

Leave of Absence

Friday, August 16, 1991

HOUSE OF REPRESENTATIVES

Friday, August 16, 1991

The House met at 1.46 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, I have granted leave of absence to the Member for Tobago East (Hon. A.N.R. Robinson) and the Member for Couva South (Mr. Kelvin Ramnath) from today's sitting.

PETITIONS

Church of Spiritual Metaphysics

Mr. Patrick Manning (*San Fernando East*): Mr. Speaker, I have the honour to present the petition on behalf of the Church of Spiritual Metaphysics.

I now ask that the Clerk be permitted to read the petition and that the promoters be allowed to proceed.

Petition read.

Question put and agreed to, That the promoters be allowed to proceed.

Rebirth House

Dr. Anselm St. George (*San Fernando West*): Mr. Speaker, I have the honour to present the petition on behalf of the Rebirth House for the purposes of incorporation of their association.

I now ask that the Clerk be permitted to read the petition and that the promoters be allowed to proceed.

Petition read.

Question put and agreed to, That the promoters be allowed to proceed.

ORAL ANSWERS TO QUESTIONS

LID Projects

53. *The following question stood on the Order Paper in the name of Mr. Trevor Sudama (Oropouche):*

Could the Minister of Works, Infrastructure and Decentralization state:

- (a) What are the procedures and processes involved in determining the nature and location of LID projects in various parts of the country in 1991?
- (b) What provisions has his ministry made for elected parliamentary representatives of the people to have an input in the decisions taken on these LID projects?
- (c) What criteria are used in recruiting labour for these projects and by whom is the recruitment made?
- (d) How is the accountability exercised with respect to the expenditure of public funds on these projects?

The Minister of Works, Infrastructure and Decentralization (Dr. The Hon. Carson Charles): Mr. Speaker, unfortunately, as yet I do not have a satisfactory answer to this question. However, I believe I would be able to answer the question properly to the satisfaction of the Member by next week.

Mr. Sudama: As I said, Mr. Speaker, I am willing to give the hon. Member as much time as he wishes. Of course, I would remind him that time is limited, not due to anything that I may do, but due to the circumstances of his own Government.

Question, by leave, deferred.

Government Securities

61. Mr. Trevor Sudama (*Oropouche*) asked the Minister of Finance:

Could the Minister state the total value of all securities issued and/guaranteed by the Trinidad and Tobago Government held by the Central Bank as at June 30, 1991?

The Minister of Finance (Hon. Selby Wilson): Mr. Speaker, the total value of all securities issued and/or guaranteed by the Trinidad and Tobago Government held by the Central Bank as at June 30, 1991 are: Bonds—face value \$900,000; Treasury Bills—face value \$287,600,000 giving a grand total of \$288,700,000.

1.55 p.m.

Mr. Sudama: Mr. Speaker, could the Minister indicate whether there are any other sums with respect to securities issued or guaranteed by the Government which is held by the Central Bank on its own account?

Mr. Wilson: Mr. Speaker, the answer I gave is all the information I have at my disposal and it responds to the question which was asked.

**Value Added Tax
(Receipts)**

62. Mr. Trevor Sudama (*Oropouche*) asked the Minister of Finance:

Could the Minister kindly state what was his Ministry's estimate of revenue of receipts from the value added tax in 1990, and the amount actually collected?

The Minister of Finance (Hon. Selby Wilson): Mr. Speaker, the estimate of revenue of receipts from the value added tax in 1990 amounted to \$863,300,000. The actual revenue collected from the value added tax in 1990 amounted to \$900,927,219.80.

**US Tax Code
(Funding)**

70. *The following question stood on the Order Paper in the name of Mr. Kenneth Valley (Diego Martin Central):*

Would the Minister kindly state:

- (a) Whether any funding has been approved for any project in Trinidad and Tobago under section 936 of the US Tax Code?
- (b) The terms and conditions of any such funding including the identity of the borrower and the purpose of the funding?

Mr. Speaker: The Member for Diego Martin Central is absent. We will keep this question on the Order Paper.

Question, by leave, deferred.

BUSINESS OF THE HOUSE

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Speaker, I seek leave of this honourable House to proceed with "Bills Second Reading" under "Private Business" where it is required that a committee be established; and then to proceed with the debate on the bill we were last debating in this House "An Act to Amend the Central Tenders Board Ordinance".

Assent indicated.

SECONDARY SCHOOLS SANSKRITIK SANGAM (INC'N) BILL

Question put and agreed to, That a bill for the incorporation of the Secondary Schools Sanskritik Sangam of Trinidad and Tobago and for matters incidental thereto, be now read a second time.

Bill accordingly read a second time.

Bill referred to a special select committee of the House appointed by the Speaker as follows: Dr. Anselm St. George (Chairman), Mr. Kenneth Butcher, Mr. Eden Shand and Mr. Raymond Palackdharrysingh.

CENTRAL TENDERS BOARD (AMDT.) BILL

[SECOND DAY]

Order read for resuming adjourned debate on question [August 9, 1991]:

That the bill be now read a second time.

Question again proposed.

Mr. John Humphrey (*St. Augustine*): Mr. Speaker, I am very sorry that the Member for Tobago East has sought your leave to absent himself from today's sitting. In fact, the things I intend to say this afternoon, I would far prefer to say facing him squarely, as two men, but in his absence I will continue to say what I came here to say.

Mr. Speaker, I cannot support this measure. In fact, what the Government is attempting to do by amending the Central Tenders Board Ordinance, is to go totally against the principle of accountability of a government, and the principle of impartiality in the determining of how the people's money is spent. What makes it even more traumatic is that with the principle of "once bitten, twice shy" guiding me, I cannot possibly have confidence in the NAR Government to determine, by virtual ministerial fiat, how the people's money should be spent, in bypassing the institution that was established, so that the safeguards will be built in to the whole process. What concerns me is the kind of abuse that can occur—and I am satisfied will occur—as long as this Government is in power.

I was a Minister for 11 months in 1987, and as Minister, I had first-hand experience of the interference with the process of tendering, although the Prime Minister made much mischief and sought to impress my parliamentary colleagues and the country generally, that I, as Minister, was interfering in the tendering procedures.

Mr. Manning: True or false?

Mr. Humphrey: It is absolutely untrue and I intend to clear the record. One of the allegations was related to the tendering for desilting the rivers and the drains of this country on the eve of the rainy season of 1987. I want to give the circumstances because, in fact, legislation had to be passed retroactively to legitimize one aspect of the whole exercise. *[Interruption]* I have no problem with that, that is the truth. I have no problem with it. But let me give you the circumstances.

As Minister, I got a call from a concerned resident living near to the Diego Martin river. We had an intense dry season with more forest fires than we had been accustomed to, and this resident had gone through a period in that area when the Diego Martin River had overflowed its banks and had flooded that entire area. In fact, I almost lost an automobile on that first occasion when my car was filled to three feet of water and I had to strip the engine to reinstate the car. The concern was a legitimate one. What I did as Minister, I contacted the head of the Drainage Division and I asked the engineer whether the concern was a legitimate. He advised me that the river had not been desilted for many years and he agreed entirely, that if we had initial heavy rains, that we would have had flooding in that area. Then I got in touch with the Meteorological Office at Piarco. I asked the Chief Meteorological Officer in his estimate, how soon the rains would begin. He advised me that we could expect the rains within two weeks.

2.05 p.m.

I saw a situation that was critical. I got my advisors together, my two junior Ministers included—and as far as I am concerned they will remain juniors in terms of their competence, even though they have been made seniors; they cannot fix a pothole in the country—and we identified the key players in the Government service and in the private institutions that could be mobilized to do an emergency job of desilting the main rivers and drains, within a two-week period to avoid the flooding all of us agreed we would suffer. It would have been widespread.

One of the resource people invited to the meeting which was held on a Tuesday afternoon, was the Director of Contracts. The procedure was planned with the advice of the Director of Contracts. I was particular in fact, not to offend any law wherever I could avoid doing so. What we agreed to was that since the matter was so critical, we would put in place a procedure where the private contractors would take the responsibility of desilting the main rivers and the drains of the country and, wherever the Government had resources, it would apply those resources to the various contracts, and be discounted by the value of

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that application. It was also agreed that the whole desilting process would be based on a unit cost and not on an overall contract; that we would measure the work and pay in accordance with the measurement of the work. That was all agreed to.

Mr. Manning: May I ask you a question?

Mr. Humphrey: Absolutely.

Mr. Manning: I wonder if the hon. Member would be kind enough to let us know what steps were taken to ensure accountability of the public funds which were expended in this project.

Mr. Humphrey: Every possible step was taken. We had accounting officers. I am not prepared to condemn them the way senior members of the NAR are condemning them these days. I am satisfied that they were competent and that they put everything in place to ensure that there was no abuse.

As it turned out, this meeting was called on a Tuesday at 3.00 p.m. By Thursday at 7.00 a.m. certain contractors had already arrived at certain critical sites to commence the desilting exercise. I want to say that kind of response from the local contracting fraternity of this country speaks volumes for the competence and the ability of our people. In fact, the critical one which was the Diego Martin River, is the one where Seereeram Brothers was mobilized by Thursday morning. It took them two days to get on site and get ready to start desilting.

I went to Cabinet. My junior Ministers sat with me and we prepared a note to Cabinet to get the support of Cabinet for the exercise.

Mr. Toney: One minute you can find me, the next minute you cannot find me.

Mr. Humphrey: That is a very sore point, and he is going to be lambasted for it. I started last night in Tunapuna because when I could not find him, he was not at home; he was not in his constituency office and he had not told his secretary where he was. Somebody must have known.

Mr. Sudama: Could the Member give way to a question? During the course of these perambulations, could the Member inform this House whether the Member for Toco/Manzanilla was drawing the salary of a Minister?

Mr. Humphrey: I do not understand the question. I do not know if perambulation means prams. That could well have been a consequence of his

absence. Everything was done above board. The Cabinet approved the programme and yet even up to today, I hear Members of the then Cabinet still misleading the public on that. It was a source of great pride to the NAR at the time it was done; when they wanted to achieve their own agenda, they then twisted everything. I am proud to know that as Minister, I was in a place where the whole country was mobilized in that way. At least I had a degree of credibility. That is why we were able to mobilize the country in that way.

The other specific instance related to the Scarborough Deep-Water Harbour Project. Why I am sorry that the Prime Minister is not here is because I wanted him to hear me say what I think of him. I know that we are not permitted to use very disparaging language against each other in this House, but I just want to let you know that the terms under which I consider the Member for Tobago East are all disparaging. Every description that I would want to utter would have expletives.

Let us go to the bill. We have a bill—*[Interruption]* He may one day be Prime Minister and I dare say that if he steps out of line, I would give him the same kind of treatment that I am giving the incumbent Prime Minister today. The bill gives the impression and the general society has the impression that once the Office of President is stated as it is stated under clause 3(b), the proposed section 20(2B) (b):

“(2B) The President may by Order—

(b) amend the Third and Fourth Schedules.”

that the Office of President is beyond reproach and since he has the power as written in the bill to amend the schedules that everything would be all right.

We operate under a Constitution and Members of this House are in fact pledged. We take an oath of office to uphold the Constitution and the law. The Constitution is supposed to be a written version, as close as possible, to the unwritten Constitution of the United Kingdom. The framers of this Constitution sought, in fact, to establish a constitutional structure for this country akin to the Westminster model. The President is dealt with in this Constitution under the section of Parliament and under a separate section of President. Chapter 4, section 39, “Parliament” reads as follows:

“There shall be a Parliament of Trinidad and Tobago which shall consist of the President, the Senate and the House of Representatives.”

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2.15 p.m.

It is more specific under the section of the Constitution which spells out the office of President, and under Chapter 5, Executive Powers, section 74(1) says:

"The executive authority of Trinidad and Tobago shall be vested in the President and, subject to this Constitution, may be exercised by him either directly or through officers subordinate to him:"

But we get even more specific when we go to clause 80(1), which reads as follows:

"In the exercise of his functions under this Constitution or any other law, the President shall act in accordance with the advice of the Cabinet or a Minister acting under the general authority of the Cabinet, except in cases where other provision is made by this Constitution or such other law, and, without prejudice to the generality of this exception, in cases where by this Constitution or such other law he is required to act—

- (a) in his discretion;
- (b) after consultation with any person or authority other than the Cabinet; or
- (c) in accordance with the advice of any person or authority other than the Cabinet."

So, generally speaking, Mr. Speaker, when we speak of the President having the authority to amend by order the schedules of an important piece of legislation, we are really talking about the Cabinet, a particular Minister who is responsible for that portfolio. The President has no independent authority in that regard. So we do not have that safeguard. There is no safeguard in this measure that the citizens of this country can rely on to ensure that there is no abuse of the power of the Minister.

Mr. Speaker, I want to present a case history of abuse and I want to demonstrate, in presenting this, the role of the President. You see, when the Prime Minister wanted to fire me from his Cabinet as part of a strategy, not because he had any justifiable reason, he had private meetings with members of the NAR, who were local government representatives and other activists of the ruling party and at those meetings he poisoned their minds with many distortions and untruths, one of which was that, as Minister, I was seeking to get a particular contract for a personal friend of mine, seeking to bypass the tenders procedures in achieving this. It is completely false, absolutely, totally false. Mr. Speaker, believing that

the President was the head of the Parliament and believing that our Constitution was both a spirit and a letter of a particular institutional framework, on January 4, 1988, I submitted to His Excellency, Noor Hassanali, President of the Republic of Trinidad and Tobago, a letter and a report, and I want to put it on record:

"Your Excellency,

As you are the constitutional head of Parliament, I owe it to you and to the people of the Republic to bring to your attention, acts of constitutional impropriety committed by the Prime Minister and the Attorney General and Minister of Legal Affairs.

Appended is a report on matters relating to tendering for a government contract for which I, as Minister of Works, Settlements and Infrastructure, was responsible under the Constitution, that is, Scarborough Harbour Development Project, Tobago.

At the time of my resignation from the Cabinet, I was totally unaware of the serious mischief then being done against me by the Prime Minister for reasons yet unknown to me. Appended for your information is the transcript of a tape recording that speaks for itself. Not satisfied with sowing the seeds of division and mistrust in the minds of my parliamentary colleagues in the House of Representatives, the mischief was compounded by having the Attorney General and Minister of Legal Affairs present a statement to the Senate making serious allegations against me while misleading the Senate on constitutional matters. Appended is a copy of that statement with an extract from Wade and Phillips, Sixth Edition.

I have been in touch with the President of the Senate, who has advised me that there is no provision in the Standing Orders of the Senate to enable me to reply to the charges. Appended is a copy of the letter from my Attorney to the President of the Senate on the matter and the reply of the Clerk of the Senate.

I consider that my human rights, to say nothing of my constitutional rights, have been denied me by abuses of power in ways that seem to disregard even the most basic rules of human decency. I realize that presenting this matter for your attention will be putting you through a bitter agony, but as you are a "brother's keeper", I ask you to share this burden with me in the hope that the matter can be resolved and I can resume serving the people of Trinidad and Tobago without this yoke of injustice that I am now carrying. Remedying injustice cannot be harmful either to an individual or to

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a nation. It is said that the truth will set us free and it is my firm belief that in the present political and economic crises facing our nation, we need the liberating force of truth. If the spirit of 'one love' that is the theme of the people of Trinidad and Tobago at present is not nurtured with honour and integrity at the level of top leadership, there will be no uniting of our people and our nation will not progress.

May God help us all in this task.

Yours sincerely,

John D. Humphrey
Member for St. Augustine."

I copied the President of the Senate and the Speaker of the House of Representatives.

Mr. Speaker, I have a comprehensive report on every single transaction that occurred in dealing with that project, but I am not going to quote that comprehensive report, but I have it and in fact your office also has it on file. But let me read, Mr. Speaker, the reply that I received:

"The President's House,
Trinidad and Tobago.
January 13, 1988."

This is just a few days later—nine days later.

"Sir, I am directed by His Excellency, the President, to acknowledge receipt of your letter, with enclosures, of the 4th January, 1988 and to say that His Excellency has noted the contents of both the letter and enclosures, copies of which have been forwarded to the Honourable, the Prime Minister.

Yours sincerely,"

I think it is signed by J. Tam, Secretary to His Excellency, the President. And that was it. That is the end of it.

So, Mr. Speaker, I want to suggest here, this afternoon, that the constitutional arrangements of this country are farcical, no less. If a normal citizen, outside of this so-called highest forum of the land, were offended by another citizen the way

I was offended, the matter would go to the High Court and be resolved. I would have received very, very generous damages to the libel and the defamation that was committed. But I am a Member of this House, this highest forum of the land. Some people even describe it as the highest court of the land, and I can receive no justice. So what do we do? We wait until after this life is over and then seek redress and justice in the hereafter. Is that what we do? This constitutional process is farcical.

2.25 p.m.

The Prime Minister, in fact, Mr. Speaker, is not *primus inter pares*. He is *primus*. In this country under the letter of the Constitution which does not either reflect the spirit of the Constitution or the founding principles that have informed it, the Prime Minister can make himself a dictator and can abuse his office and his authority as he pleases. He can emerge as a total despot and not even a Member of Parliament, a member of his own Cabinet can do one thing about it. That, in fact, is what we have just gone through as a nation. All we can do is go back to the electorate and tell the electorate what has happened and then the electorate has the power to decide whether they will return such an individual to office or not. That is the only redress you have in this system called a democracy.

The fact is the President is a pure figurehead with absolutely no power whatever. And it is important for us as legislators and for the public, generally, to recognize that. The Prime Minister in this system is a dictator. He is established under the law as a dictator. He can either abuse his power or use his power in the traditions that have informed the system of government that we practise in this country. But this Member for Tobago East has done no such thing.

Dr. Tewarie: I would just like to say that although the hon. Member has the freedom to speak and voice his interpretations, it is my view, Mr. Speaker, that the hon. Member is entirely wrong in his interpretation of the Constitution and his attribution of the powers of the Prime Minister and the President.

Mr. Humphrey: Mr. Speaker, the Member for Caroni East knows what I am talking about because he is a pastmaster in the abuse of power himself. He is a master at abusing power himself. But you see, birds of a feather flock together, and that is why he finds comfort working alongside the member for Tobago East. They are no different. Mr. Speaker, all I have to do is refer to the Gupta file.

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Mr. Speaker, the Scarborough Deep-Water Harbour Project is a project that I was responsible for as Minister of the Government, and my responsibility, came by means of the Constitution, the supreme law of Trinidad and Tobago. I received an instrument signed by His Excellency the President, indicating the areas of my responsibility as a Cabinet Minister of this country after being recommended for that position by the Prime Minister in accordance with the Constitution. The provision in the Constitution that enables that is section 79(1) which reads as follows:

“The President, acting in accordance with the advice of the Prime Minister, may, by directions in writing, assign to the Prime Minister or any other Minister responsibility for any business of the government of Trinidad and Tobago, including the administration of any department of government.”

And the President under the Constitution assigned to me as a Minister, the responsibilities for harbours, ports and airports. In that capacity as Minister responsible, I used my office to initiate the Scarborough Harbour Development Project in Tobago, the deep-water harbour that is not so deep.

Mr. Speaker, to initiate the project it was necessary first to source the finance. Because the way the Government operates, you cannot initiate a development project until you first source the finance. Now, it is really putting the cart before the horse. Because if you could get a project designed and you could have feasibility studies completed, you have a better chance of persuading the world's money lenders, the creditors of the world to finance your project. But if you have to source the funds before you can even initiate the very earliest phases of the project, you are really asking people to put money cat in bag, so to speak. So it makes it extremely difficult.

In fact, this is a project that was inherited from the predecessor government, the PNM. There were several projects that we inherited, one of which was the Scarborough Harbour Development Project. In the manifesto of the National Alliance for Reconstruction and on the platform both in Trinidad and in Tobago, we argued the case for the deep-water harbour for Tobago and it is part of the mandate that was given to the NAR when we got a resounding elections victory in December, 1986. As Minister responsible, I sought to deliver on all of the pledges and all of the promises contained in the manifesto and this was merely one of them.

It is purely by accident that the funds were identified to get this project started and I will give you the circumstances. When I was in charge of Sou-Sou Land

Limited, I had led the negotiations with a man named Arthur Chin Lee for Sou-Sou Land Limited, on behalf of the people of Tobago, to purchase 600 acres of his land, known as the Bacolet Estate. The Member for Tobago West was once a trusted director of the company. Our team, Mr. Speaker, of top-notch professionals prepared a land-use study for the 600 acres on the basis of design considerations agreed to by the directors. That plan, Mr. Speaker, I presented personally to the Chairman of the Tobago House of Assembly, who is today the Prime Minister of Trinidad and Tobago, to get his personal advice on how we should proceed with the negotiations to purchase the estate.

Now, first of all, he agreed that we should rally the resources of the people of Tobago, both resident in Tobago and in Trinidad and those living outside of Trinidad and Tobago. He agreed with that and the whole project embraced land use in terms of attracting the investment of Tobagonians all over the world. Mr. Speaker, we went ahead and proceeded with the negotiations, but before we had terminated the discussions and reached agreement for Sou-Sou Land Limited to rally the resources of east Tobagonians to buy the Chin Lee Estate, I became a Minister. We got involved in the campaign which was very distracting for all of us, very taxing on all of us and then I became a Minister. So I could no longer guide the board of Sou-Sou Land Limited and the negotiations broke down and then the owner of the estate decided that he was no longer going to sell the estate to the people of Tobago; that he was going to approach development of the estate on purely commercial grounds. But, Mr. Speaker, I was able to persuade Mr. Chin Lee, who is a long-standing friend of mine, to keep that component of the development relating to low-cost housing in the Sou-Sou Land mode so that the landless people of Tobago particularly, would be able to get land without a profit added to the development costs. I was able to persuade him to do that and the link that I had with Mr. Chin Lee, Mr. Speaker, was based on that.

He came to my office one day to show me two sets of architects' proposals for the development of the 600 acres. Mr. Speaker, within both of the architects' proposals, there was the allocation of the land for the landless of Tobago. He did, in fact, do that as we had agreed so the people of Tobago would have benefited in Bacolet, in the same way they benefited with New Grange.

When I saw the marine engineering facilities that the two architects had proposed—and I can support all of this by bringing the drawings of the architects at any time—I realized that they were very similar to the marine engineering required in the Scarborough Deep-Water harbour Project and I had a document

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on my desk relating to that project and I opened it and showed it to him. I did not think that he was interested in tendering for that project. I only showed it to him as a matter of interest. He then told me that he thinks he can source the finance to get that project going. He gave me a call sometime later to indicate that he had sourced \$50 million because he was a director of one of the leading insurance companies in this country and he had very close connections with directors of some of the other leading insurance companies of this country. He had sourced \$50 million. However, those who were interested in financing the project would not be prepared to commit themselves until they looked at all of the terms.

When the terms of the design/finance/construct proposals that the PNM had structured were put to them, they rejected them. They said they would not be interested in financing any project on those terms. I then had a meeting with some of their financial advisors to ask them what they would propose that the Government do to make them interested in financing Government projects, and they came back to me with a very comprehensive report on proposals. I then submitted that to Cabinet with a note and Cabinet endorsed it. So the financing of government projects, Mr. Speaker, was enabled by that little exercise.

Then I discovered sometime later that a firm named Realsons Limited was tendering for the Scarborough Deep-Water Harbour Project and Realsons Limited is in fact a company owned by Arthur Chin Lee. The procedure that is required under the Central Tenders Board Act for awarding a contract is that the responsible ministry puts together the whole engineering package, with all the details, all the specifications and designs and submits that to the Central Tenders Board and the Central Tenders Board invites tenders through public advertisement. That is the procedure. The Central Tenders Board before inviting anybody, whether local or foreign contractor, to tender for a project, does a pre-qualifying exercise. They pre-qualify all of those who are interested in bidding and only those who are qualified in the opinion of the technical advisors of the Central Tenders Board and the Ministry are accepted. If you are not competent to do the job, you will not be invited to bid. So anyone who was invited to bid, had been pre-qualified and their competence had been evaluated and the technical people and the Central Tenders Board were satisfied that they could execute the job. This firm of Realsons Limited was an amalgam of several different companies owned by Arthur Chin Lee and it submitted a tender.

Let me give you the tenders that were submitted. Now, these were the adjusted prices. Realsons Limited, \$38,516,551.82; Seereeram Brothers Limited,

\$49,883,800.00; George Wimpey (Caribbean) Limited, \$50,769,871.00; Design construct Management Associate Limited, \$51,696,622.00; Daito Kogyo Company Limited, \$54,176,506; Kier International Limited, \$55,984,254.00. The lowest was Realsons Limited by over \$11 million and the second lowest was Seereeram Brothers by about \$900,000 below the third lowest. The Central Tenders Board Ordinance requires, Mr. Speaker, that the Government accept the lowest tender unless there are compelling reasons not to accept. But you cannot, after you pre-qualify contractors and invite them to tender, use as one of the compelling reasons that they are not competent because you have already judged that.

I went to Cabinet continuously while this project was being formulated and I did absolutely nothing as Minister without the complete support of the Cabinet. The junior Minister was not a member of Cabinet. He did not have a clue as to what was going on. Mr. Speaker, on an occasion when I went to Cabinet, the Prime Minister brought a note to Cabinet taking the responsibility of the project away from the Minister and vesting it in the Tobago House of Assembly. Totally arbitrary act.

I advised the Prime Minister I had no problem with that. I advised him in writing that he should take the responsibility away from his Minister. Under the Constitution as Minister I had the responsibility. I was very frank and honest and I told the Prime Minister exactly what the situation was. I withheld absolutely nothing. People say I am a little too honest for my own good, but I cannot believe that is true. When the Prime Minister did this, Mr. Speaker, his note contained a lot of misinformation, a lot of distortion and what I discovered was that there were certain people in the Cabinet who had a vested interest in giving this contract to Wimpey. The two men in the Cabinet, Mr. Speaker, who did everything possible to frustrate the awarding of this contract to the lowest tenderer were the Prime Minister and the Member for Ortoire/Mayaro.

Motion made, that the hon. Member's speaking time be extended by 30 minutes. [*Mr. R. Palackdharrysingh*]

Question put and agreed to.

Mr. Humphrey: These were the two men, Mr. Speaker, who were determined that the contract should not be awarded to the lowest tenderer or even to the second lowest tenderer. Wimpey had to get the contract by hook or by crook. And I think it is by hook and by crook, because there is something very questionable about the Wimpey tender; very, very questionable.

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Mr. Speaker, the Realsons' bid included purchasing in the United States all the equipment required for executing the job and that equipment would have stayed in Trinidad and Tobago to continue to do other marine construction work. You are talking about barges. You are talking about pile driving equipment and you are talking about a special tug. You are talking also about establishing in Tobago the infrastructure to enable this type of project. It is major infrastructure. A mini port had to be constructed to extract the big boulders to be able to build the break-water and this contractor Realsons, promised, in fact, to give that to the people of Tobago as a gift at the end of the project. He was going to put in a cable network to extract the boulders transferred by cable so as not to destroy the roads of Tobago in the execution of the contract.

But let us look at the foreign exchange components of the respective bids. And this is perhaps where we will understand why certain people in the Cabinet were so keen for Wimpey to be the contractor. Realsons Limited tender price \$38,516,551.82, foreign components, \$8,500,000.00 which is 22.1 per cent of the total contract sum. George Wimpey (Caribbean) Limited tender price \$50,769,871.10, foreign component \$15,270,000.00. Mr. Speaker, they were renting from their own company the equipment to bring in to Tobago and to take it out afterwards where the people of Trinidad and Tobago would not have received any long-lasting benefits. Why the difference? Why that tremendous difference in foreign exchange in the bid? I can only come to one conclusion; that there was a monumental payoff. It is the only conclusion I can reach; a monumental payoff and George Wimpey, Mr. Speaker, is known all over the world as being the biggest briber of governments to get contracts. There is a scandal now in France. They are being exposed for bribing a government Minister. *[Interruption]* They can stand and reply. Are you on a point of order?

Mr. Richardson: Yes. Let me state, Mr. Speaker, I know absolutely nothing of what the Member for St. Augustine is speaking about. The only time I have ever had cause to interfere with or to investigate the Central Tenders Board was in 1978, in contracts relating to Nariva/Mayaro Council, as a result of which there was a case and there was a conviction. I say this for the purposes of the record and to clear my name.

Mr. Humphrey: That is not a point of order. He must explain to this House why he went to the Senate to mislead the Senate. He must explain that.

Mr. Richardson: That is also untrue.

Mr. Humphrey: I have the facts—quoting Wade and Phillips 6th Edition. There is no such quotation in the volume. It was an invention of his to justify the irregularities that he and the Prime Minister were conducting.

Mr. Richardson: On a point of order again, Mr. Speaker. That also is completely untrue. There was an error in a page that was quoted and that error was corrected. *Hansard* is very clear on that.

Mr. Humphrey: Mr. Speaker, please do not permit him to rise on points of order where this is concerned.

Mr. Richardson: Mr. Speaker, once he stands in this House and mouths untruths, I will always get up on a point of order. He will not deny me that.

Mr. Humphrey: The Cabinet took a decision but not a Minister would make a statement in Parliament until Cabinet vetted the statement. The statement that he made in the Senate was not vetted by Cabinet prior to his making it. It was vetted by the Prime Minister. They sat together and they contrived the statement, Mr. Speaker. And then he went to the Senate and misled the Senate. I have the proof. I have it all here. I have Wade and Phillips, 6th Edition. I have the quotation. Mr. Speaker, the then Attorney General and Member for Ortoire/Mayaro is highly suspect where this is concerned and there is evidence in his past to indicate why those suspicions should be seriously considered.

When work was done here in this Red House, this Parliament building, by Wimpey, there was no Cabinet approval. A totally open-ended arrangement was made by the then Attorney General with Wimpey.

Mr. Richardson: Point of order, Mr. Speaker. Again, that is completely untrue. There is not an iota of truth in that.

Mr. Humphrey: Mr. Speaker, the Member for Ortoire/Mayaro has absolutely no credibility and there is no way he can present himself to the electorate of the country and pretend to be Mr. Clean because there is nothing clean about him. He distorts the truth and his only concern is holding onto office. He is not even competent as a legal advisor to the Government.

Mr. Speaker, proof of government interference in tender procedures is in this document which I have in my hand. I have in my hand, Mr. Speaker, a document entitled, “Scarborough Harbour Development Project, Tobago, Report on evaluation of tenders, prepared by Robert S.C. Goodwin, Caribbean Development Bank, dated January, 1988. Let me read the introduction:

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“In April, 1987, the Central Tenders Board (CTB) of the Government of Trinidad and Tobago, invited tenders for the construction of the Scarborough Harbour Development Project, Tobago. The procedure used was that of open tendering under which the tender issue was advertised by public advertisement in Trinidad and Tobago press. A total of six tenders were received by CTB within the stipulated closing date of June 22, 1987. The six tenders were evaluated by consultants Lee Young and Partners who had been engaged in September, 1984, to provide engineering services for the project. The project dates back to 1984.

The consultants’ tender evaluation report was submitted to the Ministry of Works, Settlements and Infrastructure in July, 1987. In August, 1987, a separate tender evaluation was carried out by a project team set up by the government and the report was submitted to the Permanent Secretary, Ministry of Works, Settlements and Infrastructure on August 17, 1987.

A third tender evaluation report was prepared by the Trinidad and Tobago Oil Company Limited (TRINTOC), on the request of the CTB. Trintoc's report was submitted to the Director of Contracts, CTB on December, 21 1987. The tender evaluation reports prepared by the consultants and the project team respectively, made different recommendations with respect to the award of a contract for the construction of the works. The Trintoc report did not make a recommendation. In December, 1987 the Caribbean Development Bank, (CDB) received a request from the Government to:

1. Carry out an independent evaluation of the tenders received for the construction of the Scarborough Harbour project; and
2. Submit a report to the Government on the results of the evaluation with a recommendation for the award of a contract for the construction of the project.”

2.55 p.m.

Mr. Speaker, I want them to show me where in the law the Government has the power to bypass the Central Tenders Board and invite evaluations and recommendations for the award of contracts. Listen to the recommendation of the Caribbean Development Bank expert which, of course, has the support of the bank itself:

“It is recommended that with respect to the Scarborough Harbour Development Project, Tobago, the contract for the construction of the works be awarded to the firm of Seereeram Brothers Limited.”

That was the recommendation. Trintoc did not recommend anyone. They did a mere evaluation. But Seereeram Brothers, which was the second lowest tender, was recommended by the Caribbean Development Bank. But who got it? The corrupt firm of Wimpey.

While I was Minister I had made a statement that as long as the Trinidad construction fraternity could execute a Government project and I was Minister responsible, no foreigner would get the contract. That is a statement I made. That was a policy of the Ministry. In fact Wimpey followed up on that and sought to persuade me to include them as local contractors. I told them, “if you sell your shares on the local market, if you make your workers shareholders of your company, I would consider you as a local contractor”. But in response to that, I got a letter from the General Contractors Association of Trinidad and Tobago dated November 3, 1987, addressed to me, as Minister and I quote:

"Enclosed is a copy of a letter from the Ministry of Works and Housing in Bermuda, which clearly outlines their Government's policy with regard to local contractors. As you know, our Association has been trying to get our Government to adopt a similar policy and would once more ask that you take this matter up with your Cabinet colleagues."

But let me read for the records, a letter from the Minister of Works and Housing of Bermuda, addressed to the Trinidad Contractors' Limited, one of the members of the General Contractors' Association of Trinidad and Tobago:

"Your letter of the 18th September, addressed to the Minister of Finance has been passed to me for attention. Presumably, your enquiry has been addressed to Bermuda in the hope that you may be able to compete for some construction projects which are undertaken by Government in the island. The Government's policy is that only local contractors are invited to tender on Government projects. Sometimes such a contractor will enter into an agreement with a large organization from overseas and the project will be carried out jointly. But overseas companies are not invited to bid directly."

That is Bermuda. But in this country, certain people in the Government preferred Wimpey over and above our own local contractors who could have done the job. But you know, one of the reasons given for not awarding the

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contract to the lowest tenderer, was that they were not competent to do the job, and this local contractor, Mr. Speaker, did, in fact, establish a working relationship with a contractor in the United States, in Houston, Texas; a contractor that had done many similar jobs, in fact, jobs that were far more complex and far larger.

I have a copy of a letter in response to an invitation that was extended to the Carlton Construction Corporation of Houston, Texas to participate with Realson in the project. I quote:

"We have reviewed the plans and specifications for the above-referenced project and confirm that we are prepared to furnish all the technology and expertise necessary for the construction of this job. As agreed we will put on site one of our senior field personnel, Mr. Carl Heunemberg—who has approximately 40 years experience in this type of project. We will also have one of our engineers, Steve Bosley, make periodic visits to the job site to ensure the proper execution of the project.

If we can be of any further assistance, please contact us."

That is not the particular letter I wanted to refer to. The letter I wanted to refer to is the one that stated that they considered the project too small for a partnership relationship, an association, in executing the project. That project, Mr. Speaker is a very simple marine—engineering project.

The Member for San Fernando East is asking the present cost. I have no idea what it is today, but the project is not yet finished and the cost is continuing to escalate. The figure that is thrown around is about \$100 million.

Mr. Speaker, the Member for Tobago East spoke to everyone of my former NAR colleagues privately and told them that I was acting corruptly as Minister, seeking to get a job for a friend of mine. I want them to tell me how a minister of the Government can share corruptly, in cost-savings on a contract. How is that possible? How do you proportion minus \$13 million which was the initial sum? But you see what they sought to do what the so-called hon. Member for Tobago East—I know you will object to "so-called", but that is how I see him—sought to do was to destroy my good name.

Mr. Speaker: He is the Member for Tobago East.

Mr. Humphrey: He is the Member for Tobago East but I would not say "honourable". I would just say "the Member". He sought to destroy my reputation

in this country. He had the power merely to write a letter to the President advising him. He met with the Member for Caroni East and the Chairman of the party, Sen. Atwell, and I have it all transcribed from the horse's mouth, a group of conniving, actually disgusting people, Mr. Speaker. If you do not like the word "disgusting", I would withdraw it. So you see, Mr. Speaker, you cannot trust this Government with the power to award contracts, or any minister of this Government, as the bill is attempting to do.

Mr. Speaker, I think I have presented a comprehensive enough case to demonstrate why the Government, under the Member for Tobago East, A.N.R. Robinson is not to be trusted with the people's money and that we cannot risk in these last days of the life of this Government, passing legislation that gives them this kind of power. You know, as if the bill were not enough, they came with an amendment that extends the responsibilities to be granted to the Minister, with the construction of physical facilities, in other words, the awarding of contracts to Wimpey to build the new barracks for the regiment and that sort of thing. I mean, surely, they have enough by now. Surely, the Member for Ortoire/Mayaro is wealthy enough today and does not need any more money.

Mr. Humphrey: I am sure that O'Halloran and Prevatt did the same thing.

You know, Mr. Speaker, when the Member for Tobago East and the Member for Ortoire/Mayaro were seeking to ensure that Wimpey got this contract and were interfering in the work of the Central Tenders Board—

Mr. Richardson: Mr. Speaker, on a point of order. I object to that. That is totally untrue. There is not an iota of truth in that.

Mr. Humphrey: Mr. Speaker, the peculiar thing is that the Central Tenders Board did not, in fact, meet to take a decision. The decision was taken up by round robin and that decision was taken on the interference of those Members.

Mr. Richardson: I declare my assets every year.

3.05 p.m.

Miss Nicholson: On a point of order, Mr. Speaker. I believe that the character of the Director of Contracts is being tarnished here this afternoon. I believe that the Member should bring his documents to prove his points here because I will be dealing with him comprehensively.

Mr. Humphrey: There was direct interference in the work of the Central Tenders Board and not by me. I did not interfere with the work of the Central

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Tenders Board. It was when a group of people got together to evaluate on behalf of the Ministry, did their evaluation, and when I examined it, I saw many errors expressed. I called a meeting of that group and pointed out all the errors. Those very errors were included in the Prime Minister's Note to Cabinet, taking the project away from the Minister of Works, Settlements and Infrastructure and giving it to the Tobago House of Assembly.

Miss Nicholson: Sure, and you wrote Jeff. I have the letter. I will be dealing with you this afternoon.

Mr. Humphrey: I will happily quote that letter because Tobago would have been the beneficiary of spending far less money than was spent, of establishing Tobago, it would have benefited from the infrastructure for producing all kinds of engineering components for future work of this kind and the Tobago people would have been the beneficiary of the Bacolet project. Let me explain that aspect of it to you. The reason Realsons came in at \$13 million cheaper than anybody else, is that they were sharing the cost of the project with his private project at Bacolet Estate.

Miss Nicholson: On a point of order, Mr. Speaker. He wanted to help his colleague on his own private business on Bacolet. The man had business to do on Bacolet, and, therefore, he wanted to do that to help his own hotel development. I am a party to the business so I know what the Member is talking about.

Mr. Humphrey: Mr. Speaker, the Member for Tobago West is demonstrating her total and absolute ignorance of the benefits of development. If the people of Trinidad and Tobago could have saved \$13 million in the execution of the project and a local contractor could have executed the project, keeping in this country all that is required to do similar projects, who would have benefited? The Bacolet beach is one mile long and only a tiny part of it sheltered by a place called "Minister's Point" is safe for bathing. That is because the prevailing winds blow straight into the bay and it is constantly rough. A breakwater similar to the one built in Scarborough was to be built there to make the entire beach accessible to the people of Tobago and to the visitors to Tobago. Who would have been the beneficiary?

Mr. Sudama: Wimpey.

Mr. Humphrey: Wimpey are the ones who benefited and they shared their benefits with certain select people and I have no doubt about that. One day I will get the evidence.

Hon. Member: You are talking without evidence?

Mr. Humphrey: Yes, the Prime Minister was talking with evidence. Let them justify over \$7 million plus in extra foreign exchange for that contract.

The Member for Tobago West sought to inject an aspect of this, thinking that she was getting at me. I want to advise this House that every single piece of correspondence that I have, and I have the letter written to Dr. Jefferson Davidson, the then Chairman of the Tobago House of Assembly—*[Interruption]*

Mr. Panday: Is it a crime to have lunch?

Mr. Humphrey: Yes, we had lunch together in the Twin Towers. I pointed out to the Chairman, the very benefits that I am pointing out to this Parliament right now. I will give you an example of the benefits.

While I was Minister, in Trinidad there were four pre-stressed concrete plants established in this country to produce very similar components—piles and wide span beams. One had been abandoned adjacent to the Butler Highway by a firm called Teamwork that had been contracted by the previous regime to build that highway. That plant had been earmarked for transfer to Tobago for the purpose of producing components for middle-type construction: sea defence, the construction of marinas for the anchorage of boats. Similar construction in fact to the harbour project where, instead of building the dock site with interlocking steel piles that had to be imported, we were considering the possibility of manufacturing reinforced concrete sheet piles that could do the same job, utilizing local materials. That is part of what I was pointing out to Dr. Jefferson Davidson as a benefit that Tobago would derive.

I also pointed out to him that the firm of Realsons was headed by a person that I knew who was a personal friend of mine, and I knew his competence and his capability and that he was fully competent to do the job. I had in fact, as Minister, investigated the competence of the particular engineers that had been offered to Realsons by the firm in Texas and this had been done independently by a firm of engineers in New York. The advice that I received—and I have the curriculum vitae of the two engineers who were recommended—was that they were both highly competent and experienced engineers in that type of construction, both having worked with the US Army corp of engineers for many years, one with 40 years of engineering experience.

Mr. Toney: I thought you only wanted local people.

Mr. Humphrey: Yes, Wimpey is local.

I cannot find the letter but it is available for anyone who is interested. I do not think that I brought it on this occasion, but it is certainly available.

Mr. Speaker, the long and short of it is that Tobago missed a golden opportunity because certain Members of the Government, including the Prime Minister, the representative for Tobago East, insisted that Wimpey get the contract to build the Scarborough project. Wimpey is not interested in Tobago's development.

Mr. Manning: Let me ask you a question: Are you saying the Prime Minister or the Minister of Finance, under whose portfolio the Central Tenders Board falls? Which one is it?

Mr. Humphrey: The Prime Minister at the time was Minister of Finance and that is the bottom line. I was fired for reasons, which up to today, I am not aware of. I am still unaware of the reasons for my being dismissed from the Government. I am aware, however, that my junior Ministers spent more time reporting back to the Prime Minister undermining me as a Minister than doing their work. In fact, the Member for St. Joseph privately endorsed all the things that we decided to do but was critical of me for my style. My style is what got us to this position that we have today. I was able to persuade the people of this country to vote for the NAR and I am going out there to persuade them to vote against the NAR to ensure that you all will never again see the light of day, never again return to this hallowed place.

Dr. Charles: Mr. Speaker, I want to indicate to this honourable House that with respect to the comment about undermining the Minister, I know of no such thing. I would be very happy if the Member would leave such things out of his contribution. I am listening very intently.

3.15 p.m

Mr. Humphrey: I am not a minister anymore, but I accept that he recognizes me as a minister.

I have expressed the bottom line in this argument and the conclusion is that this country and this Parliament cannot trust that Government to bypass the Central Tenders Board in the award of any kind of contract, regardless of what it is.

Mrs. Muriel Donawa-McDavidson (*Laventille*): Mr. Speaker, in principle, the objectives of the Central Tenders Board Ordinance are desirable, insofar as the bill seeks to safeguard the confidential or security aspects of procurement of the protective services. However, the objectives could have been achieved by allowing the Central Tenders Board to operate on a sole selective tender basis, rather than open competitive bidding. The Government could also use, in my opinion, the mechanism for sole selective tendering. I guess that when I am finished the Minister will see the wisdom, or he would better be able to convince me.

The reason for suggesting the sole selective tendering is that of the arguments made in the contribution of the hon. Minister for National Security, Member for Toco/Manzanilla, of the problem and difficulties which they experience with the Central Tenders Board as it is now constituted, hence my reason for so suggesting the sole selective tendering. According to the bill, selection of a contractor to supply the items listed in the schedule will have to be on a sole or single contractor basis. Exposure of the specifications to a large number of contractors will undermine the confidential nature of the procurement process. As a result, nothing is really gained by the introduction of the bill.

With regard to the length of time the Central Tenders Board takes to award contracts, this is very often, from my own experience, the fault of the ministry concerned insofar as it takes much time for ministries to evaluate and advise the Central Tenders Board. The ministry and the Central Tenders Board could be directed to expedite such matters whenever they occur. It does not seem to me to require even an amendment to this bill.

The bill is silent—and I just went through and through again, the Minister's contribution on the mechanism that will replace the Central Tenders Board. Will the new mechanism be a one-man show with the obvious disadvantage of such arrangements? Or will it be a group or committee of independent persons, or a committee from among the protective services? Notwithstanding the objectives of maintaining confidentiality, will the new arrangements inspire public confidence? Will the value for money—taxpayers' money—be received? What provisions will be put in place to ensure that the best available sources of supply are used before awarding the contracts? What provisions will be made for redress or appeal where contractors honestly believe that they were unfairly treated or discriminated against in the award of the particular contract?

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Who will be responsible for the new mechanism to ensure accountability? Will the enactment of the bill create a situation of jumping from the frying pan into the fire, insofar as accountability is concerned? Would it not then be better to strengthen and update the Central Tenders Board Act and regulations to be in tune with modern requirements, particularly, as the Minister made the point in his contribution, that the times have changed and there are many advanced methods for the procuring of confidential equipment, especially where the protective services are concerned?

I hope that the Minister could enlighten me, really, because his contribution on the bill is silent on the matters that I have raised here this afternoon.

Mr. Kenneth Butcher (*Barataria/San Juan*): Mr. Speaker, when this bill came before me on the Order Paper, I did not believe that it would raise so many arguments. I did not realize that we would have so many accusations, counter-accusations and points of order to clear statements. I thought it would have been a very straightforward amendment to the Act. We have had the Leader of the Opposition raising an issue of a firm that was victimized and he was hoping for some sort of action. All of this, within the present structure of the Central Tenders Board.

We have had the Member for St. Augustine making accusations, and again, highlighting interference in the Central Tenders Board, under the present structure.

In sport, we normally—in building a system—look at the members of the team we have and we build a system around them. In the Central Tenders Board *[Interruption]* Yes, well that just goes to show your ignorance in terms of sport. So what I would suggest to you, is that you just listen a while and learn something. That is what I would suggest to you. *[Interruption]* When you make your contributions, I am very quiet and I listen to you. All I would ask, Mr. Speaker, is that the honourable Member of Parliament for Oropouche just pay me the same respect that I normally pay him.

Mr. Sudama: Mr. Speaker, I want to correct the Member. On a point of order. I want to tell him that his accusation of ignorance about sports is not at all justified. I represented the university I went to in England, both in cricket and in football. I want to put that on the record.

Mr. Butcher: Mr. Speaker, the Member for Oropouche went to the university but it would seem as though he wasted his fees. Let me explain to him and if he listens carefully he might understand.

3.25 p.m.

What you do is that based on what you have, you build a system. What I was suggesting is that under the present situation and in terms of where you can select and train people; it is the other way around. You develop a system and put in your measures to ensure that you do not have corruption; that you have accountability and all these things in place. You try to get competent people from across the board to do this work.

What we are dealing with, in terms of the structure of the Central Tenders Board, is that we are looking at the integrity of the people most of the time to ensure that the system works. When we look at the presentation by the Minister of National Security, he indicated that the prime reason for coming away from the Central Tenders Board was that time was changing and, therefore, the laws needed to be changed. He said that this Act was passed 30 years ago in 1961 and in order to keep abreast we needed to change the laws. I think that his arguments could have been deeper as to why he wanted to change the law. Just stating that because of 30 years' time one had to change the laws, I do not think that did justice to the argument or why we should change the Act.

The point which I want to make this afternoon is that based on the contributions by the Leader of the Opposition, the Member for St. Augustine and other Members, it would seem as though we have problems with the Central Tenders Board. Any measure to ensure that we have the smoother running, more efficient handling of purchasing and the time delivery of these things, I would support.

My own experience, even coming out of things which happened in the Ministry of National Security in terms of items being delivered on time, will also make me want to support the bill. I will give you an example. Some years ago there was a helicopter that was purchased coming under the Ministry of National Security. There was a modification to be done to the helicopter because the helicopters of a similar kind in other countries were experiencing difficulty. There were a few crashes or they had some serious problems. There was a modification to be made which was not made. There was a subsequent modification to that and that was also not made. We had two of our pilots in

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Trinidad and Tobago having to crash land in one of the playing fields down in the Western peninsula. They could have lost their lives.

That was part of the problem in terms of getting delivery and that was the point that the Minister of National Security was making in terms of delivery and having these things on time. I think it is very, very important. If the amendment will create an improved delivery service, I will support it but I am concerned again about the structure.

The Minister of National Security said that the rules will come later on. He did not bring the rules and I am concerned about that. I wish that in presenting the case the rules were here, so that we would have most probably made comments and suggestions to him and the Parliament would have contributed to the formation of the rules.

I suggest to him, therefore, that in the formulation of these rules, that maybe we should have two structures: a structure representing or made up of people representing the different services whereby you will have the suggestions or the needs of the different agencies, Fire Service, Prison Service, Defence Force, Police Service, *et cetera*, those coming as suggestions as part of their budgets. Then we should have some kind of advisory body or watch-dog body to look at that carefully and question the requisitions. If you have that, I will be happy and would want to support the bill even more.

My other major concern is that when I saw in the amendment that we were going to include as item 9 of the Third Schedule the following: 'Construction of Physical Facilities'. In that "Construction of Physical Facilities", I think the Minister took advantage and indicated that we were going to build Camp Mucurapo.

Mr. Toney: With the greatest respect, I think that I did mention throughout the presentation that the whole question of Camp Mucurapo was on the cards. It is a project that we at the Ministry are now busily looking at. I did not take advantage of this debate to mention it.

Mr. Butcher: I am concerned and I would ask the Minister of National Security and Cabinet as a whole, to reconsider Camp Mucurapo very carefully. I will go so far as to recommend that we do not have Camp Mucurapo and I will give you the reasons.

The first point is that the lands where Camp Mucurapo would be built is roughly about 16 acres. It is the last remaining set of lands in the North of

Trinidad, certainly in the Western part of Port of Spain left for sport and recreation. The Land Use Development Plan will show you clearly that we have no more land left for sport and recreation west of Port of Spain.

When we were looking for land for the national body of hockey, when we were relocating them from St. Ann's, we could not get any land at all in Port of Spain. The only land that we have left for sport and recreation is that 16 acres. That land was already earmarked for another phase of development of our national facilities. We have the Jean Pierre Complex, and the National Stadium. We were going to put either swimming or cycling or something like that on those lands. I cannot understand why we are going to take the remaining land for sport and recreation in this country, in the western peninsula and put a camp there.

More than that, let us look at the siting of Camp Mucurapo. Is it sound reasoning to have a camp which is close to the sea coast? It means that you will have to protect yourself while you might be protecting a border. There is one road on the eastern side; one on the northern side; a cemetery behind with walls that you would have to most probably now, keep under surveillance; there is a school immediately adjoining those grounds; there is the National Stadium next to that; all the service clubs like Lions and Maple and all these clubs surrounding there; there is a mosque adjoining that. I could not really understand who are the gentlemen who came up with that recommendation to have Camp Mucurapo in the first place.

I want to state that the sporting people in Trinidad, I am sure, while very tolerant and understanding, when these plans are presented to them—while sportsmen are not known for massive protests—I am sure that they would be very, very concerned and very disillusioned with the Government if we were to do that. I want to make a special plea that we forget Camp Mucurapo.

You want to relocate Teteron—Teteron is administration; you have military training that takes place; you have the recruits coming out from there. I do not see that taking place in Camp Mucurapo in conjunction with the schools and all the other places which I spoke about. It is not well suited for it.

3.35 p.m.

We have Camp Ogden. We are spending money in upgrading Camp Ogden. It is a tactical unit. We also have Camp Cumuto in Wallerfield, which is a tactical unit. So if we are going to relocate Camp Teteron, what I am suggesting is that you split the services of Camp Teteron, put part of the administration in Camp

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Ogden and put part of it in Camp Cumuto. Therefore, we will have two self-contained units. Today or tomorrow if what happened in 1990 recurs, God forbid, we will not be isolated because we will have units that can operate on their own strengths. If we do not go that way, it means that by closing down one you can close down the entire actions of the thing. Even if you want to go down to South, but right now you have Camp Cumuto, which is centrally located and you have the room for expansion. We are spending money right now. What are we going to do? Stop spending money on that? Are we going to reduce the expenditure we have to now upgrade or build or establish Camp Mucurapo?

I am very, very concerned about that particular spot and I am asking the Minister, I am asking the Cabinet Ministers, to reconsider Camp Mucurapo. It is a no-go. It is the last 16 acres of land that the sportsmen of this country have; it is the last open area where people would be able to recreate. It is better that we look at the prevention of crime rather than the cure. We are building more prisons, we are building more army camps—that may be the curative aspect, but I am saying, let us look, maybe, at the preventative aspect and spend some time in the direction of sports. We might not be able to develop it now; we might not have the funding for it, but, please, let us not give the country the impression that we are only establishing Camp Mucurapo because of the events of July 27. That is the impression that I am getting; that is the impression that the public will get. I cannot see any justification for putting that place there. The only justification we have is because we had some kind of activity that was not in keeping with law and order coming from there and we decided to put an entire camp there. If you want, put maybe a police post or something small there, but we definitely cannot put a large facility like that. We are just wasting time and we may live to regret it. I wonder if we had other acts like that in other parts of the country—God forbid—what would we do? Would we put camps all around every time we have something like that? I cannot see the good sense behind it.

Mr. Speaker, I know we need to have a really efficient National Security Ministry. However, the points could have been a little more detailed and I hope the Minister in his winding up will give some more details. It might be unfair to us who made comments earlier on, but I feel that he needs to go in a little more depth in terms of explaining the reasons really. I know many of the reasons from my standpoint, that it could be a good thing. Certainly, the security equipment that he mentioned, certainly the timing of these things, the military people themselves will know the urgency of these matters and they will push to have them delivered on time.

I think at times maybe the Central Tenders Board is overworked. He did not give us an analysis as to why we need to move away from them, but we would have to set up something similar in the Ministry of National Security to vet these things. He did not explain to us what were the problems of the Central Tenders Board. In his contribution he said that he had full confidence in the Central Tenders Board and having full confidence in them, if they are not working effectively and efficiently, we should be able to analyze why and deal with the problems, because it means that other ministries are going to suffer. I see the Ministry of Health took a roundabout manner as well, by establishing a task force. That, as well was to get things done quickly and effectively. So maybe the Ministry of Health will do it, the Ministry of National Security will do it and then we will have to look at other ministries doing it piecemeal. It means that something is wrong with the Central Tenders Board. It is either the people whom we have or the system. Check both of them. Let us analyze it and deal with it and put something that will work.

Mr. Speaker, I wait for the Minister to give us some more information. Thank you very much.

Mr. Trevor Sudama (*Oropouche*): Mr. Speaker, I rise to support the Leader of the Opposition in his contention that this bill is not justified and that the Minister, in his presentation, has not given sufficient reason to this House why we should support this measure and why we should exclude the matters in the bill from the ordinary procedures of the Central Tenders Board operations. If the Central Tenders Board is satisfactory in terms of its operations in every other sphere, how come its processes are not satisfactory for the particular reasons that you have been mentioned? I believe he is relying heavily on the security aspect of the operations which could have come under the purview of the general public. But then another ministry could come up with a similar argument that they need security, that the Central Tenders Board is inefficient, it is time-consuming. Therefore, what we are going to have is a procedure of operating by exceptions. You can make many arguments why certain things which come under the purview of different ministries should be precluded from the supervision of the Central Tenders Board. So that what the Government as a whole has to do is to make a satisfactory justification in this particular case. I do not think this justification has been made and as the hon. Leader of the Opposition has indicated, there seems to be some ulterior motives involved in bringing this bill to Parliament.

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The other issue I want to raise is this whole question of the integrity of people who are appointed to the various so-called independent boards, institutions and commissions of Trinidad and Tobago. Once you question the operation of these institutions like the Public Service Commission, or the Police Service Commission or the Teaching Service Commission or the Central Tenders Board, immediately the response from the other side is—and when the PNM was there it was the same response—"you are attacking the integrity of the members of these boards, commissions and institutions". Mr. Speaker, we, on this side here, are not attacking the integrity of anybody. But what I want to point out to this House is that the tendency to corruption is perhaps very widespread in the population. If we were to believe the "Good Book" the first time Adam was tempted, he succumbed to temptation and, therefore, it should be a trait which exists in all mankind. Merely by appointing a person—*[Interruption]* The Member for Tunapuna, quite apart from his other deficiencies—Mr. Speaker, I do not want to be distracted here—but that was what was involved. I could have taken it myself.

Mr. Shand: On a point of order, Mr. Speaker. The hon. Member is violating the laws of graciousness because the Member for Tunapuna conducted himself admirably as a medical practitioner.

Mr. Sudama: I merely want to tell him that the Prime Minister up to this date has not acknowledged that.

3.45 p.m.

[MR. DEPUTY SPEAKER *in the Chair*]

What I am saying, Mr. Deputy Speaker, is that the tendency to temptation is probably very widespread throughout mankind and members of this society. Merely by taking a person, a man or a woman and placing him on the Central Tenders Board, does not eradicate that tendency, that potential; or placing him in the police, or the Public Service Commission or any such institution which is regarded by our Constitution as independent. What I am saying is that there ought to be checks and balances in the system. And where there is reported abuse in the operations of these boards and institutions, there ought to be some measure of redress within the system. Otherwise, what you are saying is that there are some people in this country who cannot do any wrong. You are making a moral judgement and you making a legal judgment as well, that they cannot do any wrong and are beyond scrutiny and investigation.

The Member for Couva North has made the point that in several cases the Central Tenders Board has awarded contracts to firms which are other than the lowest tenderers without providing justification. Are we saying that all that we do as a Parliament is merely accept the word of people that, yes, their judgment has been correct and their judgment ought not to be investigated and monitored? Because once you take that position, what you are doing is creating a system of closed government where executive authority and executive decisions cannot be questioned and where, in fact, you are institutionalizing a kind of dictatorship in the system through executive action.

Mr. Deputy Speaker, in the American system of government if there are questions of impropriety, however vague they may be, if such questions are raised, then you have various investigating committees of the Senate. These investigating committees will, therefore, look into those questions and dissipate any of the uncertainties and any of the accusations that may have been raised. Now, in our system, Mr. Deputy Speaker, there is no such recourse. I have to come to this *Gazette* report a little later on, but I merely wish to quote one of the paragraphs in it. And this is the *Trinidad and Tobago Gazette* of June 28, 1991 and it says very boldly:

“The Central Tenders Board will not undertake to defray costs incurred by applicants and further shall not be bound to give reasons for rejecting any application.”

Now, Mr. Deputy Speaker, if the Central Tenders Board has exercised sound judgment and has been above board in its decisions, why would it be afraid to give reasons? Why should it shy away from giving reasons to the public as to why it has made certain decisions? Why, for example, has it chosen a tenderer who is not the lowest bidder? Why? Except that built into the system is the opportunity to hide, the opportunity to be deceptive and, in fact, the opportunity for corruption.

We talk about governmental reform and reform of parliamentary procedures and so forth, and we hear from time to time talk about parliamentary democracy and how we are committed to parliamentary democracy. One of the hallmarks of parliamentary democracy is the issue of accountability. And when you have these regulations and rules in force, how do you enforce accountability in such a situation?

The Westminster type of government is a closed type of government, a government by secrecy. It is something which we have inherited. It is something

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which nobody in this country is willing to look at and to reform. We have had various committees of constitutional reform and I must say at this point, Mr. Deputy Speaker, that we in the United National Congress will be putting forward proposals within the context of our manifesto for that kind of parliamentary reform that will highlight the question of accountability and put mechanisms in place to realize that element of accountability. So we are coming here to talk about the Central Tenders Board, to remove things from the purview of the Central Tenders Board which in itself has this power that it shall not give reasons for rejecting any application whatsoever.

Mr. Deputy Speaker, there have been reports in the past of the operation of the Central Tenders Board under the regime of the Member for San Fernando East. *[Interruption]* But you were a minister. You were a minister in the Cabinet of a government. You were in a leadership position in that Government. There were reports about abuse of the powers of the Central Tenders Board. There were reports of corruption unbounded by any concern for morality in public affairs, and they instituted no inquiries. They never attempted any measure of reform. Today, he comes to this Parliament to talk about accountability. To whom were O'Halloran and Prevatt and all the others who pilfered from the Treasury of this country under the regime of the PNM, accountable? So that while we condemn the past regime, the present regime which is continuing in the footsteps of the past regime cannot escape culpability, condemnation and accusation, but I will come to that in a little while, Mr. Deputy Speaker.

I want to raise an issue here today which has relevance to my honourable friend from St. Augustine and he himself raised it in his contribution. In view of the urgency of trying to deal with critical drainage problems in this country, he mobilized resources, and in that process of mobilization the Director of Contracts was involved. *[Interruption]* My friend for San Fernando East is arguing that he broke the rules. I imagine from that, under the PNM no rules were broken. He said he broke rules and, therefore, the Government had to come to this House to legitimize the actions which were taken as a result. And I am sure this country understands the urgency of taking action in a situation where the rains were expected within two weeks and the problem of critical drainage and flooding problems could have arisen, a legacy left by the regime of my friend for San Fernando East. A big issue was made of that both by the Member for Tobago East and the Member for San Fernando East; a big issue about how the Member for St. Augustine was engaged in violation of the law and manipulating the procedures of the Central Tenders Board, and embarrassing the Member for

Tobago East, who made the point, time after time, that he and his Government were embarrassed by the actions of the Member for St. Augustine; and how there was impropriety involved and so forth.

I want to take this House through the actions of the Tobago House of Assembly, which at that point in time was under the chairmanship of none other than the Member for Tobago East; the Tobago House of Assembly which I understand is fast becoming a law unto itself, a law of another independent country.

In August, 1980 the then Cabinet agreed that the Tobago House of Assembly should acquire a crushing plant. That recommendation was accepted in principle and the specifications—*[Interruption]* Would the Member for Tobago West maintain her peace? I know it is very difficult for her to maintain her peace. Mr. Deputy Speaker, when you go through the saga of what has happened with the purchase of this crushing plant for the Tobago House of Assembly, I want this House and the country to draw its own conclusion about the manipulative capacity of the Member for Tobago East and the Tobago House of Assembly in dealing with the Central Tenders Board.

The specifications of the crushing plant were prepared by the Technical Officer, Works, Tobago House of Assembly and submitted to the Director of Contracts with a request that tenders be invited for the supply of the equipment. Following consideration of all the tenders received the Technical Officer, Works, Tobago recommended, and the Tobago House of Assembly agreed to the award of the contract to JN Harriman and Company Limited.

However, the Central Tenders Board—this is the same Central Tenders Board in which the Government has the greatest faith and feels that its members are above suspicion and are operating above board and whose judgment cannot be questioned. However, the Central Tenders Board by letter dated June 25, 1982—at which point in time the hon. Member for Tobago East was the chairman of the Tobago House of Assembly which was, in fact, a creature of the Member for Tobago East—awarded the contract to SK Watson and Company, another contractor, contrary to the recommendation of the Tobago House of Assembly.

Now, if the Central Tenders Board acted in that way and you are crediting the Central Tenders Board with expertise and you are crediting them with independent judgment and having people who are above reproach and suspicion, then they must have done that on very good grounds and we have to accept that, given the representations made by the Member for Toco/Manzanilla as regarding

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the competence of the Central Tenders Board. However, the drama unfolds. The Technical Officer, Works, by letter dated May 26, 1982 to the Clerk, Tobago House of Assembly, objected to the award of a contract to SK Watson and Company Limited on the grounds that the plant offered by this company did not meet the required specifications.

Mr. Deputy Speaker, if this were the case, would not the Central Tenders Board have apprised itself of that point before making the award of the contract to SK Watson? I am telling you, when you look at the manipulation—because what the Tobago House of Assembly Chairman wants the Tobago House of Assembly Chairman gets, Central Tenders Board or no Central Tenders Board. This is the point I wish to make here.

The objection of the Technical Officer, Works, and I do not know at this point what are his qualifications and expertise, *vis-a-vis* what is available to the Central Tenders Board. Of course if he is Tobagonian, he is beyond question. Son of the soil, and, therefore, his judgment has to be placed above the judgment of the Central Tenders Board. And my good friends from Trinidad, you see how they accept the superiority of Tobagonians. So, Mr. Deputy Speaker, the objection of the Technical Officer, Works, was supported by the Chairman and members of the Tobago House of Assembly. A recommendation was then made to the Director of Contracts that the contract be rescinded. In their own judgment the Central Tenders Board made that decision. Here is the Member for Tobago East, then Chairman of the Tobago House of Assembly, insisting that the decision be rescinded.

Miss Nicholson: On a point of order, Mr. Deputy Speaker. According to the Central Tenders Board Act, you can ask that a tender be rescinded and nothing is wrong with that.

Mr. Sudama: I am making a statement of fact; that the Chairman of the Tobago House of Assembly, Mr. A.N.R. Robinson, supported by the Tobago House of Assembly, objected and asked that this award by the Central Tenders Board be rescinded; this great body that the Member for Toco/Manzanilla would have us believe, comprises men of absolute integrity and so forth. The then Ministry of Finance and Planning in 1982 with the agreement of the Tobago House of Assembly—now this is very important—decided to have other consultants. They retained Cariri to advise on whether there was merit in the objections of the Tobago House of Assembly and, if so, to conduct a full

technical appraisal of all the tenders received and recommend the tender or tenders that meet the specifications.

So we have an independent consultive body now being brought into the picture called Cariri. Cariri is being brought in now, an independent body, with the agreement of the Tobago House of Assembly. Very important. *[Interruption]* Why do you not listen? You have made a very bad student, considering your behaviour in this House. You must listen when a lecture is being delivered to you because you have not been very, very appreciative. You have never been appreciative and, therefore, you have never made a good student; you have never learned anything.

Mr. Deputy Speaker, Cariri was asked to come in as an independent consultative organization. Now, very critical and I want the Members to take note of this. *[Interruption]* If the Member for San Fernando East would behave. He is an aspiring Prime Minister of this country. I hate to think what the prime ministerial office would come to in his occupation. Anyway, that is another issue. Cariri reported that neither the plant recommended by the Tobago House of Assembly, nor the one for which the contract was awarded, met all the required specifications. This is Cariri, independent report. In fact, Cariri was firm in its recommendation that the specifications as advertised were insufficient for the type of plant required to meet the needs of the Tobago House of Assembly and advised that new specifications be drawn up with Cariri's assistance on the basis of which new quotations should be invited. Despite voluminous correspondence on the question, that was not resolved. There was no gainsaying the fact—they say that the crushing plant was urgently needed. It was not a rainy season. It was not a situation of a rainy season coming in two weeks. Why this great urgency? Only the Member for Tobago East could really advise this House. Not only to provide aggregates of all types for the construction industry but more so to bring an immediate halt to the removal of sand from the beaches which has, up to now, resulted in severe destruction of several of the best beaches in the island.

Mr. Deputy Speaker, the erosion of beaches in Tobago has been going on from time immemorial. Because they want to obstruct the Central Tenders Board in their decision, because they want to go around the decision of the Central Tenders Board, certainly the erosion of beaches in Tobago has acquired an urgency that never before existed. My friend advised me that most of the aggregates were taken from the river, not the beaches. But certainly, now erosion

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of the beaches has become a justification, a pretext for getting around the decision of the Central Tenders Board. The Assembly, therefore, in order to meet its statutory obligation with respect to the physical development of the infrastructure of Tobago and the enhancement of the social, economic and environmental conditions of the island, requested its technical officer of works to ask the National Secondary Roads Development Company, a state company, to use its tendering procedures for procuring a crushing plant which met the specifications for the Tobago House of Assembly.

They got around the Central Tenders Board decision. They go to a state company, exactly the same procedure that was followed in the case of bypassing the Central Tenders Board in this issue of the Scarborough Deep-Water Harbour. They go to a stage company over which they have some control. So they go for them to use their tendering procedures for procuring a crushing plant for the Tobago House of Assembly, contrary to the established procedures laid down under the Central Tenders board Act. The Member for Tobago East who supervised this manipulation of the tendering process is a man who is so concerned about constitutional propriety—his concern comes about through his ears—he is the one who has been engaged in this manipulative practice to rescind the decision of the Central Tenders Board.

Mr. Deputy Speaker, by letter dated February 28, 1986, the General Manager of the Secondary Roads Development Company recommended that a plant offered by JN Harriman and Company would meet the recommended specifications. Do not forget that it was JN Harriman and Company who were originally recommended by the Clerk of the Tobago House of Assembly in 1982. The Central Tenders Board decided to award the contract to SK Watson. That decision was subverted. And there was a long procedure whereby the chairman of the Tobago House of Assembly came back now through the Secondary Roads Development Company and their tendering procedures to have the contract awarded to the same JN Harriman and Company Limited. They talk about corruption and the saviour of corruption and trying to accuse my hon friend, the Member for St. Augustine, of being engaged in impropriety; a man in whom I have the absolute confidence in his integrity. That is the way the Member for Tobago East operates, by innuendo, to try to destroy the reputation of people of the highest integrity in this country. *[Interruption]*

Are you on a point of order? Let me ask you one thing. Does the Central Tenders Board come under your responsibility?

Mr. Wilson: I am a parliamentarian.

Mr. Sudama: I will give way.

Mr. Wilson: Thank you for giving way hon. Member for Oropouche. I would simply like to enquire about the date of the document from which you are reading.

Mr. Sudama: This document was prepared in December, 1987 which was after the dismissal of my good friend.

Mr. Wilson: And relating to what period? Prepared in 1987 but related to what period?

Mr. Sudama: What has happened is that the regularization took place in 1987 relating to a period when the Member for Tobago East was Chairman of the Tobago House of Assembly.

Mr. Wilson: You are distorting the facts and you know that.

Mr. Sudama: Do you want me to read it over again? “By letter dated February 21, 1986 ...” Who was the Chairman of the Tobago House of Assembly on February 21, 1986? Who was the Chairman?

Mr. Wilson: I am simply asking, related to what period?

Mr. Sudama: By this letter, the Secondary Roads Development Company recommended that the plant offered by the same JN Harriman and Company, who was originally recommended in 1982 by the Clerk of the Tobago House of Assembly, be accepted. It was for a plant at a cost of \$5,281,198. That recommendation was accepted. The Tobago House of Assembly informed the Secondary Roads Company of the Assembly’s acceptance of the Secondary Roads Company’s recommendation and requested that his company purchase the plant on behalf of the Assembly; the cost of which would have been refunded by the Assembly. So they were going around the Central Tenders Board. That offer was to be at a stated cost of \$5,281,198.00. Mr. Deputy Speaker—and this is very, very amusing—by the time that decision to acquire through the Secondary Roads Company had come about, JN Harriman by letter dated June 25, 1986 informed the Clerk that because of the devaluation of the Trinidad and Tobago dollar, the cost of the plant had risen to \$9,291,038.00.

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Mr. Deputy Speaker, I want you to understand that the devaluation which took place at the end of 1985, was a devaluation of 50 per cent, from \$2.40 to \$3.60. Now, 50 per cent of \$5,281,000—my mathematics ought to be correct—makes it \$2.6 million. So that we are talking about a cost of \$7,800,000, inclusive of devaluation. How come this plant now is quoted as costing \$9,291,000, a full \$1.5 million more than could be accounted for by devaluation? But they talk about corruption and suspicion of corruption. It is never stated here as a different plant.

You see, under their regime there are many things which point to irregularities. That Tobago House of Assembly and its operations, they are a law unto themselves, as I said. So that what they did, they brought this issue to Cabinet for ratification in 1987 under the new regime of the NAR, so that the by passing of the Central Tenders Board could be ratified and regularized. Do you understand what is going on? They make a big justifications that the Assembly's action was justified; they were forced to operate outside the Central Tenders Board Ordinance in purchasing this crushing plant and put the blame on the then Ministry of Finance for refusing to provide the necessary funds.

I want this House to understand this. Advice was received from the Solicitor General who indicated clearly—and the Member for Tobago East, and the then Chairman of the Tobago House of Assembly is a lawyer, a Minister of Government of long standing under the regime of the PNM, the same regime from which the Member for San Fernando East has learnt his lessons in politics—that the Tobago House of Assembly has no authority to enter into contracts for the supply of goods on its own behalf and that the provisions of section 4 of the Central Tenders Board Ordinance of 1961 clearly require that the Central Tenders Board be the sole repository of the authority to act on behalf of the Government and authorities like the Tobago House of Assembly, with respect to the award of such contracts.

Now, I would have imagined that the Member for Tobago East would have been fully aware of the limitations of the authority of the Tobago House of Assembly, but wilfully and deliberately he and his Assembly went around that, in order to subvert the law and the provisions of the law. This great expert and observer of constitutional propriety, who said that one must not use one's position in any respect to further the welfare of one's own constituents and so forth, here he was using his position as Chairman of the Tobago House of Assembly, in

order to further, in his own view, the welfare of the citizens of Tobago contrary to the provisions of the law. So when they come to talk about who violate the law and who did not violate the law, we will deal with that on the hustings. His whole involvement in 1970, which is not even touched yet, will come out on the hustings, once he goes on that route of accusing people of creating uprising insurrection, revolution, or disturbance. Once he goes along that route, we promise here today that we will deal with that issue and his behaviour and actions in 1970 which were designed to subvert a legitimately constituted Government in Trinidad and Tobago. I mean, certain innuendos have been thrown at the Member for Couva North and at my good friend for San Fernando East—for whom I cannot speak, really—and the Member for Port of Spain East for supporting insurrection in this country. But we will deal with that in due course.

Mr. Deputy Speaker, the saga that I have just related for the purchase of the crushing plant for the Tobago House of Assembly is very revealing about the intent of that Government, the way it acts, the way it is willing to bypass procedures and then accuse other people of violating the law. It is very worrying that the insistence was on one contractor—JN Harriman and Company Limited. It is very worrying, as in the case of the deep-water harbour, the insistence was on Wimpey; extremely worrying. A common figure to the purchase of the crushing plant in Tobago, and of the construction of the deep-water harbour, both scenarios, was the Member for Tobago East.

Mr. Deputy Speaker, I am merely talking in the context of the Central Tenders Board. I am in no position to defend the previous regime. I say that they were guilty of gross corruption and the condoning of gross corruption prior to 1986. But while they were guilty of that, this Government cannot come to this country and say that its hands are clean and suspicion cannot be thrown in its direction.

I want to come to a current situation in which this present Government is engaged, violation of the democratic principles and so forth, and where they are borrowing money for electioneering purposes; pure and simple electioneering purposes. I am referring to the *Trinidad and Tobago Gazette* of June 28, 1991, prequalification for the construction of 10 public sector projects, Ministry of Works Infrastructure and Decentralization. This is to buy votes—the vote buying programme. Let me tell you what these projects are, and I want to concentrate on one of them:

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“The Government of the Republic of Trinidad and Tobago has entered into an agreement with the Republic Finance and Merchant Bank Limited, (FINCOR) and several others, to provide a project financing facility to finance ten public sector projects as follows:”

So they are borrowing money for electioneering purposes as they in fact have accused the previous regime of “raiding the Treasury” for electioneering purposes. Here they are borrowing money which they have no clue how they are going to repay; which they have no clue as to what the investment return of the expenditure would be.

Mr. Deputy Speaker: The speaking time of the hon Member has expired.

Motion made, that the hon. Member’s speaking time be extended by 30 minutes. [*Mr. R. Palackdharrysingh*].

Question put and agreed to.

Mr. Deputy Speaker: I think this is a good time for us to have our tea break. The sitting is suspended until 5.00 p.m.

4.25 p.m.: *Sitting suspended.*

5.10 p.m.: *Sitting resumed.*

[MR. SPEAKER *in the Chair*]

Mr. Sudama: Mr. Speaker, before the tea break, I had expended much time in dealing with the question of how the Tobago House of Assembly, under the chairmanship of the Member for Tobago East, at that point in time, had gone around circumventing a decision of the Central Tenders Board in order that the Tobago House of Assembly would have its own decision implemented with respect to the award of a contract for the purchase of a crushing plant in Tobago.

I tried to make the point that this kind of behaviour seemed to be symptomatic of the Member for Tobago East and it was again expressed in the award of the contract for the construction of the deep-water harbour in Tobago. I think the point is well worth noting because on the other side, they are very quick to point fingers at others and to talk about impropriety and irregularity and how this is a clean Government, a Government of integrity, which is fighting corruption and they are engaged, like Saint George, against the dragon of corruption in this country. We have come to recognize propaganda for what it is and this whole Government is a government of propaganda, of antics and of gimmickry. I mean,

what is going on in the constituency of Oropouche, surely will make it very explicit as to how they intend to approach this coming election.

On that point, I was making reference to the award of contracts for 10 public sector projects for which the prequalification was advertised in the *Trinidad and Tobago Gazette* of June 28, 1991. I was making the point that money was being borrowed from the Republic Finance and Merchant Bank Limited (FINCOR) for electioneering purposes, utilizing state resources in order to push their campaign for the 1991 general election, in violation of the spirit of the democracy that we are involved in, which we are trying to promote, and propagate and something for which they had accused the previous regime of engaging in.

I say this because when I look at the first public sector project, in category (a), it has to do with the rehabilitation works to primary schools in Trinidad and the invitation went out for prequalification under the aegis of the Central Tenders Board which was signed by the Director of Contracts. From what is stated here, a questionnaire had to be filled out by the firms that were applying for prequalification and the information they had to submit included the number and quality of professional and other personnel; the general background of the firm; work experience or track record; financial resources; suitability and availability of plant and equipment.

How the award was made to three firms which are involved in the repair of three Maha Sabha Schools in the constituency of Oropouche—namely; the Toolsa Trace Hindu School, the Woodland Hindu School and the Suchit Trace Hindu School—is a matter of the greatest speculation. The first question I want to ask is: Were these criteria put down there merely for formality—number and quality of professional and other personnel; general background of the firm; work experience or track record; financial resources *et cetera*? While I presume these firms would have passed the prequalification test, I am concerned whether they passed the prequalification test under the criteria listed.

What I know is that the owners of these three firms involved in the repair of the Toolsa, Woodland and Suchit Trace Hindu Schools in my own constituency of Oropouche, are strong supporters of the National Alliance for Reconstruction. I do not know whether that is accidental. But furthermore, they are close confidants of the Minister in the Ministry of Industry, Enterprise and Tourism, and you begin to wonder. One would have assumed that when you are talking about the rehabilitation work to primary schools, that this exercise would have come under the responsibility of the Ministry of Education.

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How has the Minister in the Ministry of Industry, Enterprise and Tourism got involved in this exercise? It leaves one to wonder whether this is merely an electioneering device in which the Central Tenders Board has been used as a smokescreen; because the way the man behaved in the constituency of Oropouche, as if the funds were his own private funds which he was disbursing for the repair and rehabilitation of these three schools; and boasting that he had \$9 million allocated through different projects and programmes, in order to win the Oropouche seat, part of which comes under the purview of the Central Tenders Board, through their award procedures.

I ask today: While the firms may have been prequalified, what procedures were involved in awarding the contracts to these respective three firms whose owners are staunch and strong supporters of the National Alliance for Reconstruction, and confidants of the Minister in the Ministry of Industry, Enterprise and Tourism, the goodly Sen. Surujrattan Rambachan?

Furthermore, in order to get work on these projects—and I have the evidence in my constituency—people are willing to sign affidavits to the effect, that they are members of the ruling party. That recruitment is directed by the Minister in the Ministry of Industry, Enterprise and Tourism, Sen. Surujrattan Rambachan. I have people come to me on a daily basis to complain of the manner in which the recruitment is handled. There is another Senator in the other place, a fellow called Neil Bhagan, who is the man who does the dirty work on the ground in order to push an obviously political campaign. Is it now realized that schools in the Oropouche constituency needed repair? I am asking today: How were these contracts awarded?

5.20 p.m.

Mr. Smart: On a point of enquiry, if the Member for Oropouche would allow me. Is he suggesting that the Chairman of the Central Tenders Board, who is a public servant and other members, whom I believe are members of the public service, are being manipulated by politicians? Is he also suggesting that although these awards for contracts are opened in public—this is something which was introduced by the National Alliance for Reconstruction Government—the NAR politicians are able to manipulate the Central Tenders Board?

I think he is making a very serious allegation against the members of the Central Tenders Board who are independent persons and who are public servants.

Mr. Sudama: We have been all over this already. We have been on this subject before.

The point I made in introducing my contribution which I will make again for the benefit of the Member for Diego Martin East, who apparently is aspiring to higher office, and, nothing is wrong with that; it is just that ambition should be made of sterner stuff. Temptation is common to all humanity and merely by putting people on certain boards which are deemed to be independent, does not remove the possibility or the potential for temptation.

What I further went on to argue is that if there is sign or savour of irregularity, then this ought to be investigated. I pointed to the American system that, of course, there may be nothing to it, or there could be something to it, but how would you know without investigation, given the fact that here you have the statement being clearly made, the injunction that the Central Tenders Board shall not be bound to give reasons for rejecting any application and by token, it shall not be bound to give reason for awarding any contract.

Here this goodly gentleman is coming to tell this House that we cannot question—this is the Parliament of Trinidad and Tobago—on the basis of what is being experienced in my own constituency, where the contractors are known and identified in their affiliation to the ruling party; where the contractors have a special relationship to a minister in the Ministry of Industry, Enterprise and Tourism.

Finally, these three school repair jobs are estimated to cost \$250,000. I have had contractors visit these schools and looked at the extent and quality of the work which was done on these schools: a board being replaced here; a brick plastered here; a sheet of galvanize being replaced; a little slap-dash painting; \$250,000 is what is being disbursed for work which people qualified in the building industry tell me could not be worth more than \$100,000. Then you ask yourself, where does the difference go? Is there a question of kickback? This is something which should be investigated.

If this was a situation which arose in the United States and it was brought to the attention of a Senate Investigating Committee, you can rest assured that somebody would have been questioned and have to answer. Whether in terms of the dissipation of that question, whether it turned out that whatever transpired was valid and above board, is something which we cannot know unless we carry through the investigation. We do not have that facility in our own parliamentary system and this is why the executive is not open to question. The only time they

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are really put under some sort of scrutiny is every five years, but within the five years their actions are not open to scrutiny.

The Central Tenders Board's decision, however you want to glamorize that decision, is an executive action for which the executive is, in the final analysis, responsible. Here I am saying that there appears to be, on the face of it, irregularity, both with respect to the award of these tenders and with respect to the volume of work done and the value of work done on these primary schools.

Finally, there is the question of accountability. Who is accountable? Is the Minister of Education responsible to this House for the expenditure on the repair to schools? I would have thought that under the constitutional division of ministerial responsibility that is where responsibility lay. Under this system nobody knows where responsibility lies for these electioneering works which are being done in the various constituencies in Trinidad and Tobago. How that money is spent; for what purposes; whether there is value for money; whether there is kickback; whether people are being rewarded as political patronage, nobody seems to know. They come and talk about parliamentary democracy and commitment.

Mr. Speaker: Constable, somebody is peeping through that door. It is either that person comes inside or stays outside. We cannot have someone coming to the Parliament and just keep peeping into the Chamber for the last 15 minutes.

Mr. Sudama: I have raised these questions because there is a larger problem involved here than merely just passing an amendment to the Central Tenders Board Act, in order to preclude from the purview of the board, matters relating to purchases by the Ministry of National Security. When we raise these larger concerns, they think that we are just making joke, that we are being flippant in this House. This is their attitude to these questions.

5.30 p.m.

Mr. Sudama: I am saying that these are matters relevant to whichever government is in power. It was relevant when the PNM was in power. It is relevant now and it will be relevant in the future and we cannot go along in this country hiding behind procedures and processes which must be reformed.

We cannot have a situation where an injunction is being proclaimed that the Central Tenders Board shall not be bound to give reasons for rejecting any application. Surely, there ought to be, within the system, an institution reserved for review. Because, let us assume for a moment that the Central Tenders Board

is being subject to the direction of Ministers who were engaged in corrupt activities, can those activities never be investigated? Because many of these cases of corruption are not justiciable in the sense that you cannot get evidence, as you well know, which may stand up in a court of law. People may argue, "well, if you have the evidence, why not go into a court of law". There is much corruption which could exist and you may not have that kind of evidence, but which could be brought out if you have parliamentary investigating committees, to look into these matters.

Mr. Speaker, if we had such committees existing with such investigative and review powers being exercised by the House of Representatives and the Parliament under the previous regime, I am convinced that the extent of corruption which prevailed under the previous regime, would have been minimized. I am convinced of that. But it is always true that when a government finds itself in office that it tries to prevent or to minimize any disclosure that will, show its activities in a dubious light.

Our institutions, it appears, have not matured to the extent where an executive could open itself to scrutiny about its actions. This is what is at issue here. When we are talking about corruption, merely for the executive to have a commission of enquiry into allegations of corruption is not good enough, because what happens is that they whitewash everything and nothing comes out of it.

You had the case of the Textile Manufacturing Company early in the life of this regime, importing fully completed fabrics, but importing them as if they were semi-finished, and importing them under duty-free concessions. That matter was ostensibly investigated by the Ministry of Industry, Enterprise and Tourism; the Ministry investigating itself, and that is what we have to be satisfied with in this House.

Dr. Tewarie: Mr. Speaker, I just want to inform the hon. Member that within the last month two containers of materials purported to be imported by that company were seized by Customs. They were fine \$50,000 and have been given instructions to re-export the materials.

Mr. Sudama: I am very happy that such very effective action was taken by the Ministry of Industry, Enterprise and Tourism. I am talking about a situation which existed four years ago. I am talking in terms of generalities for which the Government, as a whole, has responsibility. There is a lot going on but I merely want to make the general point that I think the time has come for this Government to seriously look into the question of parliamentary reform where this Parliament

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can really and truly exercise an overview function on the executive. From time to time we read all sorts of things and feel that perhaps these matters ought to be investigated. That syndrome of corruption which we know existed before 1986 is not to be re-introduced. The other day I was reading an article in the *Mirror*, headlined: "*Minister heads Smuggling Ring*".

Mrs. Johnson: Do you believe everything you read?

Mr. Sudama: No. But it ought to be investigated. Suppose there is some truth in this. How do you know? Because you say so? The article had something to do with containers bringing in apples, grapes and other goods; smoke-herring, salted fish, foil, raisins, currants, prunes, fruit cocktail, evaporated milk, Welch's grape juice, which are dutiable, but are coming in as potatoes, garlic and onions, which are duty-free. Now, it is possible that this is merely a rumour, or merely speculation. It is also possible, Mr. Speaker—and that is where the system falls down in terms of its investigative process—that it may be true. If it is true and a Minister of this NAR Government is involved and heads a smuggling ring in collaboration with businessmen in Central Trinidad and Tobago, what does this say about the crocodile tears which this present regime is crying on and on about corruption? What does it tell you about their sincerity about dealing with the issue of corruption? *[Interruption]* You know the history of the *Mirror*!

Mr. Sudama: I know the history of the *Express* and the *Guardian*. I know the history of Trinidad and Tobago Television. When the *Mirror* was printing things against the previous regime, you know it was a good paper. Suddenly, it has become a bad paper because it is revealing the possibilities of corruption carried on by this current regime, the great corruption fighters of Trinidad and Tobago.

This is not an isolated incident. You remember in 1987 and 1988, the problem that the Deputy Chairman of the Port Authority had with respect to the award of an insurance contract for the Port Authority and how the whole system was manipulated until this goodly gentleman was forced into resignation. It all touches on this whole question of how valid and how insulated are those tendering procedures that they are not manipulated and tampered with to produce certain results. This is the issue at stake, whether it is the Central Tenders Board or whether it is the tendering procedure of a public utility or a state enterprise as the case may be. If I were to quote what the Deputy Chairman had to say on his removal from the board:

"I am also concerned as to what sort of message this development now sends to board members, not only on the Port board but also on boards of state enterprises and Public Utilities. I think, maybe I took my job too seriously. Perhaps the powers that be must make it clear what is expected of all board members. The signal I get from the Minister's action is that asking awkward questions about the improper spending of public funds might not be condoned on state boards. But we took an oath to serve and, as far as I am concerned, I did just that. There was likely to have been more conflict because there were too many questionable decisions being taken outside of the boardroom and even outside of committees appointed by the Board and there were tendering committees appointed by the Board."

Tendering committees were merely formalities; institutions of formalities, according to what transpired, according to the view of the then Deputy Chairman of the Port Authority.

5.40 p.m.

The point I am trying to make is that these matters ought to be thoroughly and effectively investigated by an independent authority and not by the executive authority itself which is engaged in such activities. This is where the whole question of parliamentary authority and the role of parliament is relevant and, therefore, if that was the situation then—

Mr. Smart: Mr. Speaker, if the hon. Member would allow me another question. Was not the Port Authority Board, as a result of what had happened, entirely removed and replaced by this Government? In case you do not know, the answer is yes.

Mr. Sudama: I will tell you at that point what happened. A new chairman and deputy chairman were appointed, but not the whole board. This is the point I am trying to make. There are certain members of that board who were not replaced and who were involved in this manipulation. That is the point I am trying to make.

Mr. Speaker: Your time has expired.

Mr. Sudama: Mr. Speaker, I hope that what I have said here this afternoon would put a light to the question on their ostensible concern about corruption in Trinidad and Tobago.

The Minister of Finance (Hon. Selby Wilson): Mr. Speaker, bitterness, hate and animosity distort the human personality beyond recognition. These distortions in the human personality lead to wild, irresponsible and emotive accusations. Indeed, Mr. Speaker, the Member for St. Augustine was the epitome of this today. I rise to correct not all the distortions in his personality, for many of these may be irreversible. However, I wish to place on the record the correct facts surrounding the award of contracts—

Mr. Speaker: Order please. When the hon. Members on this side were speaking, there was no disturbance. I do not know whether hon. Members have recognized that since the refurbishing of this Chamber even a whisper is now coming over louder than before, maybe the acoustics.

Mr. Wilson: Mr. Speaker, I would simply like to place on the record the correct facts surrounding the award of the contract in respect of the deep water harbour. Before I do that, I would like to draw the attention of the House to the provisions of the Central Tenders Board Ordinance, section 24. I do this, Mr. Speaker, because we have heard a lot of talk about the lowest bid as if the Central Tenders Board is obligated to award a tender to the lowest bidder. Section 24 of the Ordinance states quite clearly, and I read it for the benefit of my esteemed colleague, the Member for Oropouche:

“After the offers have been opened the Board or a committee shall, at such time or times as may be deemed necessary or expedient, consider the offers so received and, except for good reason, the sufficiency whereof is in the discretion of the Board or the committee, shall accept the lowest offer.”

Mr. Speaker, I interpret this to mean that there is no obligation on behalf of the board to accept the lowest bid. It has a discretion for good reason. The section also does not make any provision for the Central Tenders Board to disclose publicly the reasons.

The other relevant section, Mr. Speaker, is section 30 of the Central Tenders Board Act which empowers the board to consult with officers or others in government bodies or statutory boards for purposes of assisting it with its task in evaluations. Section 30 of the Act states quite clearly:

“(1) In the exercise of the authority vested in it under this Ordinance, the Board or committee may—

- (a) consult with any officer or officers of the Government or of a statutory body to which this Ordinance applies or such other

person or persons as the Board in its discretion may consider proper and desirable;”

Mr. Speaker, the other point I would like to make is that the Central Tenders Board of necessity does not possess all the technical resources to undertake the evaluation of various contracts or tenders that might be placed before it. Therefore, the Central Tenders Board is heavily reliant on the officers in the respective ministries where the technical competence resides, to evaluate the tenders and to submit their recommendations to the Central Tenders Board.

Mr. Sudama: In fact what you are saying is that the Central Tenders Board is merely a formality, if it has to so rely?

Mr. Wilson: Mr. Speaker, that is why I read the provisions in the Ordinance and it was passed in this Parliament in 1961. So it is in fact, part of the procedures that the evaluation of tenders are generally undertaken by those people who have the expertise to do so and the Central Tenders Board can, in fact, co-opt those persons either on its own or on the advice of others who might be able to tell them where to find the resources.

Let us deal specifically with the Scarborough Deep-Water Harbour and I will substantiate my arguments with official documents from the Central Tenders Board. The Member for St. Augustine made very heavy weather of the fact that Realsons Limited, the lowest tender, was not given this award and having done that, Mr. Speaker, they went further to imply, rather maliciously that the Member for Tobago East and the Member for Ortoire/Mayaro—though on his own admission he had not the evidence—benefited from the award made to Wimpey and Company. That is what I meant, Mr. Speaker, by the fact that bitterness and hate distort the human personality beyond recognition.

The board of the Central Tenders Committee met sometime in November and I read from the minutes of that meeting:

“The matter for consideration by the board is the award of a contract for the construction of the Scarborough Harbour Development, Tobago. According to the invitation to tender, the project is to be undertaken for the Ministry of Works, Settlements and Infrastructure. It was subsequently determined that because of the direct responsibility of the Tobago House of Assembly for the development of Tobago, the project should be undertaken for that body.

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The original proposal required the tenderers to make all arrangements for financing the project from commencement to completion. It was stipulated that the Government will not be a party to, nor incur any contractual obligations under such financing arrangements. At a later stage, it was agreed to amend this stipulation and accommodate an arrangement wherein there would be a contract between the Government and the contractor for undertaking the works, and another between the Government and the financier for the loan of the capital sum together with interest and related charges according to an agreed schedule.”

Cabinet Minute 1993, dated August 6, 1987—Mr. Speaker, a total of six tenders were received. A report on the evaluation of these tenders was submitted by consultant engineers, Lee Young and Partners. An evaluation of the consultant’s report and the bids was carried out by a team appointed by the Cabinet. The report of this team is attached to this note. The consultant’s evaluation, Mr. Speaker, showed that Design Construct Management Associate Limited tendered \$90.3 million for the works; Kier International Limited, \$55.9 million; Daito Kogyo Company Limited, \$54.2 million; Seereeram Brothers Limited, \$49.8 million; George Wimpey Limited, \$49.3 million, and Realsons Limited, \$36.1 million.

Mr. Speaker, none of the tenderers submitted completed acceptable financial packages. Nonetheless, based essentially on the evaluation of the technical capabilities of the contractors as well as certain other relevant factors, the bids of the three lowest tenderers were retained for evaluation. These bids were Seereeram Brothers Limited, George Wimpey (Caribbean) Limited and Realsons Limited. Mr. Speaker, I go to the heart of the matter in respect of Realsons Limited.

Having regard to the fact that the consultants had made a recommendation, a team was appointed; a Cabinet-appointed team was further appointed to assist with the evaluations. The team was headed by Mr. Keith Anatol, then the General Manager of the Port Authority; Mr. Allan Richards of the Tobago House of Assembly; Mr. Albert Yearwood of the Ministry of Finance and the Economy; Mr. Tyrone Rajnath of the Ministry of Planning and Reconstruction; Mr. Frank Lawrence, Ministry of External Affairs and Mr. Emmanuel George, Ministry of Works, Settlements and Infrastructure. The team short-listed, like the consultants, the three lowest tenderers, namely: Wimpey, Seereeram Brothers and Realsons.

The team in its evaluation found, and I read, Mr. Speaker, paragraph 12 of the Central Tenders Board minutes:

“The team found that the firm Realsons Limited has no experience in marine construction works. Indeed, the expertise, experience and competence of the foreign partner Carleton Construction Corporation on which the company intended to draw was highly suspect and questionable. The team sourced its information principally from a Dunn and Bradstreet report obtained through the Trinidad and Tobago Embassy in Washington.

In summary it was found that: (a) Carleton Construction Corporation is a small company whose owner, 62-year old Harry M. Carleton, Senior, is founder, president and chief executive of the company and who, according to Realsons, would be the individual to provide the construction and management expertise for the marine construction component of the project.

In respect of the expertise, the Dunn and Bradstreet report indicates that the firm is engaged in the construction of industrial plants, petrochemical and marine. There is no indication that the firm has the expertise, capability, and track record required for the marine work of the nature involved in the Scarborough Harbour Development Project.”

Mr. Humphrey: Point of order. That is false information, Mr. Speaker. I made it clear that the evaluation committee submitted false information. I personally investigated the competence. And, in fact, I have here in my hand the CV's of the two engineers. I can put them on the parliamentary record. That is part of the misleading information given by that very team. Tell the Parliament what happened to Mr. Keith Anatol and why.

Mr. Wilson: Mr. Speaker, you will recall the Member for St. Augustine did ask just now if we did a Dunn and Bradstreet report.

Mr. Humphrey: Dunn and Bradstreet is not competent to determine finance.

Mr. Wilson: Mr. Speaker, thirdly, with regard to financial capability, the firm has declined to provide financial information requested. However, the Dunn and Bradstreet report indicates that the company's bank accounts revealed over a 10-year period an average around the low five figure level. The report also indicates a trade slowness for this company below the industry average. Fourthly, the Dunn and Bradstreet report also revealed the following: on April 9, 1986 a federal tax lien in the amount of US \$5,720.00 was recorded against Carleton HM Construction Company Incorporated and filed by the Internal Revenue Service.

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Fifthly, on February 23, 1987, a judgment in the amount of US \$1,103.00 was entered against Carleton HM Construction Company in favour of McGraw Hill Information Systems and was unreleased up to April, 1987. The conclusions of that meeting, Mr. President, read as follows:

“On the one hand, the consultant engineers have recommended the firm of Realsons Limited. On the other hand, the Cabinet-appointed team has firmly recommended the firm of George Wimpey (Caribbean) Limited notwithstanding the price differential of the order of \$11 to \$13 million. The principal justification for this preference is the highly questionable technical competence of the foreign partner of Realsons Limited which does not inspire confidence about the ability to perform satisfactorily or at all and within the limits of the price quoted.”

Mr. Speaker, it is not surprising that the Member for St. Augustine has the two CV's, after all it appears he has a vested interest.

The Central Tenders Board on December 2, 1987, wrote a letter to Mr. Wally James, General Manager of Trinitoc Point-a-Pierre and it read:

“I am forwarding the attached copies of six tenders received, including tender information forms and bills of quantities for the Scarborough Harbour Development Project, Tobago. Also enclosed are copies of the tender and extension notices, schedule and summary of tenders received.

According to discussions between the Director of Contracts, Miss A. Carrington and yourself, the purpose of providing you with these documents is to carry out an evaluation of the bids received for the said project. This exercise should exclude evaluation of the financing charges proposed by firms to finance the project.

I shall be grateful for your response not later than December, 10 1987. Kindly return all documents.”

So, Mr. Speaker, the suggestion that was made by the Member for St. Augustine, that we had tampered with the procedures in the Central Tenders Board is totally unfounded. The Central Tenders Board on its own initiative invited the Trinidad and Tobago Oil Company to assist it, under section 30 of the Ordinance, with the evaluation of tenders.

Mr. Humphrey: That does not mean you have not tampered with it at all.

Mr. Wilson: Mr. Speaker, the Central Tenders Board met again on this matter on February 2, 1988 and considered submissions from the Caribbean Development Bank which also did an evaluation of the bids.

Mr. Humphrey: Who invited the Caribbean Development Bank?

Mr. Wilson: I do not have that information yet. Mr. Speaker, on February 2, the board also met. On that occasion this was the conclusion of the meeting.

“In view of the forgoing and having regard to the evaluation and recommendations by the Caribbean Development Bank, the management of the Central Tenders Board recommends and the board is invited to agree that the contract be awarded to Seereeram Brothers Limited on behalf of Tobago House of Assembly for the construction of the Scarborough Deep-Water Harbour in the amount of \$49.8 million subject to ...”.

And this is where the hon. Member sought to mislead the House, because the recommendation was conditional and these were the conditions attached to the Caribbean Development Bank’s recommendation:

“(1) A satisfactory agreement being concluded between Seereeram Brothers Limited and an acceptable financing institution for the provision of the necessary financing to meet the working capital requirements of the construction contract.

(2) A satisfactory agreement being concluded between Seereeram Brothers Limited and Misenna Marine Limited for the provision of construction services by Misenna Limited for the marine works component of the project.

(3) The receipt of written confirmation from Seereeram Brothers Limited that the company agrees to withdraw the qualification to its tender with respect to the exchange rate between the Trinidad and Tobago dollar and the British pound sterling; and

(4) Agreement being made between the Director of Contracts and Seereeram Brothers Limited under which the validity period of the tender will be extended to February 22, 1988 or such later date as the Central Tenders Board may determine.”

Mr. Speaker—*[Interruption]* Hold your fire. Do not get red in the face. The Central Tenders Board proceeded to extract the satisfaction of these conditions

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from Seereeram Brothers. And on February 9, 1988, the Central Tenders Board circulated its members, and this is where the distortion comes in, because the Member for St. Augustine gave the impression that the Central Tenders Board as a committee never sat and considered the proposals. And that is not true at all. The Central Tenders Board met on two occasions on this matter. They came to a decision which was a conditional position and these conditions had to be satisfied by Seereeram Brothers and they proceeded to do that. Having had the information from Seereeram Brothers, a minute was circulated to all members communicating the position of Seereeram Brothers and, therefore, making an alternative recommendation.

Up to this stage, the Central Tenders Board had already dismissed Realsons Limited for reasons already enunciated. The competition was now between Seereeram Brothers and Wimpey, the next lowest tenderers, and the board had taken the decision to award it to Seereeram Brothers provided they satisfied certain conditions. And this minute on the 9th says:

“Members will recall the agreement on the 2nd February, 1988, to the award of the contract for the construction of the Scarborough Harbour Development Project to Seereeram Brothers Limited in the sum of \$49.8 million.”

Subject to the conditions which I have already indicated. It goes on to say:

“Seereeram Brothers Limited, by letter dated 5th, February, 1988, has indicated that the company was unable to hold its tender price for the Scarborough Harbour Project.”

And it was attached as an Appendix II.

“The tender from George Wimpey is the next responsive bid which falls to be considered by the Board.

By letter dated 8th, April, 1988, the firm has extended the validity of its tender to 22nd, February, 1988.

In the circumstances the board therefore amends and members are asked to agree—

1. Rescind its decision made on the 2nd February, 1988 to award the contract to Seereeram Brothers Limited for the said project.

2. Award the contract for the construction of the Scarborough Harbour project to George Wimpey (Caribbean) Limited in the corrected sum of \$50.7 million as detailed hereunder or such other sum as may be payable in accordance with the terms and conditions of the contract.

Signed: Director of Contracts."

Mr. Speaker, I hope I have said enough on this issue to put paid to that.

6.10 p.m.

Just to touch on the other distortions from the Member for Oropouche; you will recall that I requested the Member to indicate the date of the document from which he was reading and to indicate the period to which he referred. In the case of the crushing plant for Tobago, those discussions and those awards were being talked about since 1982. Indeed, Mr. Speaker, there was a very similar situation where the Tobago House of Assembly, through its technical department, the Works department in Tobago, had made one recommendation and the Ministry of Works in Trinidad had made a conflicting recommendation. Therefore, the Central Tenders Board was not in a position to make an award and this is where the Minister responsible for the Central Tenders Board came into the picture. This note which was in the possession of the Member for Oropouche says:

"In an effort to resolve the impasse, CARIRI was requested by the advisor to the Ministry of Finance and Planning on behalf of the Permanent Secretary, Ministry of Finance and Planning, to advise whether there was any merit in the objection of the Tobago House of Assembly to the award of the contract."

This was in October 1982. It had nothing to do with this Government. It was under the stewardship of the party to which San Fernando East now pretends to lead.

"It is to be noted that the original letter of award was amended to include supervision of installation rather than installation only.

CARIRI submitted its evaluation report in October, 1982 and noted *inter alia*:

1. there was merit in the objection to the award of the contract.
2. The deficiencies of the specifications were widespread and significant.

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3. The evaluation of the tenders done on behalf of the Central Tenders Board was technically inadequate and recommendations were unsupported.
4. During the period between invitation to tender and award of the contract, the site for the plant was changed from Greenhill to Studley Park. This change would have significant effect on the plant and site layout, and other aspects of the installation, such as electrical power supply.

The report recommended that the Goodwin-Barsby Unit, as tendered by SK Watson, be rejected."

That is how the award was made to Harriman. Mr. Speaker, my colleagues are obviously enjoying the unmasking of the truth.

Dr. Tewarie: Mr. Speaker, I wanted to ensure that the hon. Member had dealt with the Member for Oropouche, as adequately as he dealt with the Member for St. Augustine, so I was enquiring whether he had completed his scrutiny of the Member for Oropouche's contribution.

Mr. Wilson: Mr. Speaker, he did not have much to say, but I would like to take the opportunity at the next sitting, if the House adjourns now, to continue.

BUSINESS OF THE HOUSE

Mr. Speaker: I wish to make an announcement with respect to one of the committees which is not functioning—the Special Select Committee of the House of Representatives appointed to consider and report on a private bill for the incorporation of the Faith Centre. Mr. Eden Shand is unable to serve. Mr. Jenson Fox has been granted leave, and the Chairman, Dr. Anslem St. George wishes to proceed with the private bill, so we will have Mr. Kenneth Butcher, and Mr. Rawle Raphael replace Mr. Jenson Fox. and Mr. Eden Shand on this committee.

Motion made and question proposed, That the House do now adjourn to Friday, August 23, 1991 at 1.30 p.m. [*Hon. B. Tewarie*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.17 p.m.