



The Office of the Minister of Planning and Sustainable Development

October 28, 2013

Mr. Winston Riley
Chairman
Private Sector/Civil Society group
The Professional Centre Building
1st Floor Unit B202
11-13 Fitzblackman Drive
Wrightson Road South
Port of Spain

Dear Mr. Riley,

I am following up on our telephone conversation last week on the matter of Procurement legislation and this letter is to update you on what is transpiring with regard to the Procurement Legislation and to suggest a methodology for getting a good Bill to the point of debate and passage in the Parliament of Trinidad and Tobago. I would sincerely appreciate the collaboration of your good self and the Private Sector/Civil Society Group members in managing the process successfully.

The clear objective of our Government from the very beginning has been– to pass Procurement Legislation that would establish a modern, progressive, transparent procurement regime, support the development of business and encourage sustainable development of our country.

As an enlightened and interested party, following progress on this matter, you would be aware that the process has not been easy getting the Bill to this point. After all is said and done, however, we did achieve a Joint Select Committee consensus on what should be included in the Bill. All submissions, written and oral, from interested parties would have been taken into account by the Joint Select Committee in arriving at its consensus and this includes submissions by the Private Sector/ Civil Society Group. The recommendations of that Joint Select Committee were unanimously accepted by Parliament after full debate.

It is on the basis of these recommendations that the preparation of the legislation has been pursued by the Chief Parliamentary Council. To have done otherwise would be to risk withdrawal of support for the Bill in Parliament; and the Bill requires a special majority. As I indicated earlier the objective of Government is to establish a modern, transparent progressive procurement regime. However, to do that we must have the required Parliamentary support. A

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minimum requirement in this regard would be alignment of the Bill with the recommendations agreed by parliament.

My best information is that a pre-legislative draft should be ready by November 6, 2013, and that a Legislative Review Committee meeting is scheduled for November 18, 2013. I shall be happy to have that draft forwarded to you for any amendments you may wish to suggest. If you can do so in time for Legislative Review Committee to consider that would facilitate the work of the committee as well as progress on the Bill. We are doing our utmost to get the Bill to Parliament and to have your input along the way. We will ensure that the draft bill gets to you as soon as the pre-legislative process is completed. What we are seeking is your cooperation and collaboration to make things work.

Following the Legislative Review Committee process I am certain that the Chair of the Legislative Review Committee would be willing to have the Committee engage you to clarify which of your suggested amendments have been accepted and which have not and why.

Following that meeting the Bill will be considered by Cabinet and laid in Parliament. The leader of Government Business can arrange for a period of three weeks to elapse before debate on the Bill begins.

This letter is written to you in the spirit of goodwill and in good faith and it is my hope that you and the reasonable voices in your complex organization will predominate and that on this basis you will be able to reciprocate.

Please appreciate, that, given the acceptance of the recommendations of the Joint Select Committee of Parliament (made up of Government, Opposition and Independent members of both Houses) by Parliament as a whole, this Parliamentary decision must inform preparation of the legislation.

Bear in mind that Parliament in making its decision would have taken into account that all submissions to the Joint Select Committee would have been duly taken into account by its Joint Select Committee including submissions of the Private Sector/Civil Society Group.

Please appreciate that our Government is seeking to meet its commitment to pass Procurement Legislation taking in to account the consensus position on matters for inclusion taken by Parliament.

Please take into account that at the stage when a draft bill will have been completed following a JSC consultation process, the most meaningful contributions can be made by way of amendments which will be considered by the LRC once you submit them.

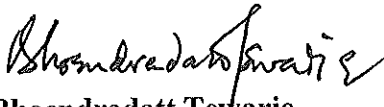
Please appreciate that the openness to dialogue, after the LRC would have considered your suggested amendments, is to impress upon you that we wish to proceed to Parliament with an enlightened Procurement Bill that will receive both Parliamentary as well as public support.

The three week period between the laying of the Bill in Parliament and the beginning of debate is to allow for public scrutiny and public comment which can be taken into account during the debate on the Bill including at the committee stage.

Our Government is making a diligent effort to pass good legislation on Procurement and it would be in the interest of all to work together to achieve this. It is my view that with reasonableness and mutual respect and consideration we can pass good legislation and do something worthwhile for our country.

I shall be most grateful if we can achieve this with your encouragement, support and participation.

Sincerely,



Dr. Bhoendradatt Tewarie
Minister

- cc:
- Mr. Moonilal Lalchan, Trinidad and Tobago Chamber of Industry and Commerce
 - Mr. Hugh Howard, President, American Chamber of Commerce of Trinidad and Tobago
 - Mr. Nicholas Lok Jack, President, Trinidad and Tobago Manufacturers Association
 - Dr. Thackwray Driver, Chief Executive Officer, The Energy Chamber of Trinidad and Tobago
 - Mr. Nirad Tewarie, Chief Executive Officer, Trinidad and Tobago Coalition Services Industry
 - Mr. Afra Raymond, B.Sc., FRICS, President, The Joint Consultative Council for the Construction Industry
 - Mr. Deryck Murray, Chairman, Trinidad and Tobago Transparency Institute
 - Mr. Christopher Garcia, President, Trinidad and Tobago Contractors Association
 - Mr Joseph Yearwood, Chairman, Board of Architecture of Trinidad and Tobago
 - Ms Margarita Leonard, President, The Association of Professional Engineers
 - Mr Lennox Austin, President, Trinidad and Tobago Society of Planners
 - Mr. Lennox Sirjuesingh, President, Trinidad and Tobago local Content Chamber
 - Mr. Joseph Aemy, President, Federated Independent Trade Unions and NGO's
 - Mr. Ganga-Persad Kissoon, President, Institute of Surveyors of Trinidad and Tobago
 - Mr. Keith Spencer, President, Trinidad and Tobago Chapter International Facility Management Association
 - The Honourable Prakash Ramadhar, Chairman of Legislative Review Committee
 - The Honourable Roodal Moonilal, Leader of Government Business, House of Representatives
 - The Honourable Ganga Singh, Leader of Government Business, Senate
 - Honourable Prime Minister, Mrs Kamla Persad Bissesar