



**JOINT CONSULTATIVE COUNCIL FOR
THE CONSTRUCTION INDUSTRY**

The Professional Centre Building
1* Floor Unit B202, 11-13 Fitzblackman Drive, Wrightson Rd. South, Port of Spain
Tel: (868) 623-9396/ 627-2522 Fax: (868) 625-5749
jcctt1@gmail.com www.jcc.org.tt

9th December 2014

Ms. Arlene McComie
Permanent Secretary,
Ministry of Planning & Sustainable Development
Level 14 Eric Williams Financial Building
Independence Square
Port of Spain

Dear Ms. McComie,

Re - JCC concerns on Invader's Bay Development

The JCC has carefully considered your response of 31st October 2014 to our formal requests for information of 9th September and 13th October 2014.

The aim of the JCC's enquiry was to establish just what is being planned and agreed in respect of this large-scale development, the largest in our Capital City in living memory.

The MPSD response gives scarcely any new insight into these issues of high public concern. In every critical aspect – lease terms; tax or maritime concessions; terms of the MoU; size/scope of development proposals - the MPSD reply was unclear. Your reply comprised bald confirmations of this or that general position, with no detail as to the situation being queried.

It is not acceptable that the fundamental arrangements for these large-scale developments be held secret until the contracts are sealed.

We are unable to reconcile this threadbare response with the Minister's unambiguous Parliamentary statement as to government policy in not seeking or wishing to withhold any fact or information about this project. The JCC does not accept this stark 'information gap' between the details requested and your response as Permanent Secretary of MPSD.

Every substantive detail of the arrangements driving this development process remains obscured, notwithstanding your undertaking to provide the requested information.

We have tabulated our analysis for your early consideration and action.

...//See table below.....

Association of Professional Engineers of Trinidad & Tobago - Trinidad & Tobago Institute of Architects
Trinidad & Tobago Society of Planners - Trinidad & Tobago Contractors' Association
Institute of Surveyors of Trinidad & Tobago-Trinidad & Tobago Chapter of the International Facility Management Association

INFORMATION REQUESTED	INFORMATION PROVIDED	OUTSTANDING INFORMATION
Legal Costs	MPSD suggested we query the AG	Legal costs of Court matters to be obtained from AG's Office.
How many proposers were selected	Three shortlisted proposers identified	-
Identity of successful proposers	Two successful proposers identified	-
Nature & size/scope of proposals	Outline of only the nature of the proposals was given	Size & scope of proposals – for example, the No. of hotel rooms, apartments, movie theatres, marina slips; size of offices and light industrial buildings proposed
Intended land area to be allocated	Outline details given	-
Intended lease terms	State leasing policy recited, with no details as to intended lease terms to these proposers	In the case of 30-year leases, the existing policy is to charge annual rentals as a percentage of the capital value, at rates of 5% for commercial and 3.5% for residential. In the case of 99-year leases, the policy is to charge a premium equivalent to the current market value with a fixed, nominal rent thereafter. The ICC's questions as to the intended lease terms remain unanswered – Does the State intend to proceed with these leases in accordance with existing, established policy?
Leases or Agreements for leases	Neither of those have been executed.	-
Memoranda of understanding	Execution of MoUs with both proposers confirmed, but with no details to be provided until leases are registered.	Details or copies of those MoUs are requested so that the underlying arrangements can be identified.
Existence of additional concessions – for example maritime or taxation	State policy recited with no reply to this specific query	Details of those concessions which have been agreed are requested so that the underlying arrangements can be identified.
Updated valuations	Estimates of value as provided by BCQS for the respective sites were provided. Minister Tewarie's letter of 1 st March 2012 stated that the Valuation Division had estimated the value of the property to be \$1.28 Billion.	<p>Details requested, in respect of both Valuation Division and BCQS opinions, include -</p> <ul style="list-style-type: none"> · the interest being valued (what leasehold term? 30-yr or 99-yr leases?) · What use assumptions were made? · Date of valuation · State of infrastructure – was the property being valued unimproved or with full infrastructure?
EIA status	Status given	-
CEC status	Status given	-
Planning Permission status	Status given	-
Proposed concepts or layouts and the costs of developing those	No details provided	Please provide the requested details as to the proposed concepts or layouts and the production costs of those. If these do not exist, please confirm that to be the
December 2009 'Structure Plan' for Invader's Bay, as prepared by the Town & Country Planning Division of MPSD	Outline information provided, but requested plan not supplied	Please provide the December 2009 'Structure Plan' as requested.

In closing, we would take the opportunity to enquire when does MPSD or the Town & Country Association of Professional Engineers of Trinidad & Tobago - Trinidad & Tobago Institute of Architects Trinidad & Tobago Society of Planners - Trinidad & Tobago Contractors' Association Institute of Surveyors of Trinidad & Tobago-Trinidad & Tobago Chapter of the International Facility Management Association

Planning Division propose to engage in Public Consultations on this development.

We anticipate your early, positive response to properly satisfy our request for these outstanding details.

Yours sincerely,

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Afra Raymond, BSc, FRICS

PRESIDENT