



ANY REPLY OR SUBSEQUENT REFERENCE TO THIS COMMUNICATION MAY BE ADDRESSED TO THE **PERMANENT SECRETARY** AND THE FOLLOWING REFERENCE NUMBER QUOTED.

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**OCG ADVISES NO BREACH OF PROCEDURES IN KCT PRIVATIZATION**

The Office of the Contractor General [OCG] has advised that there was no breach of procedures in respect of the Privatisation of the Kingston Container Terminal relative to complaints made by MP for Central Clarendon, Mr. Mike Henry.

In a letter to the OCG dated March 31, 2015, Mr. Henry had raised two concerns pertaining to (a) the potential of Terminal Link to meet the required criteria for the bidding process if any previous partner had withdrawn from the partnership and (b) the possibility that any undisclosed guarantee had been requested by Terminal Link or was being considered by the Government of Jamaica.

On completion of its Investigation, the OCG noted that with respect to the question as to whether Terminal Link Consortium was qualified to participate in the bidding process based on the withdrawal of certain partners, such changes to a Consortium were provided for in the Request for Proposal (RFP).

On the matter of "undisclosed guarantees" the OCG advised that they were only in a position to speak to guarantees which were outlined in the Concession Agreement. However, the Port Authority of Jamaica (PAJ) has confirmed that no undisclosed Government Guarantees were given for this transaction.

In summary, the OCG advised that "***having referred to the Government of Jamaica Policy Framework and Procedural Manual for the Privatisation of Government Assets, October, 2012 and the Addendum to the Privatisation Policy; the Policy and Institutional Framework for the Implementation of a Public-Private Partnership Programme for the Government of Jamaica and the associated provisions of the RFQ and RFP,***" ***it is of the opinion that the transaction adhered to the applicable policies and procedures and is in keeping with Jamaican Laws.***"

The OCG also used the opportunity to highlight the fact that they would continue to monitor the Project in keeping with the provisions of the Contractor General Act.