check of the various government projects which have been granted to Mr., Lalla will show that of these 23 companies at least 10 may have assisted him in obtaining contracts...“dats what dey say”—It is alleged that last Monday SIS’s tender official, Vindra Seebaran, resigned from fear of having to prepare questionable contract documents.

This could just be sour grapes coming from someone who has been removed from the Government and so on, who knows. But the fact is that there is a lot of interesting information inside of here. Mr. Speaker, the article continues:

It is alleged that one of his companies Prime Equipment Rental Limited was disqualified from the Motor Vehicle Authority contract at Frederick Settlement in Caroni, because the company’s national insurance certificate had expired, but the company was given five additional days to resubmit its bid. The original cost of the Motor Vehicle Authority contract increased from \$45 million in 2010 to \$232 million in 2013.

Let me go now to some of the facts associated with that Motor Vehicle Authority contract. Here we have an article in the *Trinidad Express* of January 26, 2013:

“A top financier of the People’s Partnership...has been awarded a \$232.5 million contract by the National Insurance Property Development Company Ltd (Nipdec).

It is not the first contract the Krishna Lalla-owned company, Super Industrial Services (SIS), has received from the People’s Partnership Government.

But it is the most lucrative to date.

On November, 27 last year, Nipdec’s company secretary wrote to SIS manager Einool Hosein, informing the company that Nipdec had agreed to award the \$232,501,329.22 to SIS...for the design-build-construction of the Motor Vehicle Authority...in Frederick Settlement, Caroni.”

It goes on to talk about associations between SIS and the construction of dwelling houses for prominent members of the People’s Partnership. Remember that was featured in the last election in Tobago. We do not need to go into any details with respect to that.

Then there is a reference to a firm called Casa Contractors that has done work at the residence of a Minister of the People’s Partnership and had also worked on the house of the former councillor, or whatever he was, in Tobago, Mr. Ashworth Jack.

“Lalla, the Sunday Express previously reported, had invested in the Tobago Organisation of the People’s...failed campaign bid to claim control of the Tobago House of Assembly...by footing some of the TOP’s bills for its electioneering...

But informed sources told the Sunday Express that SIS’s proposal for the MVA bore a significant error.

The Sunday Express learned SIS did not commit to a ten per cent contingency fee in its total cost...which was \$232.5 million. That ten per cent, which works out to be \$27 million, would have taken the final cost to \$259 million, which would have made it the most expensive proposal.”

Be that as it may, Mr. Speaker:

“At \$232.5 million, SIS’s price was higher than other contractors such as Beijing Liujian at \$160 million, Moosai Construction that was priced at \$193

million, Adams Construction at \$207 million and Yorke Structures Ltd at \$208 million,..."

So we have a company owned by this gentleman who, according to a former UNC Minister, a former Chairman of the UNC, is a favourite son, getting a contract for \$232 million, when reputable firms like Yorke Structures bid \$208 million, Adams Construction, \$207 million, Moosai Construction, \$193 million, and Beijing Liujian which is a large Chinese company, \$160 million. Could the Minister who is going to respond tell us about that? Is it the policy of your Government to award contracts now to the highest bidder and not the lowest bidder? Could you tell us about that?

You see, this is why we need to take a close—[*Interruption*]—could be, “money down de drain”. This is why we need to take a close look at the National Insurance Property Development Company. When the Partnership first came in, they appointed a gentleman by the name of Ramcharan to be Chairman of NIPDEC. He used to be secretary of the NAR. I know the individual, and I have never heard of that individual involved in any slackness. Ronnie Ramcharan, yes, a decent man. I have never heard of him involved in any slackness.

So when I saw the Partnership appoint Mr. Ramcharan as Chairman of Nipdec, I said well at least they have some quality people chairing one of their important state enterprises, which would be involved in the awarding of contracts in the hundreds of millions of dollars. But he did not last long. They ran him out of town. They asked him to do things which were not proper and he refused.

Hon. Member: That is what they do.

Mr. C. Imbert: So would you believe, the board of Nipdec actually filed a motion of no confidence in the chairman, because he was refusing to do wrong things?

Hon. Member: New politics.

Mr. C. Imbert: Eventually he got fed up and left, which is why the current individual is now Chairman of Nipdec. It was after they ran Mr. Ronnie Ramcharan out of town for being too honest, that we see this situation where a \$232 million contract is awarded to SIS, when they were in fact the highest bidder. There were at least four other firms which had lower bids, reputable firms.

I wonder what the points process was for that, Mr. Speaker. How do you think they evaluated those bids? How could you disqualify a bid for \$160 million from

a large international Chinese company? Another one, Moosai Construction, a well-known local construction company, they have been around for years, \$193 million, “yuh throw dem out too”. Adams Construction doing all “kinda” projects all over the country, \$207 million, “yuh throw dem out”, and Yorke Structures have been around since I was in school, at \$208 million, “dey throw way all four ah dem”, reputable companies, and they award the contract for \$232 million. I guess that is why there is no new procurement regime, and I guess that is why we find ourselves in this situation. Now what do we see?

By the way, Mr. Speaker, how much more time do I have?

Mr. Speaker: You have until 3.05 to complete your contribution.

Mr. C. Imbert: Thank you very much.

Here is another article, Mr. Speaker:

“\$800 million contract for top Govt financier

A major financier of the People’s Partnership...is tipped to secure an \$800 million construction contract from the National Gas Company (NGC).

The Sunday Express understands that the Krishna Lalla-owned Super Industrial Services,...a financier of the UNC-led People’s Partnership Government, is earmarked to secure the contract for the design-build services for the NGC’s new corporate campus in Brechin Castle, Couva.”

The cost of the project has also gone up by \$100 million. They say also that this project was not even identified by the Government or the Finance Minister as a major construction activity by a state enterprise in this fiscal year. In fact, the article says that the Minister spoke about the Couva Children’s Hospital, the National Aquatic Centre and private sector investments.

The article continues:

“The tender is being managed by the National Insurance Property Development Company Ltd...”—same one

“However, a number of contractors as well as NGC employees have voiced discontent about the project.

Some employees have questioned why NGC opted to bypass its own Tenders Committee and hire Nipdec to secure a contractor for the project.

Contractors...have questioned the timeframe within which Nipdec issued the 100-page Request for Proposal...and the...deadline...

Nipdec, acting on instructions from its client,...selected contractors for the project rather than issue a public tender.

The contractor list included Kee Chanona, Alpha Engineering, Adam's Construction,...Moosai Construction, Motilal Ramhit and Sons and SIS...

Interested contractors were asked to submit their proposals a mere 23 days later..."—23 days after the pre-submission briefing in May of this year.

Some contractors said:

"...they opted not to bid on the project given the tight timeframe..."

Do you know what that is called? It has all the hallmarks of bid rigging. You put out an \$800 million contract, which by right in any civilized country in the world if you are doing a project of that magnitude, you would give contractors two to three months to prepare proposals, and you gave them 23 days.

Mr. Speaker:

"According to the RFP, contractors were expected to produce a design for a main office, a warehouse complex, storage space...a marshalling yard..."—and so on and so on.

You had to present that in 23 days. So that is the gentleman, Mr. Lalla. But let us go back with this SIS project. Who is involved in the SIS job?

Mr. Speaker, a little while ago, I had the unfortunate duty to report to this House that the Deputy Chairman of the Airports Authority was not qualified. So who do you think advised the Ministry and the Minister on the Motor Vehicle Authority and the award of the contract? One guess; [*Laughter*] one guess: the former Deputy Chairman of the Airports Authority.

Dr. Rowley: I do not believe that; no.

Mr. C. Imbert: I will allow the Minister to contradict me, but he cannot. [*Laughter*] [*Mr. Imbert takes his seat*] He cannot.

Hon. Member: He is very silent. [*Crosstalk*]

Mr. C. Imbert: Mr. Speaker, guess who is the Ministry's representative advising with respect to the award of the contract for the Motor Vehicle Authority? The same Kurt Ajodha. I have an email that this gentleman sent. Now you know, every time I look at correspondence sent by this gentleman, he adds a new qualification—a new qualification. [*Laughter*]

Miss Cox: He is a doctor now?

Mr. C. Imbert: No, no, no, no. [*Interruption*]

Hon. Member: Not in Geology?

Hon. Member: He is Professor Ajodha now?

Mr. C. Imbert: This is a gentleman who was put as Chairman of the tenders committee of the Airports Authority. I have in my possession an email—and this is a real email—from rajodha@tstt.net.tt to vernajohnson@live.com—you could check the email addresses if you wish, and you will find out that they are authentic—to acting Permanent Secretary, Ministry of Transport. He goes on to talk about work that is being done on the top floor of this building.

Miss Cox: This building?

Mr. C. Imbert: This building. The Minister has engaged—let us say the Ministry, I do not want to cast aspersions on any Member of this House. The Ministry of Transport has engaged that gentleman to manage the fit-out of level 22 in Tower D, where we are right now. This gentleman has selectively invited four relatively unknown contractors from somewhere in the central and south areas to do the fit-out. He is reporting to the permanent secretary with respect to the work being done. This is on October, 09, 2012, and he is talking about all the work that is being done. He ends by saying:

I look forward to your prompt response.

Regards

Kurt Ajodha, BSc Civil Engineering, Bachelor of Architecture, PMP, FIDIC.

Every time I see this “fella” he adds a new qualification. Let me explain what this is: the BSc Civil Engineering is the UWI degree “he claim he has”; he does not have.

Dr. Rowley: That is illegal.

Mr. C. Imbert: Yes, fraud. The Bachelor of Architecture is the one from New York Institute of Technology “he claim he have”; he does not have—
[*Interruption*]

Miss Cox: That is the new politics.

Mr. C. Imbert: The PMP is the Project Management professional qualification he says he has; he does not have. Now he is saying he is a FIDIC

engineer. You know how hard it is to get certified as a FIDIC engineer? But this “fella” not easy, you know, he has delusions of grandeur. So he is not satisfied with BSc engineering, Bachelor of Architecture, project management, he is a FIDIC engineer as well.

Hon. Member: Fraud!

Mr. C. Imbert: I would like to ask the Government: Is it the policy of the Government to hire people with bogus qualifications to serve as advisor to a Ministry on a \$232 million contract, where the highest bidder got the job?

Hon. Member: That is new politics.

Mr. C. Imbert: I would like the Minister who is going to reply to tell us: Is this part of the—let me see what Mr. Bharath called it; let me see if I could go back and find the definition. I have it in the Motion. Is this a new “procurement regime based on the principles of good governance, the involvement of civil society, and a new legal and regulatory framework promoting proper oversight of public expenditure”? That is what Minister Bharath said you were going to do, and this is what is happening? A fraud up at the Airports Authority finds his way into the Ministry of Transport as a consultant, advising the Ministry on a contract where the highest bidder gets the job? That is what you call “a new procurement regime based on the principles of good governance, the involvement of civil society”? I would like to hear what the Government has to say about this.

Miss Cox: “He eh answerin’ dat.

Mr. C. Imbert: The longer this Government takes to drag its feet—we had an agreement. When we sat in the committee we arrived at an agreement. We all agreed that we would introduce a new procurement system based on certain principles, and they are here in the final report:

- i. That the procurement regime to be established must deliver goods and services more efficiently, effectively and at higher performance levels than currently exists. The system should take into account clear lines of accountability, ensure transparency and promote ethical conduct;
- ii. That Framework legislation...is recommended;
- iii. That such Framework legislation should come to Parliament together with...regulations, and the net of coverage of State institutions should be wide, in keeping with the policy pledge to ensure transparency and accountability by all government departments...
- viii. That a new procurement regime should promote local industry, ensure that ‘local content’ considerations are adequately addressed...

- ix. That the procurement regime also promote enlightened and progressive environmental practices,...provide opportunities for innovation...
- x. That the position of the Regulator for Procurement and the Office of the Regulator for Procurement be established;
- xi. That the Office of the Regulator for Procurement be constituted as a statutory body, independent of any Ministry;”—reporting to Parliament on an annual basis.
- “xii. That to oversee the reporting of the Procurement Regulator to Parliament, the Public Accounts Committee be made to perform the oversight function, and that the Procurement Regulator be accountable to the Public Accounts Committee;”

Mr. Speaker, I chair the Public Accounts Committee. “I eh get no report from no regulator yet.” I am wondering if we are going to finish this term and no regulator would be appointed and no report would be submitted to the Parliament on procurement, by this UNC-led Government.

As I said, I could speak for 11 hours, but, Mr. Speaker, I took note of the fact that you told me that I have to wind up at 3.05.

The \$1.5 billion Couva hospital in which there is \$400 million in very questionable expenditure for project management, consultants’ fees and so on, where is the local content in that? How does that square with what the Minister told us in the report? Where is the local content in that? Where is the transparency in all of these questionable contracts that are being awarded by Nipdec? Where is the transparency?

If you read this *Sunshine* newspaper, it said so. [*Laughter*] A source told *Sunshine* that SIS is not in good standing at NGC, so in an effort for Lalla to secure the NGC contract it was sent to Nipdec, under the chairmanship of Hamlyn Jailal.

Hon. Members: No!

Mr. C. Imbert: This is coming from a former Chairman of the UNC, you know, but the problem of lack of transparency and the problem of poor accountability—I am urging the Government, the time for talk is over. One year ago you came into this Parliament and promised to bring regulations and legislation to establish the office of regulator. We are here one year later, there is no regulator, there is no legislation and there are no regulations. Parliament is

going to prorogue on July 10, Mr. Speaker, so we will not get an opportunity to deal with that legislation until the end of this year, probably would not be established until 2014, if they bring it at all. So it would have been four years under this People's Partnership without any reform of the public procurement regime.

Let me move to a very disturbing piece of information that was sent to me, because the problems are not just in the Ministry of Works or in the Ministry of Transport. I have indicated some things. The gentleman has left us. I hope he is going to leave all government agencies as well where he has masqueraded as an engineer. Now that the fraudulent nature of his qualifications has been exposed, I hope the Minister would let good sense prevail and terminate that gentleman. But let us move on. That is relatively—I do not want to even say that.

Mr. Speaker, I have received information that the Cabinet agreed in August 2010 for a framework for evaluation of all energy sector development projects that require the processing of natural gas as feedstock. I am told that in February 2011, the Cabinet considered the evaluation of proposals for the development of ammonia and downstream derivatives in Trinidad and Tobago. They agreed that the Ministry of Energy and Energy Affairs could invite proposals for the utilization of natural gas as a feedstock. Consequently, a request for proposals was prepared, investors were invited. The end result is that a contract was awarded, or a company was identified as the preferred bidder, a company called SABIC Sinopec, and we have heard a lot about that. But inside of there, a company called ICCL, a joint venture between Energy Allied International and Mitsubishi, was given almost the lowest marks. It was determined that this company had no competence and should not have access to natural gas in Trinidad and Tobago.

I am advised that an unsolicited bid was sent in to the energy Ministry for the utilization of natural gas, and the same company, the same Mitsubishi group that failed in the bid to demonstrate any capability—*[Interruption]*

Mr. Speaker: Hon. Member, your time is up. You have a few seconds to wrap up.

Mr. C. Imbert: The same Mitsubishi company that failed to get the other contract, has been given a gas contract for 100 million cubic feet per day; unsolicited bid, without tenders. I would like the Minister to answer that as well. So tell us when you are going to bring the procurement legislation to end the rot, to end the daily scandals, to end the manifest evidence of cronyism, favoritism and looting of the Treasury in Trinidad and Tobago, Mr. Speaker.

Mr. Speaker: Hon. Member for Diego Martin North/East, “I beg to move”.

Mr. C. Imbert: Mr. Speaker, I beg to move.

Miss Marlene Mc Donald (*Port of Spain South*): Mr. Speaker, I beg to second the Motion and I reserve the right to speak.

Question proposed.

The Minister of Planning and Sustainable Development (Sen. The Hon. Dr. Bhoendradatt Tewarie): Thank you very much, Mr. Speaker. I thank you for the privilege of being able to present a point of view in response to the Motion before this honourable House. I also want to thank hon. Members of the House of Representatives for their courtesy of giving me the opportunity, as a Member of the Upper House, to make a contribution here this afternoon. This Motion asks that “this Honourable House express its disapproval of the Government’s failure to implement and enact a new legal and regulatory framework for public sector procurement.”

Let me from the outset indicate that the People’s Partnership Government of Trinidad and Tobago has in no way failed to enact a new legal and regulatory framework for public sector procurement. This matter is in process [*Crosstalk and laughter*] as the Member for Diego Martin North/East knows, only too well, and as he knows as well that his presentation was a gross misrepresentation of the facts. [*Crosstalk*]

It is not accurate to say, nor is it a responsible thing to claim that a failure to implement something—that there is a failure to implement something if that something is in process or in motion. So let me indicate in no uncertain terms that the procurement legislation is in process and will be completed and laid in this Parliament. I am hesitant to give an exact date, because I gave a date of April, 2013 before and we have missed that deadline. I will explain what has transpired, but I do want to give the commitment that soon this Bill will be laid before Parliament.

With that fact now articulated, I beg your leave, hon. Speaker, to outline what has been achieved so far in this process, but not before rejecting the allegation that Government has failed to implement a framework for public procurement, and not before indicating that the resolution for an expression of disapproval is misguided and totally unfounded.

Before I go there, however, I want to illustrate what we are dealing with here. The hon. Member for Diego Martin North/East said that he could speak for 11

hours if he had to, and that others have set precedent to this effect in other similar institutions in other places. I am sure he could do it, because if you are making a case on the basis of hearsay—*[Interruption]*

Mr. Imbert: Hearsay? Not hearsay.

Hon. Member: Fact!

Sen. The Hon. Dr. B. Tewarie:—and “dem say” and innuendo, it would be easy to talk forever—

Mr. Speaker: Please, please, Member.

Sen. The Hon. Dr. B. Tewarie:—because there is no requirement of evidence, there is no requirement of fact and there is no requirement of any kind of veracity or authenticity of the accusations being made. *[Crosstalk]* I want to illustrate this by indicating from some documents, this matter of the Canadian company SNC-Lavalin. I want to read from the letter which—*[Interruption]*

Mr. Speaker: Hon. Minister, please. Hon. Members, when the Member for Diego Martin North/East was on his legs, I sought to ensure that there was tremendous silence, and Members cooperated. Now that the hon. Minister is responding, I ask Members to do the same and give the hon. Minister the opportunity to speak, in spite of what you may not like what he is saying. Take notes and allow him to speak in silence. Continue, hon. Minister.

Sen. The Hon. Dr. B. Tewarie: Thank you very much, Mr. Speaker, for your protection. I thought since we paid the hon. Member for Diego Martin North/East the courtesy of listening attentively to his presentation—

Mr. Imbert: Not everybody.

Sen. The Hon. Dr. B. Tewarie:—that he might extend the same, or his colleagues as well. Nonetheless, I simply read from this letter which is from the Canadian Commercial Corporation.

I have two letters that I want to read. The first one is signed by the Regional Director, Caribbean & Central America, Canadian Commercial Corporation, and his name is Luc Allary. He writes to the Chief Operating Officer of UDeCOTT, and there are two paragraphs and two parts to the letter:

“Further to our letter of March, 15th and subsequent site visit to Trinidad, we wish to inform you that in order for the Canadian Commercial Corporation (CCC) to complete its due diligence process and to proceed

towards entering into a commercial contract for the construction of the above project,”—and they are speaking of course of the Penal Hospital Project—“we will require from UDeCOTT a comprehensive and detailed scope of work and project estimates.”

So the first part of the letter indicates very clearly that the decisions about the scope of works, the decisions about the estimates were, in fact, the responsibility and obligation of the Government of Trinidad and Tobago, and in this particular instance, the institution UDeCOTT.

The letter goes on to say:

“Due to the tight schedule and need for information to flow immediately, CCC supports and encourages you”—that is to say UDeCOTT—“to retain SNC-Lavalin to provide the services to complete the scope of work and detailed design documents. SNC Lavalin could be retained through an initial independent contract that can be linked to the final CCC/UDeCOTT commercial contract for the construction of the Penal Hospital.”

The second point I am trying to make here therefore is that the recommendation for SNC Lavalin came directly from the Canadian Commercial Corporation.

The second thing that I want to do is to read a second letter. [*Interruption*]

Mr. Imbert: CCC or EDB?

Sen. The Hon. Dr. B. Tewarie: I do not know what you are talking about. [*Laughter*]

Mr. Speaker: Please, please, hon. Member.

Sen. The Hon. Dr. B. Tewarie: This second letter is written by the same gentleman. He says:

“As provided in the Framework Arrangement between our respective governments, CCC”—that is the Canadian Commercial Corporation—“confirms that it has engaged SNC Lavalin Constructors International Inc., one of the leading engineering and construction groups in the world...” [*Interruption*]

Hon. Member: Leading in the world? Oh!

Sen. The Hon. Dr. B. Tewarie:—“as its Canadian supplier to design...” so and so and so.

Mr. Imbert: Leading? A bunch of crooks.

Mr. Speaker: Hon. Member for Diego Martin North/East.

Sen. The Hon. Dr. B. Tewarie: So this is a decision of the Canadian Commercial Corporation. In addition, I want to indicate to you what the high commissioner—*[Interruption]*

Mr. Imbert: Same group. *[Laughter]*

Sen. The Hon. Dr. B. Tewarie: No, the Canadian High Commissioner here. *[Interruption]*

In summary—I do not want to read everything—what he said was that the Canadian—the High Commissioner to Trinidad and Tobago from Canada indicated that the Canadian Government, through the CCC, has nominated SNC Lavalin to execute the project, but there are concerns about their business practices, and he therefore indicated that a due diligence was being addressed and that the matter was not finalized. That is the position there. *[Interruption]*

The reason I indicated that, I think many people in the country, including Members of this House, would prefer to have arrangements and procurement arrangements and development arrangements related to construction, and the creation of various things in the country for development that are not government-to-government arrangements. But if you enter into these government-to-government arrangements, whether it is with Canada, whether with the Chinese or whatever, the normal process by which you do this is that because the financing is being organized by them, the guarantees basically are being given.

Generally, what you have is a preferred company that is identified from the country with which you are negotiating. The decision about the companies does not reside in your hands. You may make other negotiated arrangements having to do with issues such as local content, local contractors, et cetera, and of course you are in a position to determine what it is you want actually constructed, but because of the nature of government-to-government arrangements—and the Member for Diego Martin North/East knows this very well—some control over the selection of the main contractor is under the responsibility and jurisdiction of the party with which you are negotiating. This is precisely what has happened here.

Therefore, you cannot rest on the lap of either UDeCOTT or the Government of Trinidad and Tobago, the responsibility for the selection of the contractor, in this particular case. That is the point that I wish to make here. The second matter—*[Interruption]*

Hon. Member: Somebody lying!

Sen. The Hon. Dr. B. Tewarie: The second matter that I want to deal with is the matter of the Point Fortin highway. I am sure the Minister of Works and Infrastructure will speak on this particular Motion and will be able to give in some detail, but there is a reason I am going to do this, which is that again, the facts given in relation to the Penal hospital and the Canadian company involved, were not facts that had not been coloured and embellished in order to give a certain impression that the Government was not acting in good faith, it was involved in corruption and it was involved in collusion, et cetera. This is generally the style of the approach of Members of the other side. The reason I gave the facts and I read from the letters was because I wanted to establish exactly what had happened, as distinct from what had been presented.

In the case of the highway for Point Fortin, what you have here is that—I simply want to read again from the documents.

Hon. Member: You have nothing to do with it.

Sen. The Hon. Dr. B. Tewarie: You are right, I have nothing directly to do with it, but I want to indicate that when you look at it really, it is the total cost that is—sorry, the cost of the highway is about \$5.3 billion, I see here. The \$2 billion covers a range of other costs, including land acquisition. I will not go further than that, and I will—*[Interruption]*

Mrs. Gopee-Scoon: You cannot.

Sen. The Hon. Dr. B. Tewarie: I will leave the details to the Hon. Minister of Works and Infrastructure. But I do want to say that in the range of suppliers that I see here, I see a whole realm of suppliers. The suppliers first of all for aggregate supply is a foreign supplier, it is R. A. Murray and Company, also it is National Quarries; the earth works and pavement works, Junior Sammy; the capping and material supplier, Junior Sammy; concrete supply, Advance Readymix; steel supply, Trinrico; Godineau Bridge, Capital Signal; piling works for Berridge, Debe and Tarouba, Soletanche, and so it goes on; different companies that you can identify.

The point I am trying to make is that Trinidad and Tobago has about 3,000 companies in the country. Of those 3,000 companies, you have about 250 or so that perhaps hire between 100 and 250 employees. You have less than that, maybe another 100 or so, that hire from 250 to about 500 employees. It is within that

realm that most of the local contractors for various things would fall. There is a limited pool from which one can draw for these services in Trinidad and Tobago.

In the normal process of tendering, when these people apply in the tendering process, however it comes out, you are going to get a connection between a company that you can make with some other thing, if you want to create or fabricate a story.

Mrs. Mc Intosh: What about those you leave out?

Sen. The Hon. Dr. B. Tewarie: What I am saying is that the normal statistical dynamics and the nature of relationships in a small society such as Trinidad and Tobago with 1.3 million people, is that it is almost inevitable that you are going to find people that are connected with whoever turns out to be the winner in a bidding process. The Member for Diego Martin North/East knows that very well.

It is not right and it is not fair to come and say that so and so is so and so and they are connected to that person in such and such a way—[*Interruption*]

Mr. Imbert: “I doh know.”

Sen. The Hon. Dr. B. Tewarie: “You doh know what?”

Hon. Member: “Dem fellas.”

Mrs. Gopee-Scoon: The highest bidder is so and so. [*Crosstalk and laughter*]

Sen. The Hon. Dr. B. Tewarie: You all are not being serious. You all are not being serious. You come here and make a set of accusations on the basis of hearsay.

Mr. Imbert: Hearsay?

Sen. The Hon. Dr. B. Tewarie: You use the numbers wrongly; I mean, it is just not right. Take this case—I will just deal with one more, I cannot deal with everything you said, because I have no knowledge of some of them.

Mrs. Gopee-Scoon: Awwww! [*Laughter*]

Sen. The Hon. Dr. B. Tewarie: But I will talk about the energy matter. The energy matter was a very straightforward matter. You had a situation in which a company had bid.

Mr. Imbert: Unsolicited.

Sen. The Hon. Dr. B. Tewarie: There was a kind of waiting game over the price of gas and negotiations, and there were all kinds of geopolitics in it, et cetera, and ultimately we sensed that something was happening that was not right and would create the conditions in which it was very likely that this selected bidder was not likely to come through with the project. We got a bid from Mitsubishi, and that bid—*[Interruption]*

Mr. Imbert: Unsolicited.

Sen. The Hon. Dr. B. Tewarie: Well, they were in the picture from the beginning and they were ranked No. 2, as I remember. As I remember from the Energy Committee, they were ranked No. 2. On the basis of discussion—yes, they came with an unsolicited bid and they made a proposal. On the basis of discussions which involved people in the Energy Ministry, which involved people in the NGC, which involved people in the EDB—on the basis of all the discussions, and involving the Ministry of Finance and the Economy, the Ministry of Planning, the Ministry of Energy and Energy Affairs, a number of discussions from time to time, what emerged was a framework for getting a project that could make a difference to the use of gas for feedstock, that could lead to new energy products, that could lead to new manufacturing capabilities for export and that had brought together both an international consortia as well as a major local company in the country.

In the best interest of Trinidad and Tobago—*[Interruption]* not everything has to have a bid.

Hon. Members: Whaaat! *[Desk thumping]*

Sen. The Hon. Dr. B. Tewarie: That is the whole point of having procurement legislation.

Mrs. Gopee-Scoon: I feel you want to qualify that.

Sen. The Hon. Dr. B. Tewarie: That is the whole point of organizing things. What is important is transparency.

Miss Hospedales: You all do not have that.

Sen. The Hon. Dr. B. Tewarie: What is important is doing things for which accountability is clear.

Hon. Member: You do not have that!

Sen. The Hon. Dr. B. Tewarie: What is important is to have a process that can stand the scrutiny. *[Crosstalk]* This is merely making child's play out of

serious matters. What we did was to take a decision that was in the best interest of the country, that would not end up with a loss for the country and that would put us in a position where we could build some serious jobs in Trinidad and Tobago and some serious skills and move up the value chain. That is where we are headed with this kind of thing.

Hon. Member: Chaguanas East does not agree with you. *[Interruption]*

Mr. Speaker: I would not want to quote from the Standing Order for Members who disregard the ruling of the Chair. Do not shout across the floor, please, and allow the Minister to speak. I keep advising Members, even though you may disagree with what the Minister is saying, he has a right to say it. Take notes, you will get a chance to speak. But you cannot be constantly and continuously interrupting the Minister. I am giving the final warning to Members of this honourable House, and they know who they are, who persist in disregarding the ruling of the Chair. I will ask Members to leave the Chamber for a minimum of three hours if they continue.

Hon. Minister, you may continue.

3.30 p.m.

Sen. The Hon. Dr. B. Tewarie: Thank you very much, Mr. Speaker. The Members know very well that if you are acting on behalf of a country, if you are trying to secure the economic interest of a country, there are times when you have to act in the best interest, in the best way that you can. And here was a situation in which the bidding process had yielded something that was not likely to happen. We were suspicious of where it was going and, therefore—because we know all the shenanigans that go on in this country and the outside. We understand it very well, and we know your role in it also—on the basis of that, we were able to take a decision that was in the best interest of the country.

I want to get back now to this business of the procurement legislation. I wanted to illustrate by these three examples: the Lavalin example, the Mitsubishi example and the issue of the misrepresentation of the numbers with regard to the Point Fortin highway that, basically, what was used was the opportunity of events—things being done and things being built in this country—to bring discredit to the process and to try to taint and discredit the Government of Trinidad and Tobago when, in fact, the facts indicate that the presentation made does not speak to the truth of the matter in any of those cases.

Now, there may be points of view that you can express on these issues, but the facts that I have indicated show very clearly that in Lavalin what happened; what

was the responsibility of the Government, what was the responsibility of the CCC representing the Canadian Government. In the case of Mitsubishi where the Government acted in the best interest of the country in order to secure the future of the country and to save and create an investment and, more than that, in the Point Fortin highway matter that the numbers were, in fact, misrepresented and do not represent the facts.

I want to deal, therefore, with the whole matter of procurement. The Central Tenders Board Act, as we know, was passed in 1961 and there have been amendments from time to time, but there has never really been any concerted effort to bring a Bill to Parliament. There have been attempts, but we have never seen a Bill come to Parliament until the People's Partnership came into office.

There was a draft National Tenders Bill in 1997. That was considered by Cabinet, but it never saw its way to Parliament. There was a White Paper entitled, "A Reform of the Public Procurement Regime", a White Paper, and this was produced by the Ministry of Finance and presented to Parliament in 2005. This was followed by the Public Procurement Disposal of Public Property Bill, 2006 which was based on the White Paper, but the Bill was never debated in Parliament. I want to say all of these entities that I have mentioned here were considered by the joint select committee during the time prior to my chairmanship and after I came to the chairmanship of the procurement committee, late in the day, so to speak.

In 2005, the Investment Division of the Ministry of Finance produced a body of rules to guide state enterprises and statutory authorities which include rules for appointment of tender committees, registration of contractors, the application and award process, appeals regarding unfair treatment and for the disposal of unserviceable items. The purpose of the manual—sorry—was to provide standard procurement procedures and rules to state enterprises not governed by the Central Tenders Board and this is, in fact, what is being used today, and what was used by the previous regime and continues to be in use in Trinidad and Tobago.

The legislative proposal to provide for public procurement and disposal of public property together with a legislative proposal to repeal and replace the Central Tenders Board Act was laid in the House of Representatives on Friday, June 25, 2010. This is when the People's Partnership came into office, and that is the one element of fact that the Member for Diego Martin North/East did, in fact, report faithfully.

Mr. Imbert: Mr. Speaker, Standing Order 36(5). I spoke for 75 minutes. I had far more facts than just one fact. He is imputing improper motives. [*Laughter*] So everything else “ah say was ah lie?”

Mr. Speaker: No, well he did not say so; he did not say so, but the Member is saying, hon. Minister, that he had many more facts than one fact that you have identified. So I think he is taking umbrage to your statement in that regard.

Sen. The Hon. Dr. B. Tewarie: I am sorry the Member is hurt, Sir, but I would say this is at least one of the facts that he made during his presentation in which not everything he said was fact.

The joint select committee was appointed in the first session 2010/2011 of the Tenth Parliament. So the first committee was appointed and that committee’s mandate was to consider and report on the legislative proposals to provide for the public procurement, et cetera. Now, that committee was unable to complete its mandate before the prorogation of Parliament on June 17, 2011 and that committee requested that its work be saved and referred to any subsequent committee. It is therefore not correct, it is not true, for the Member for Diego Martin East to say that nothing happened—[*Interruption*]

Mr. Imbert: North East.

Sen. The Hon. Dr. B. Tewarie:—North East, sorry—and that this work was just wasted in the process. So the work was saved and went on to the next session.

The second joint select committee was appointed in the second session, 2011/2012 of the Tenth Parliament, pursuant to resolutions passed in the House of Representatives on so and so. The mandate of that committee was to consider and report on the legislative proposal to provide for public procurement, et cetera, and the committee was also required to consult with stakeholders, experts and interested persons, send for persons, papers, records and other documents, recommend amendment to the proposal with a view to improving drafts and to submit a report to Parliament within three months from the date of appointment.

The deadline for the committee to report to Parliament was February 23, 2012 and, what happened, the committee held its final—sorry—I do not think, the deadline, sorry, was February 23, 2012. Now, this is when, in fact, you had a replacement of some Members of the committee: Mr. Kevin Ramnarine, Dr. Rolph Balgobin ceased to be Members of the committee and Dr. James Armstrong and myself became Members of the committee, and I became the Chairman of the committee.

During the tenure of this particular committee of which I was chair, we looked at procurement practices in Finland, in Canada, United Kingdom, the Philippines, Latin America and Jamaica. The committee received reports from the Joint Consultative Council, a range of private sector groups, and we had people present such as the IADB, the Contractor General of Jamaica, the Ministry of Labour and Small and Micro Enterprise Development, the Ministry of Finance and the Economy, private sector civil society group, the World Bank, the Chamber of Commerce and environmental organizations and all of these documents were taken into account.

Now, one of the things about this committee though, as we went about the business of the committee, is that the Opposition kept saying in response to the Government's approach that let us agree on the policy we want for procurement. The Opposition kept saying, "Let Government bring the policy." And we said we know that it is the right of Government to bring a policy and have it considered, and that was before my time and I took the same position in my own time, and the Members kept saying that they want the policy from Government. They are not prepared to have a policy that came from the Parliament, the parliamentary committee.

We took the position that we wanted to have a consensus position that, in fact, came from the Parliament because at the end of the day Parliament would have to agree on this procurement policy and this procurement legislation, but they insisted that we should do it. What happened was that, basically, as the process came to an end we, in fact, decided that we will bring the policy if that is okay, and we brought the policy to Cabinet and Cabinet agreed. We did it in very, very, short time. We brought that policy to the committee and Cabinet approved the policy on May 17, 2012. The joint select committee revised it by May 28, 2012 and the second joint select committee issued its final report in June.

So that, Mr. Speaker, the committee, during the time that I was chairman, took three months to prepare the policy which was ultimately accepted by Cabinet. We did the policy for Cabinet, we brought the policy, it was revised and it was brought here to Parliament. It was not easy to do that because during that period the Opposition kept saying that they did not want to be part of it. At one time, they withdrew from the process, and it was very difficult to get a consensus.

When we brought the report in which the committee finally had a consensus document—and we presented it here—the Opposition refused to vote, they abstained on the issue. And, at that time, I took the opportunity to say to the hon. Member—which is why he claimed that I was arrogant; I was not arrogant at

all—at that time I said to the hon. Member that the way you have behaved on this matter, in taking the position that you are not going to vote for the committee report that we agreed by consensus, and you were going to abstain, I said to the hon. Member, your party had no intention of supporting this at all in the first place, and that is the basic position that I took. Since then, what has happened? Where is the Bill now?

3.45 p.m.

I want to say, that as soon as that report was done, the Ministry of Planning and Sustainable Development, which is—it is not my responsibility to prepare a Bill, it is not my responsibility to have my Ministry prepare a Bill on this matter, but in order to fast-track the process and to assist the process, and with the consent of the Attorney General, what we did, the Ministry of Planning and Sustainable Development engaged with the IDB to get support to quicken the process of presenting this Bill. On November 19, 2012, the Ministry of Planning and Sustainable Development submitted a draft for a public procurement Bill and accompanying regulations to Cabinet for its approval and agreement. And the draft legislation was then referred to the Attorney General for vetting and, ultimately, to the legislative review. And on November 22, it was referred to the Legislative Review Committee.

Now, where is the Bill? The Bill is before the CPC in pre-legislative draft, and there is a reason for that, because when the thing went to the Legislative Review Committee, the pre-legislative committee, there were requests by people within the governmental system and outside, to make contribution because somehow they felt that they had been bypassed in the process. In one instance a particular Ministry and the representative of that Ministry asked for a six-week extension to contribute. They wanted to contribute for the process.

We had a choice: do we go through with the Bill when you have Ministries who want to contribute, or do you try to accommodate them so we can have a full contribution to this process? We took the decision, hon. Speaker, and the Legislative Review Committee took the decision that they would give them the six weeks to make the presentation, and the process is now ongoing. I cannot give a date by which it will come, but the idea was that this would have been ready by about April of this year, it is now June; it is two months later than I anticipated, but the point is that it is near completion. We had a full draft of the legislation, a full set of regulations, and the CPC's office wanted to do certain things. They wanted to make sure that it aligned it with some of the elements of policy,

because there are new elements in this thing, like the labour laws, the “greening”, the development of local content requirements, all of these things.

These were critical and, therefore, they wanted to have oversight over these things, and they wanted to make some changes. There were international requirements from the United Nations as well, since then, there had been updated laws, and they wanted to take these things into account. So, by and large, we consulted with almost everybody who wanted to make an input, and we had to work under very difficult conditions with the Opposition at some point in time, depending on their mood. And then, ultimately, we brought the thing to Parliament. They abstained from supporting it, but we proceeded with it, we brought the legislation, it is now before the pre-legislative committee, and I hope, before long, it will be before this Parliament so that we can debate it.

Now, I know that the main purpose of the mover of the Motion was not so much to talk about the procurement process, because I think he knows that we have done our work, and that he was part of the work. Because when we were debating a number of these issues there were times in which he made good contributions, and we did our work, we completed the stuff, and he knows that there is a process by which these things ultimately come to Parliament.

Mr. Imbert: A whole year?

Sen. The Hon. Dr. B. Tewarie: We are close to the end now, so the issue could not have been that. The issue was really to try to taint the Government by saying that a lot of wrong things were going on, and that we were holding back the legislation in order to make that possible. I mean, the Member for Diego Martin North/East knows that, by no stretch of the imagination that could be true. Therefore, I hope that he would be a little more reasonable in his winding up, and appreciate that we have done our work and we have done what was required to be done here, and we will get this legislation before Parliament, before long.

Now, the Member in his Motion talks about the issue of good governance, and the second part of the Motion in fact charges the Government of Trinidad and Tobago with poor governance, that is what he says. Having indicated, first of all, that he presented at least three items that I focused on without the full facts, and with a spin of his own and, secondly, that he presented the facts of the procurement process up to this point in a way that was neither accurate nor true, I want to go on to this business of good governance.

The second part of the Motion charges the Government of Trinidad and Tobago with poor governance. I would like to say that nothing can be further

from the truth. [*Desk thumping*] The Heritage and Stabilisation Fund has remained untouched and it has grown.

Mr. Speaker: Hon. Members, the speaking time of the hon. Minister of Planning and Sustainable Development has expired.

Motion made: That the hon. Minister's speaking time be extended by 30 minutes. [*Hon. W. Peters*]

Question put and agreed to.

Mr. Speaker: You may continue, hon. Minister. [*Desk thumping*]

Sen. The Hon. Dr. B. Tewarie: Thank you very much, Mr. Speaker. Thank you very much, hon. Members. Thank you very much Member for Mayaro. I was saying that there is nothing that could be further from the truth. People like to talk and criticize the Government on the basis of governance, and, especially, the Members from the other side. Every Monday morning they have a new issue. But I want to point to just a few simple facts which we need to kind of take in.

The Heritage and Stabilisation Fund has remained untouched and it has grown. Investment in the country doubled in 2011/2012, over 2010/2011, and this is documented in the 2012 National Performance Framework, which was duly laid in Parliament, and is at the level of over US \$2.5 billion for all of 2012. Construction is picking up, the services sector is growing, diversification is taking place, inflation is low, food inflation is in single digits for the first time in a very long time, unemployment is about 5 per cent, poverty is down by 4 per cent, compared to 2009 figures, 66 out of 75 legacy labour union negotiations have been settled, Clico and HCU matters have been resolved, the economy has returned to growth, increased growth is projected, the Caricom heads are meeting here to honour 40 years of the signing of the Treaty of Chaguaramas, the President of China was here, the Vice-President of the United States of America was here, the President of Venezuela is coming here.

Universal secondary education has been achieved at 47 per cent. We are striving to meet a 60 per cent participation rate of the age cohort by 2015, in tertiary education. Universal preschool education is being pursued, development is being pursued within a sustainable development framework for the first time, and a number of documents have been prepared to guide the development process. So this charge about governance by taking an issue here, blowing it out of proportion, by misrepresenting an issue here is just not right, it is just not right.

Hon. Member: Wrong!

Sen. The Hon. Dr. B. Tewarie: Under the last administration, I have in my hand here the Uff Commission Report.

Hon. Member: Oooooo!

Mr. Imbert: Have you acted on it?

Sen. The Hon. Dr. B. Tewarie: Well, there are a number of things that we have acted on in this matter, all right. There are, in this thing, 91 recommendations that emanated about the style and manner of governance of the last regime. Eight years of a regime, they never brought procurement legislation here, although they attempted, but we have here 91 recommendations that were identified because of their failure at governance in this country.

So—and we have acted on a number of them even as we proceed with our business of governing the country, and of developing the country. I want to give some indication—you know, they like to talk about big projects and I want to give some indication of the kind of small projects we do, and how well they are done in this country. I am sure that the Members for Port of Spain North/St. Ann's West and Laventille West would be interested in this, in what has been done last year and what is being done this year in areas under their own jurisdiction 2012 and 2013. Enforcers Recreation Ground in upper Belmont—*[Interruption]*

Mrs. Mc Intosh: I pushed for that.

Sen. The Hon. Dr. B. Tewarie: It does not matter, it was done. You all said we were doing nothing, it was done. It was supposed to cost \$1,459,594,092, in other words, \$1.4 million. It came in under budget by about \$2,000.

Mr. Imbert: Who was the contractor?

Sen. The Hon. Dr. B. Tewarie: They do not have the contractor here, but it was completed four months behind schedule at 99.8 per cent of the contract price. Then the Jacobin Hard-Surface Court in Morvant that came in three months behind schedule, but it came in under the contract price. Coconut Drive pavilion, that is 75 per cent complete now and well on schedule, less than a million dollars. Point Pleasant Park pavilion, \$2.6 million. Work on the project stopped due to conflicts between the contractor and the community, but discussions are taking place now to resolve that. Things like that we have to do all the time in order to get those projects done.

Then you have Basilon Street, 60 per cent completed, Fatima infrastructure, completed two months behind schedule, but at about 99 per cent of the contract

price. Layman Hill completed, Manda Trace completed, Sapodilla infrastructure upgrade completed, Upper Mckai Lands completed, Herman Scott retaining wall completed, Beetham drains phase 4 completed, Thompson Trace drains and infrastructure completed within schedule and budget. So I can read all of these projects—

Hon. Member: Read it out.

Sen. The Hon. Dr. B. Tewarie:—things that are being done.

Hon. Member: Read it. [*Crosstalk*]

Miss Mc Donald: The restoration of Fort Picton

Sen. The Hon. Dr. B. Tewarie: What is that?

Miss Mc Donald: The restoration of Fort Picton

Mr. Speaker: Please, Member, you cannot speak on your—[*Inaudible*]

Sen. The Hon. Dr. B. Tewarie: The restoration of Fort Picton has not been on schedule because we have not been able to—we had to have some collaboration between the Ministry of Tourism and ourselves, and somewhere things fell between the cracks, but that will in fact be done. And that is going to happen. It has nothing to do with the—the Member for Chaguanas East supports this thing because he knows that it is an important major infrastructure—[*Desk thumping*]—things happen. Things happen, you know, they are not always perfect. There are a number of issues here, so the point I am making is that we are doing things.

4.00.p.m.

We are working and we are doing things, and we are doing things everywhere in the country. All the projects that the hon. Member for Diego Martin North/East mentioned are projects being done.

Dr. Ramadharsingh: Yes.

Sen. The Hon. Dr. B. Tewarie: You cannot come here and say that these are the projects and make accusations about them, and pretend as if they are not being done—they are being done. The projects that I mentioned are being done. It is not talk; it is work. We are working for the people in small things and in big things, and we are looking after the development of this country. What is your problem? [*Crosstalk*] In order—

Dr. Moonilal: He is not that type of doctor.

Sen. The Hon. Dr. B. Tewarie: The other thing I want to say is that there are a number of reckless accusations here in the Motion in which he, hon. Member— if I can just read the Motion. In the last part, he says, you know, poor oversight and so on of state enterprises and so on. There may—I am willing to admit that there have been instances where things have happened that should not have happened, but wherever these things have happened, there have been interventions, the matters have been corrected [*Desk thumping*] and we have taken the decision to act on them.

So I want to say that all of this, these reckless accusations are really an attempt by the hon. Member for Diego Martin North/East as the Opposition has been doing for the last three years, part of their strategy, to paint the People's Partnership Government as corrupt, [*Crosstalk*] as untrustworthy, incompetent and unfit to govern; that is your objective. [*Desk thumping*]

Hon. Member: Well said.

Sen. The Hon. Dr. B. Tewarie: I am very—[*Interruption*]

Hon. Member: Well said.

Sen. The Hon. Dr. B. Tewarie: I am very glad—[*Interruption*]

Mr. Imbert: Point of order. Point of order.

Dr. Moonilal: What point of order?

Mr. Imbert: I have to tell the Speaker the point of order.

Mr. Speaker: Yes.

Mr. Imbert: Thank you, Mr. Speaker. Standing Order 33(4), the Minister has liberally misquoted me—

Mr. Imbert: I would like two minutes—[*Interruption*]

Hon. Member: No.

Mr. Imbert:—to correct the record.

Mr. Speaker: You are not getting two minutes. You are getting a minute.

Mr. Imbert: Oh, whatever. [*Crosstalk*] [*Laughter*]

Mr. Speaker: Continue, hon. Member.

Mr. Imbert: Whatever.

Sen. The Hon. Dr. B. Tewarie: Thank you, hon. Speaker.

Mr. Imbert: “Ah go take dat.”

Sen. The Hon. Dr. B. Tewarie: That was the whole point of your presentation. That was the entire point of your presentation, and I am glad that you knocked the desk so hard—[*Interruption*]

Hon. Member: Yes. Yes.

Sen. The Hon. Dr. B. Tewarie:—because this knocking of the desk came from a political party whose Government, in eight years leading up to May 2010, was one of the most corrupt in the entire history of this country [*Desk thumping*] [*Crosstalk*] which undermined every institution it could put its hands on in this country [*Crosstalk*] and that including the bugging of telephones of private citizens, including myself and my son—[*Crosstalk*]

Miss Cox: That happening to us now.

Sen. The Hon. Dr. B. Tewarie:—whose incompetence was without parallel for the last eight years in its failure to address payments to contractors, to engage and resolve labour negotiations, the mishandling of the Clico and the HCU matters, the mismanagement of relations with CARICOM, the mismanagement of relations in its party, the Government, the Parliament, the institutions of State, with the Judiciary, the DPP, and indeed the ordinary citizens of the country. That is what prompted me, when I was at the University of the West Indies in a public forum, to talk about the danger of the country moving to failure of statehood because of the interventions and the interference that were taking place in the country, and we have seen some of the consequences of that even from those interventions now.

But I want to say something, you know, this matter of Lavalin, the hon. Member for Diego Martin North/East he made the statement that the High Commissioner for Canada was a member of the Board of Lavalin, and he made a connection between that and the fact that “Lavendil”—Lavalin was the chosen company—[*Interruption*]

Miss Cox: “Doh mix up dat, please”

Sen. The Hon. Dr. B. Tewarie: What is that?

Miss Cox: Lavalin.

Sen. The Hon. Dr. B. Tewarie: Not Laventille. [*Laughter*] He made the mistake—sorry—he made the connection between Lavalin, as the company

involved in the Penal hospital and our High Commissioner to Canada, and the connection he made was really that he was on the board and therefore, there was some kind of connection between that and the selection of the company.

Now, what I would like to say is that as far as I am aware I do not think that when this company was recommended by the Canadian institution as the one well suited to do this project—[*Interruption*]

Hon. Member: Yes.

Sen. The Hon. Dr. B. Tewarie:—that the Member—that the High Commissioner for Canada was a member of the Board of Lavalin.

Hon. Member: He was not.

Sen. The Hon. Dr. B. Tewarie: That is the first thing I want to say.

The second thing I want to ask is: Is there any chance that the then ruling party at the time, when he was a member of the board, would have benefited in any way from this company?

Hon. Member: Ahhh! [*Desk thumping*] [*Crosstalk*]

Sen. The Hon. Dr. B. Tewarie: I want to ask that. And if that were the case, if that were the case, what—might that be a motivation, a motivating factor, for raising the issues that you are raising in the manner in which you are raising them today in order to sully?

Mr. Imbert: Mr. Speaker, 36(5). I mean I brought a simple Motion and the Minister is accusing me—[*Interruption*]

Miss Mc Donald: Yes.

Mr. Imbert:—of improper motives.

Miss Mc Donald: That is right. [*Crosstalk*]

Mr. Imbert: I have no such motive as he has suggested. [*Crosstalk*]

Mr. Speaker: All right. Hon. Minister, the Member is saying that you are imputing improper motives; and I would like you to refrain. And in any event I have always advised Members, if you want to raise the conduct of any Member in this honourable House you must do it in a substantive Motion. Please, let us continue.

Sen. The Hon. Dr. B. Tewarie: Mr. Speaker, I will withdraw any imputation of motive. I do that willingly, but I simply asked the question because I felt the

question was appropriate in the circumstances, especially in circumstances in which only partial elements of information are provided in order to present a case in this honourable House, and that was the prompting behind my asking the question.

Mr. Speaker, I want to say that this Motion is really in many ways political in nature rather than substantial, as indeed have been many Motions that we have seen over the course of the three years. We have had many Motions, of a number of kinds having to do with issues that have come up. The pattern has been that you raise the issue in the press, you raise the issue with agencies and allies in the system, you create a furore, you create a noise-making environment and then you come into the Parliament and you try to go for blood. I do not know why this is the approach of the hon. Members on the other side. We are working, as I indicated, for the benefit of the country.

If you look at the kinds of things that we have emphasized, they have had to do with looking at the social welfare and the upliftment of ordinary people in the system, whether it has to do with the preschooling of people, the education of people, the skilling of people, the helping of people through self-help, that has been one of our strategies.

We have been opening up the country because the country is a country in which you have 92 per cent of the population on the western side of the country, 82 per cent of the businesses, 8 per cent on the eastern side, and 18 per cent of the businesses. So we have been trying with the road system, the road network and the movement of water, electricity, et cetera, the identification of growth poles and growth pole strategy in order to develop the country in a way that gives a better spread to the development process in Trinidad and Tobago.

We have been focusing on trying to make our industries competitive, trying to create new businesses in the country, trying to win confidence of our people and increase the flow of investment both from outside and within the investing community in Trinidad and Tobago.

Yesterday I was at CARIRI. We opened an enterprise development centre. There are a number of things that CARIRI has done which they have market tested and for which they are inviting people to invest with an entire infrastructure to allow them to succeed. We are trying to nurture businesses there in ICT and related matters, and we are doing a number of, what you might call, nurturing support interventions for people with businesses that want to get off the ground.

The whole idea behind our development strategy is to help people to help themselves to develop themselves. That is basically the strategy of the Government of Trinidad and Tobago. [*Desk thumping*]

Mr. Sharma: Well said.

Hon. Member: Very good! “Dat is what he doh want to hear.”

Sen. The Hon. Dr. B. Tewarie: I do not think it is right to treat the Government always as if all it is interested in are negative things which are perpetually manufactured in the minds of the Opposition. Things happen, it is true, mistakes do happen and mistakes are corrected, and we intervene and act in order to deal with the challenges as they accrue, but the point is that the business of governance remains our fundamental responsibility, and we are committed to that. Governance for us is to strengthen the people, strengthen the communities, strengthen the institutions of the country, and strengthen the capacity of the country to win opportunities in the world.

That is what we are doing by our community policies, by the devolution policies that we are moving into in local government, by the institutional strengthening policies that we have throughout the governmental system and throughout the society, and by what we are doing in terms of land development in the country, the national spatial development strategy. We are looking at the entire country to see what kinds of critical interventions we need to make that would make a difference in agriculture, in housing, in commercial development, in heavier industrial development, and that is what we are doing.

We offer this country the only hope really for good and decent governance in this country. [*Desk thumping*]

Hon. Member: Yes.

Sen. The Hon. Dr. B. Tewarie: We do this on the basis of a record of things done, and things achieved, and things yet to be done and in process.

I want to give this House the assurance that I will work with the chairman of the Legislative Review Committee and with the Attorney General’s Office and the people in it, like the CPC, to ensure that within an expeditious time, procurement legislation that is enlightened and that is in keeping with the policy that we agreed in the joint select committee, and that addresses not only the issues of transparency and accountability, but also the issues of the manner of the enlightened labour legislation in this country, the greening of the country, the

local content considerations in this country, that all of these things will be included in the procurement legislation that we bring to Parliament. I thank you very much, ladies—Members of the House.

Mr. Speaker: Hon. Members, first of all, the Member for Diego Martin North/East had raised a matter under Standing Order 33(4). May I advise the hon. Member that is reserved for Members who do not have a second bite or do not have the right of reply—*[Interruption]*

Mr. Imbert: Okay.

Mr. Speaker:—but in your instance you do have the right of reply, and during your winding up you would be able to at least correct whatever misinterpretations that might have visited the contribution of hon. Members.

LEAVE OF ABSENCE

Mr. Speaker: I just want to also seek your support to revert to an item under “Announcements”, and to inform hon. Members that the hon. Kamla Persad-Bissessar, Prime Minister and Member of Parliament for Siparia, has asked to be excused from today’s sitting of the House. The leave which the Member seeks is granted.

4.15 p.m.

PROCUREMENT LEGISLATION (GOVERNMENT’S FAILURE TO IMPLEMENT)

Mr. Speaker: Hon. Minister, you want to—well, first of all I will have to find out—you have a statement that you want to make?

Dr. Rambachan: No, he is wanting to join the debate.

Mr. Speaker: Is there—no, but I have to—*[Interruption]*—no, before you speak we have had a contribution from the Government side, we have had the Member for Diego Martin North/East, so I now have to go back to the Opposition Bench. Is there anybody else who would like to speak?

Dr. Rowley: Mr. Speaker, I have not heard my colleague from Tabaquite. *[Laughter]*

Mr. Speaker: Would you like to speak, Sir?

Dr. Rowley: Yes.

Hon. Member: Yes, Sir.

Mr. Speaker: The hon. Member for Diego Martin West. [*Desk thumping*]

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, I must say I was almost undone by my colleague from Tabaquite who thought that the Government could have spoken twice without response. [*Interruption*]

Mr. Speaker, I just want to make a couple points before we have the tea break, which I presume is going to be here at 4.30 p.m. And that is just to indicate to my friend from the other place, how absolutely astounded I am at his arrival in this House and his contribution, his academic discourse in defence of corrupt practice of the Government of Trinidad and Tobago.

Hon. Member: That is right.

Mr. Imbert: Shocking.

Dr. K. Rowley: I did not expect him of all people to seek to rationalize the corrupt practices of what is clearly the most corrupt Government in the history of Trinidad and Tobago. [*Desk thumping*]

When my friend from Diego Martin North/East spoke, he spoke specifically to specific actions of concern which should concern all the people of Trinidad and Tobago regardless of your political location. And the Member, instead of responding to those issues specifically, maybe he could not, because he did say he does not have the information—and I do not expect him to have the information on all of these things because they are happening all over the Government—but to seek to give the impression that things happen and you are just trying to make the Government look bad and you are just “bad talking” the Government, when we are facing a landslide of unacceptable action on the part of the Government, [*Desk thumping*] on that basis, Mr. Speaker, I want to disregard everything the Member said in his rationalization of bad procurement resulting in either the appearance or the action of corrupt practice in this Government.

Mr. Speaker, I want to ask the Member, since he chose to be the defender and to give us palliatives as to why we should not be concerned, that all is well and it is only a bad Opposition “bad talking” a good Government. I want to ask this Member, my colleague from UWI, because we go back a long time: Is he aware—with respect to the OAS contract, which is the largest contract in the history of this country—that that highway was under construction before the Government came into office? The piece to Golconda was built so, therefore the State knew and had empirical evidence as to the cost of land and therefore the estimate for land from Golconda south is known to us. [*Desk thumping*]

Is he aware that those estimates were good estimates based on knowledge within the contract? And is he aware that within three weeks of this Government coming into office a member of the Cabinet met with managers and owners of OAS at a hotel in South Africa—

Mr. Imbert: World Cup.

Dr. K. Rowley:—and discussed this contract and took certain decisions there which resulted in the Government of Trinidad and Tobago behaving in the most ridiculous way where the Government embarked upon this large development project without financing but having committed to the contractor?

Let me remind my friend from the other House that this Government that you just described as being this good Government, which was bad-mouthed by this bad Opposition, got into contractual arrangement with OAS after the meeting in South Africa, but did not have the wherewithal to execute the contract. Your Government turned the sod in January; January, February, March, April, May, absolutely nothing happening on the contract because the Government could not fund it. Then the Minister of Works and Infrastructure laid a public threat to the Government, “If the contract is not financed, I gone.” “Well, he going today”. [Laughter] But at that time he publicly held the Government to ransom and the shocking thing happened, the Minister of Finance and the Economy, who should have protected the public interest by not proceeding along that lined, caved in, capitulated, initiated the project, funding it from the current account. That is what is happening. And in that contract, my colleague today pointed out, the land acquisition rose—

Mr. Imbert: From \$175 million to one billion.

Dr. K. Rowley:—to a billion dollars and there are people who have got payments way beyond what the land was valued for and on all kinds of understanding. Do you have any idea, Sir, what is happening down at that Point Fortin highway project, where people are now being asked, because the Government cannot fund it, because the current account cannot support it, the Government is asking landowners to allow the Government to access and use their lands and payment will come later? That is what is happening there now.

And you come to this House today to justify that and to tell this House that we in the Opposition “bad talking” the Government because we want to make you look bad. I dare say, Mr. Speaker, we have to join the line of those who want to make this Government look bad; this Government is bad and it is the worst. [Desk thumping and crosstalk]

You may recall, Mr. Speaker—[*Interruption*—my colleague mentioned the fire truck. Look at today’s newspaper? Look at the *Newsday*? “Where is Carl Williams?” You know why this is here, “Where is Carl Williams?” Because the Government has taken the position that they will blame public servants for Cabinet action. [*Desk thumping*] Have you no shame!

Miss Mc Donald: Aaah.

Dr. K. Rowley: I have in my possession, Mr. Speaker, everything relating to this fire truck matter, from the minute sheet to the Cabinet Minute, where it points out that a report came to the Cabinet from the Chief Fire Officer saying that the truck went down 15 metres.

Miss Mc Donald: Fifteen metres?

Dr. K. Rowley: Fifteen metres. That is the Williams Report, 15 metres. I have a copy of it. [*Interruption*] And he also said that the cost is \$10.1 million. That is true. And he forwarded that to the Permanent Secretary. The Deputy Permanent Secretary asked: “At this cost, have you all considered competition to get the work done?” But the work was already done.

I have the draft Cabinet Note where it was changed from \$10 million to \$6.8 million and noted, the Minister spoke to someone. [*Interruption*] The Minister spoke to someone and it mysteriously jumped from \$10.1 million to \$6.8 million. So, while the Cabinet was telling the country that the Cabinet negotiated down from \$10.1 million to \$6.8 million and the Cabinet did a good job to save us the difference, because the Cabinet negotiated, that is not true. What happened was, at the Ministry it became \$6.8 million. The \$6.8 million went from the draft Cabinet Note to the final Cabinet Note, and lo and behold, in the draft Cabinet Note, the 15 metres became 150 metres—

Mr. Imbert: They added a zero.

Dr. K. Rowley:—and the \$10.1 million became \$6.8 million. The final Cabinet note had that. It went to the Cabinet and the Cabinet documents will show that F & GP approved the \$6.8 million and Cabinet approved the F & GP position, and the country is asked to pay \$6.8 million. But we have to thank God for small mercies. It is a good thing the contractor had not claimed \$100 million. [*Laughter*]

Because the Government is saying—[*Interruption*—you have Government Ministers saying that you had to pay it because Mr. Williams committed the

country. So it is a good thing Junior Sammy is a man of kind disposition, because had he asked for \$100 million, the Minister of Sport from D'Abadie/O'Meara and other Government spokespersons are saying to us that the Government had to pay. And you have the ridiculous position now from the Attorney General saying that he is waiting for an audit from the Minister of National Security and if the audit shows that Mr. Williams did something wrong, he will prosecute Mr. Williams.

Miss Mc Donald: Imagine that!

Dr. K. Rowley: I want to ask my friend from the Upper House, when the note came to the Cabinet for \$6.8 million, why did the Government not ask for an audit then to prosecute Mr. Williams? [*Desk thumping*]

Why is it that only after this hidden information was made available by the press to the public that you now have the Attorney General talking about audit and prosecuting Mr. Williams? Any Government that blames public servants for Government's decision should be ashamed of itself.

Miss Mc Donald: Yes. [*Desk thumping and crosstalk*] And I want to ask you—

Mr. Speaker: Do not ask him, ask me.

Dr. K. Rowley: I want to ask you, Mr. Speaker, [*Laughter*] and when you see him, I want you to ask him—[*Laughter*—is this the same Government who is saying that we had to pay because it was done and they know they will lose in the court?

The AG is now saying that he is going to have to pay for damages in case they went to court with Junior Sammy. So, he knew. He knows they would lose the case. Six point eight million dollars for an old truck, he knows they would lose the case, but they did not have a problem, Mr. Speaker. The same people did not have a problem breaking written and stamped international contracts.

Mrs. Gopee-Scoon: Oh, yes. [*Desk thumping*]

Dr. K. Rowley: They broke the contract. [*Interruption*] They broke the contract for the aluminium smelter, a billion-dollar project.

Miss Mc Donald: That is right. [*Desk thumping*]

Dr. K. Rowley: They could break that. [*Interruption*] They are not afraid of courthouse there.

Hon. Member: Yes.

Dr. K. Rowley: They broke the contract for the OPVs, [*Desk thumping*] a contract assisted by the British Government, the crown of the UK; they break that with no break of stride.

Miss Mc Donald: With impunity.

Dr. K. Rowley: But they cannot break a non-written contract for \$6.8 million to bring a truck from a drain and they raised it from 15 metres to 150 metres. [*Desk thumping*]

Then he comes to our place to tell us that we the Opposition are being harsh and bad on the Government because the Government is a good Government and all we are doing is bad-mouthing the Government. [*Interruption*] This Government's actions are disgraceful day after day. [*Desk thumping*] And every time—[*Interruption*]

Dr. Tewarie: “Is how” you present the information.

Dr. K. Rowley:—you think they have sunk to the lowest level, they find another subterranean level to sink to. [*Crosstalk*]

So, now they are threatening Mr. Williams with prosecution because they have an audit to come, because it is a public servant. What public servant commits the Government to that? No! Mr. Speaker, it was the Government that quite happily accepted to pay \$6.8 million and they had options. We reject this idea of there being no options.

But one other point I want to make before tea. We are now hearing about two hospitals, one in Couva and one in Penal at \$1.5 billion.

Mr. Imbert: Imagine that, eh.

Dr. K. Rowley: Now, cast your mind back to the Scarborough hospital. It finished at about \$700 million, and what they did not say is what they forget.

Mr. Imbert: “Um-hmm.”

Dr. K. Rowley: That \$700 million included everything to operate a hospital in the end; turnkey, the building, the grounds and what is in the hospital. [*Interruption*]

Dr. K. Rowley: So, you open it and you operate a hospital.

Miss Hospedales: That is right.

Dr. K. Rowley: What are they going to be building in Couva and Penal that costs twice the price?

Mr. Jeffrey: “Aye-ya-yaye!”

Dr. K. Rowley: And they went as far as to divide the cost of the Scarborough hospital by the number of beds and were telling you about the cost per bed in the hospital, as if you build a hospital with one bed it would not cost millions. That was their behaviour.

But now we are supposed to accept that they would build one in Couva that starts at \$1.5 billion; they are going to build one in Penal that starts at \$1 billion. But I will tell you one thing, Mr. Speaker, and when you see him tell him for me, [*Laughter*] while the High Commissioner was involved in lobbying for SNC-Lavalin to be given that contract, I was watching them with an eagle eye.

Hon. Member: Yes.

Dr. K. Rowley: Because I knew before, I was being informed before, that lobbying was taking place in that quarter for SNC-Lavalin to be given that job. I believed it because I know that is the Government’s style. Lo and behold, it has happened. What he wants us to believe now and he has asked us the question today, Mr. Speaker—CCC in Canada, Canadian Government Agency, they know and they banned Lavalin from their own business. They know the World Bank banned Lavalin, but the only company that they could find to recommend to Trinidad and Tobago is the same Lavalin that they banned and it happened just so. It happened so, Mr. Speaker, because it was lobbied for by elements of the Government, and if that is not corruption tell me what that is. [*Desk thumping*]

Mr. Speaker, I will have more to say when we resume. Thank you, Mr. Speaker. [*Desk thumping*]

ADJOURNMENT

The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to July 03, 2013 at 1.30 p.m.—

Hon. Member: “Nooo!”

Hon. Dr. R. Moonilal:—when Members can, again, speak on several matters. [*Interruption*]

Adjournment
[HON. DR. R. MOONILAL]

Friday, June 28, 2013

Mr. Speaker, to serve notice, we have some tidying up to do on the Order Paper, so it is our intention to complete the debate and take the vote on Bill No. 1, the Dog Control Bill; to complete debate and take the vote on Bill No. 2, an Act to validate actions done pursuant to section 4 of the Sugar Industry Control Board; and to consider and take the vote on amendments brought from the Senate to the Anti-Doping in Sport Bill. So, those matters we intend to deal with next week Wednesday, July 03, 2013 at 1.30 p.m.

Mr. Speaker, I beg to move.

Question put and agreed to.

House accordingly adjourned.

Adjourned at 4.31 p.m.