

Lot 1 Thorne's Drive,
Durban Backlands,
Lodge, Georgetown
Tel: (592) 227-1161

February 3, 2023

Chairperson
Public Procurement Commission,
262 New Garden Street,
Queenstown,
Georgetown, Guyana

Dear Madam,

Re: BAMIA PRIMARY SCHOOL, REGION #10

A contract for the construction of the Bamia/Amelia's Ward Primary school in Region #10, was awarded to St8ment Investment Inc. on November 8, 2021, the procuring entity was the Ministry of Local Government and Regional Development, I write seeking an investigation into the award of this contract on the basis that the Contractor was not eligible for the award.

The tender process was conducted by the National Procurement and Tender Administration Board (NPTAB), four bidders submitted tenders, the details are follows: -

Project Description: Construction of the Bamia/Amelia's Ward Primary School (Grade B), Upper Berbice, Region No. 10.

Reference Number: 13/2021/80

Procuring Entity: Ministry of Local Government and Regional Development

Bid Submission: Bulkan Timber Works Inc. (G\$349,595,065.00)

St8ment Investment Inc. (G\$346,327,748.00)

Orin's Supreme Enterprise (G\$348.726.772.00)

A. Nazir & Son Contracting (G\$340,549,671.00)

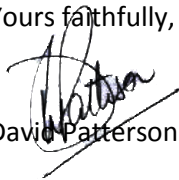
Engineer/Cost Estimate (G\$356,165,487.00)

The technical requirements of the bid documents required the successful bidder to have successfully completed projects of a similar nature and size within the last three years. St8ment Investment Inc. having been established in March 2021, do not meet these requirements, however, were still awarded the contract.

Please find attached, documents and articles that are in the public's domain.

I would be grateful, via the PPC, if an investigation can be conducted, and should the award prove defective, that the necessary actions be taken against the entities and individuals associated with this award.

Yours faithfully,

A handwritten signature in black ink, appearing to read "D. Patterson", is written over the printed name. The signature is stylized with a large initial "D" and a long horizontal stroke extending to the right.

David Patterson



GUYANA NEWS

Company struck from Register clinches \$346M contract for Bamia Primary School

-questions raised about construction background



Minister of Local Government and Regional Development (MLGRD) Nigel Dharamlall (third from left) with principals of St8ment Investment Inc and other officials at the signing of the contract (MLGRD photo)

By [Stabroek News](#) November 12, 2021



By **Lakhram Bhagirat**



the building of a primary school at Bamia/Amelia's ward, Limerick despite being removed from the Register of Companies and questions are also being raised about its background in construction given its newness and connections to the PPP/C government.

According to the Official Gazette, St8ment Investment Inc was removed from the register during the month of May 2021. The company was incorporated only on March 23, 2021, the Gazette stated.

Stabroek News yesterday reached out to St8ment Investment Inc for a comment on the various issues and was told that a statement would be forthcoming. A subsequent follow up with the company resulted in it promising to address the issues on Monday.

Works And Goods - Bidders/Contract Awards Tender Details													
Procuring Entity	Reference Number	Tender Description	Bidder Number	Bidder Name	Eng./Cost Estimate	Quoted Price Bid Amount	Currency	Bid Security Amount	Currency	Form of Tender Signed	NTS	IKD	Drawn On Institution
Ministry of Local Government & Regional Development	13/2021/80	Construction of the Bamia/Amelia's ward Primary School (Grade B), Upper Berbice Region No 10	1	Bulkan Timber Works Inc	0	349,595,065	G\$	5,244,000	G\$	Yes	Yes	Yes	Assuria
			2	St8ment Investment Inc		346,327,748	G\$	5,341,500	G\$	Yes	Yes	Yes	Assuria
			3	Orin's Supreme Enterprise		348,726,772	G\$	5,352,000	G\$	Yes	Yes	Yes	Assuria
			4	A. Nazir & Son Contracting & General Supplies	356,165,487	340,549,671	G\$	5,341,500	G\$	Yes	Yes	Yes	Caricom
							4	340,549,671					

The bids received for the construction of the school according to NPTAB's website

The project is being undertaken by the Ministry of Local Government and Regional Development and in July of this year, the bids were opened. Four companies – Bulkan Timber Works Inc (\$349,595,065), St8ment Investment Inc (\$346,327,748), Orin's Supreme Enterprise (\$348,726,772) and A Nazir & Son Contracting & General Supplies (\$340,549,671) – tendered for the project.

With an engineer's estimate of \$356,165,487, the contract was awarded to St8ment Investment Inc whose bid was \$5,778,077 higher than the lowest bid and \$9,837,739 lower than the engineer's estimate.



267.	HOT2COLD EQUIPMENT ENGINEERING INC	2021-03-17	11565
268.	GUYANA HOSPITALITY SOLUTIONS INC	2021-03-18	11566
269.	"PREFAB CONSTRUCTIONS GUYANA INC"	2021-03-18	11567
270.	MALALI QUARRY INC	2021-03-18	11568
271.	TRINITY GOLD INC	2021-03-18	11569
272.	HADALI TRADING COMPANY GUYANA INC	2021-03-18	11570
273.	CARIBBEAN GREEN BUILDING INC	2021-03-18	11571
274.	GUYANA UNITED MINERS INC.	2021-03-19	11572
275.	SALZYIA INC	2021-03-19	11573
276.	STAR IMPORTS AND DISTRIBUTORS	2021-03-19	11574
277.	STAR PARTY RENTALS	2021-03-19	11575
278.	"VS GROUP INC"	2021-03-22	11576
279.	SOUTHERN SYSTEMS INC	2021-03-22	11577
280.	MAHADEO FOUNDATION INC	2021-03-22	11578
281.	"ST8MENT INVESTMENT INC"	2021-03-23	11579
282.	UNITED DEVELOPMENT AND CONTRACTING SERVICES INC.	2021-03-23	11580
283.	3PL GLOBAL INCORPORATED	2021-03-23	11581
284.	ED PROCUREMENT INC	2021-03-25	11582
285.	SKY HIGH AVIATION SERVICES INC	2021-03-25	11583
286.	UBENEFIT INC	2021-03-25	11584
287.	SWAN PACKAGING AND DEVELOPMENT INC	2021-03-25	11585
288.	ONE PLUS ONE SECURITY SERVICES	2021-03-25	11586

The Official Gazette document which lists St8ment Investment Inc as one of the companies removed from the business register

Section 39 (2) of the Public Procurement Act of 2003 states "The Evaluation Committee shall, using only the evaluation criteria outlined in the tender documents, evaluate all tenders, determine which tenderer has submitted the lowest evaluated tender, and convey its recommendation to the procuring entity within a reasonable period of time, but not longer than fourteen days." It is unclear whether the lowest bid was non-responsive.

The awarding of the contract has raised eyebrows since the St8ment Invest-ment Inc principals, Rawle Ferguson of Hits and Jams Entertainment and Aubrey 'Shanghai' Major of the Kashif and Shanghai football tournament, have had close ties with the PPP/C government and they have not been connected with the construction industry. Major was recently appointed Chairman of the Guyana Tourism Authority.

On Monday, the Minis-try of Local Government and Regional Development announced that the contract was signed by Ferguson, Major and Region Ten (Upper Demerara-Upper Berbice) Regional Execu-tive Officer, Dwight John. The project is expected to run for 20 months with the new school being able to open its doors in the latter





After the signing, Minister Nigel Dharamlall had said "...this is not an investment in a school alone, but it is also an investment in the wider economy of Region Ten."

Checks by Stabroek News showed that the company is relatively new with very little to no experience in the construction industry. This has been compounded by the fact that it has been struck off the Register of Companies.

When contacted, National Procurement and Tender Administration Board (NPTAB) Chairman Tarachand Balgobin told Stabroek News that evaluators of bids are not required to conduct due diligence exercises into companies that tender for public projects.

"The evaluators, they are not required to do the due diligence on the persons that bid. They would presume that it is a valid company because of the company registration and so on would normally be included in the bid. Essentially what would happen is if the company did include that (their registration) in their bid the evaluators would assume that it is correct," he explained.

Balgobin further related that if NPTAB finds information that it was misled by a bidder then there will be penalties.

"So essentially what would happen if that is brought to the attention of the Board and it is reviewed that (in) the tender documents that are provided by the bidder, the bidder did not disclose that as a material fact that they are not at the time of the bid, a company registered as a company but they are bidding in the name of that company, they would have been guilty of falsifying information to the Board. At which case such a matter could be dealt with at the Board and appropriate remedies issued against the contractor," Balgobin informed.





presumes that the company is a legitimate company, trading and doing business in the name which it is tendering. So that gives some legitimacy to the company itself so if those things have been falsified and the registration of the company have been falsified to say that it is currently in active registration those are grounds for which the company can be penalized," the NPTAB Chair added.

Minister Dharamlall told Stabroek News, during a brief telephone interview, that the project was publicly tendered and distanced himself from the awarding of the contract. When asked if he was aware of the status of the company awarded the contract, Dharamlall directed all questions to the NPTAB and disconnected the call.

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Disingenuous

Meanwhile, Region Ten Chairman Deron Adams has called out Dharamlall for facilitating the signing of the contract without the involvement of the elected Regional authorities including the Chair of the Regional Education Committee.

A statement from Adams said the entire signing exercise was "disingenuous". He said that the project was conceptualized by the APNU+AFC administration in 2017.

"A contract for this project had been arrived at in 2019 which attracted an objection by E & A Consultants and resulted in the stalling of the construction of this facility. However, the Council persevered and was able to execute two other similar projects that were under consideration at this time as well, seeing the successful construction of the





Statement related:

Adams said that the Regional Democratic Council has taken note of the manner in which the developmental projects are being addressed. He added that there seems to be "scant regard" for the elected representatives of the Region. He committed to ensuring that every project is closely monitored.



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GUYANA NEWS

Hits and Jams, Shanghai company bosses defend receipt of Bamia school contract

...Commercial Registry says St8ment Investment Inc was mistakenly listed as struck off



Kerwin Bollers

Charles Ceres

By [Stabroek News](#) November 13, 2021



St8ment Investment Inc, a company without any background in construction, is defending the \$346 million contract it won for the building of a Primary School at Bamia/Amelia's Ward, Linden.

St8ment was incorporated in March of this year and its principals are



along with Aubrey 'Shanghai' Major and Kashif Muhammed of the Kashif and Shanghai football tournament.

The quartet has been closely linked to the PPP/C government for a number of years and Major was recently appointed Chairman of the Guyana Tourism Authority while Muhammed is Chairman of the National Sports Commission's board. The appointments were made after the PPP/C regained office last year.

The project is being undertaken by the Ministry of Local Government and Regional Development and in July of this year, the bids were opened. Four companies – Bulkan Timber Works Inc (\$349,595,065), St8ment Investment Inc (\$346,327,748), Orin's Supreme Enterprise (348,726,772) and A Nazir & Son Contracting & General Supplies (\$340,549,671) – tendered for the project.

St8ment, with the second-lowest bid, received the contract which was signed on Monday by principals of the company and Regional Executive Officer (REO) of Region Ten (Upper Demerara-Upper Berbice) Dwight John.

Following the announcement of the signing, several questions have been raised about the company's competence to execute a project of this nature along with its experience in the construction industry since its principals are from sport and entertainment.

Bollers yesterday took to their radio station to address the questions raised in the local press about the company. He admitted that the company was only formed a few months ago but said that they are being advised by geotechnical engineer Charles Ceres on all ventures. He pointed to a 2020 memorandum of understanding signed between the government and HJ Entertainment for the construction of a 400-room Sheraton Hotel and explained that Ceres is also working with them on that project.

and we have a very competent team in terms of executing this project [the construction of the Bamia Primary School]," Bollers told the listeners of HJ 94.1 Boom FM.

"We are here to stay. We're now into construction for persons who are asking. Yes, we've expanded our portfolios," he added.

Meanwhile, Ceres, who also appeared on the radio programme with Bollers, said that he has known Muhammed and Major for over three decades and has full confidence in their ability to survive in the construction world.

Speaking directly to the questions being raised about the company's competence, Ceres said that there are no uniform standards when it comes to holding companies accountable and likened the questions about St8ment Investment Inc to that of racial discrimination. "When I read the articles in Stabroek News, I see a contradiction of how you perceive St8ment Construction as applied to how they perceive other people. We have an emerging oil and gas sector and there are a lot of people the only thing they knew was how to spell oil and gas...they now consult in the oil and gas industry. Why an article questioning St8ment Construction when they have never raised similar questions. Is it because of the ethnic persuasion of the people who are in St8ment Construction?" Ceres questioned.

Ceres, however, did not say what his role in the construction of the Bamia Primary School would be. Nevertheless, Bollers said that the company is currently looking to hire construction workers as they prepare for the commencement of the project.

Mistakenly listed

removed from the register pursuant to s 487 (b) Chapter 89:01".

However, yesterday St8ment Investment Inc Director Ferguson told Stabroek News that the company was active and there was a "glitch" with the Commercial Registry.

Further investigation by this newspaper revealed that on July 3, 2021, the Official Gazette published the same list of 425 companies as being issued with a "Certificate of incorporation under the provisions of Section 479 (1) (b) (v) of the Companies Act of 1991."

When contacted, the Assistant Registrar at the Commercial Registry, Reza Manraj, told Stabroek News that the Guyana National Printers Limited is responsible for the error and subsequent failure to give notice of correction.

"What the Registry would have recognised at the time was National Printery would have erroneously put that caption [that the businesses were removed from the register]. Actually what the Registry would have sent was for those companies to be presented as companies that would have been duly incorporated with the Registry and that was subsequently advertised on the 3rd of July 2021. "Now what National Printery ought to have done was to publish it as an erratum explaining due to inadvertency it was not companies that were struck off or removed from the register but companies which were duly incorporated but that was not done. That was where the whole confusion came from," Manraj explained during a telephone interview.

The Regional Administration of Region Ten has raised issues with the process employed for the signing of the contract. They have since vowed to hold the contractors accountable and stringently monitor the project.



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\$346 million primary school for Amelia's Ward/Bamia

By Staff Reporter - November 9, 2021



Local Government and Regional Development Minister, Nigel Dharamlall, addressing the contract awardees on Monday (DPI photo)

A CONTRACT valued \$364 million was signed on Monday for the construction of a primary school in Amelia's Ward/Bamia, Region 10.

The contract-signing was facilitated by the Ministry of Local Government and Regional Development and was awarded to St8ment Investment Inc. The facility will house up to 800 students.

Minister Nigel Dharamlall said initiatives such as these are critical within the region, as it paves the way for development.

"This area is very important in the development scope of our country because of its magnitude and because of its potential," he noted.

The school is expected to be ready for opening in 2024, the Department of Public Information (DPI) has reported.

Minister Dharamlall urged the contractor to utilise labour from within the community as it will create employment for persons there.

"Part of the vision of His Excellency is to ensure that whatever resources we place into different regions, that employment creation is one of those outcomes, as well as wealth generation. So, this is not an investment in a school alone, but it is also an investment in the wider economy of Region 10."

The bids were opened by the National Procurement and Tender Administration Board (NPTAB) in July of this year, from which four companies made submissions.

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Bamia school contract fiasco highlights dire need for Procurement Commission- Figueira

Nov 24, 2021 News

Kaieteur News – The Procurement Act of 2003 clearly states that suppliers and contractors seeking Government projects must substantiate their past performance with the necessary documents for consideration. However, a 'fly-by-night' company, St8ment Investment Inc. has been granted a whopping \$346 million contract to build a new Primary School at Bamia in Region 10, with no public records indicating any construction experience.

The new Chairman of the Public Accounts Committee (PAC), Jermaine Figueira in an interview with this newspaper, said that this flaw highlights the importance and need for the Public Procurement Commission (PPC) to be established.

According to him, "My concern is with regard to this particular company. It hasn't been registered for over a year, it has no known public information with respect to the company undertaking any works of this magnitude, the fact is that they are going to be building a school to house children and teachers. That is a concern to me, (given that) the company having no public experience to do such large construction" could have been awarded such a contract.



Chairman of the Public Accounts Committee (PAC), Jermaine Figueira

He said, even though St8ment has contracted a company to supervise the construction works, it does not stray from the fact that this is a blatant disregard for the Constitution.

"But it is still concerning that this particular school was put to be bid for, and people with experience would have bid for it. People with known experience would have bid for it, and none of them got the contract. It brings into question the need for the Public Procurement Commission to be established and it brings into question what role did the NPTAB (National Procurement and Tender Administration Board) played in this regard, because it is clearly a breach of the Procurement Act and NPTAB criteria," the PAC Chairman emphasized.

He added, "That is why we have been saying that the issue of the Public Procurement Commission needs to be prioritized or to be operationalized, where the Commission is put in place. Because those contractors who lost the bid to a company with no experience could have lodged their complaints to the PPC, but there is no commission in place and there is no recourse for those aggrieved contractors."

CHAPTER 73:05 of the Procurement Act 2003 declares that each supplier or contractor that wishes to participate in procurement proceedings must qualify by meeting the criteria as the procuring entity considers appropriate. These include, "That its past performance substantiated by documentary evidence would commend it for serious consideration for the award of the contract".

Two weeks ago, Popular Disc Jockey, Entertainer turned radio and television station owner, Kerwin Bollers, along with well-known local football promoter, Shanghai Major, signed the contract for the construction of a \$346M school at Bamia, Region 10.

That contract was signed at the Ministry of Local Government and Regional Development. Minister Dharamlall, at the time of the signing, said that the project is expected to be completed within 20 months.

Region 10 Chairman, Deron Adams criticized the award of the contract, to the unknown builders, which was done at the level of the National Procurement and Tender Administration Board. It was

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Sports

reported that four companies submitted bids for the contract.

A  expressed his disappointment that the contract was signed without his notification, as an  official of the region.

One of the companies which tendered for the project, Bulkan Timber Works in a letter to another section of the media complained about NPTAB's statement that the agency is "not required to conduct due diligence exercises into companies that tender for public projects".

The businessman, Howard Bulkan elaborated, "The evaluators, they are not required to do the due diligence on the persons that bid. They would presume that it is a valid company because of the company registration and so on, would normally be included in the bid. Essentially what would happen is if the company did include that (their registration) in their bid, the evaluators would assume that it is correct."

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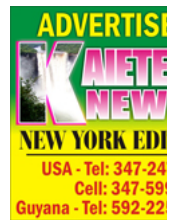
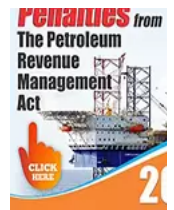


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EDITORIAL

Bamia school contract revisited

By [Stabroek News](#) October 3, 2022

On November 8, 2021, a \$346m contract was awarded to St8ment Investment Inc for the construction of a primary school at Bamia, Linden. Questions were immediately raised about this award by the National Procurement and Tender Administration Board (NPTAB) as the company in question comprised entertainment promoters who have largely operated under the Hits and Jams label and others who have engaged in the promotion of sports. Further, all of the principals of the company have had longstanding ties with the PPP/C government. The members of the NPTAB were singlehandedly appointed by the government and the committees evaluating bids and making decisions were enlisted by those at the head of the procurement board. The picture is then pellucid. The PPP/C government is in full charge of the procurement process and any protestations that it is really independent evaluation committees making the decisions is nothing but piffle.

From the outset one would have expected that the bidders for a contract for the construction of a school would be construction or engineering firms, not prospectors seeking a large contract and then ostensibly hiring someone versed in construction. In projects of this





Government which it ideally should have been the Region 10 administration.

When the contract was awarded in 2021, the project was expected to run for 20 months with the new school being able to open its doors in the latter part of 2024. Eleven months have elapsed and the project has not advanced anywhere near the halfway point and work has been stalled for weeks. The Region 10 administration which has been examining developments is rightly concerned about whether deadlines will be met.

In response to the situation, the September 18 Sunday Stabroek reported Rawle Ferguson, one of the principals of St8ment Investment as saying that he was unaware of works being stalled. He said that he would have to “make some calls” and promised to provide an update. Mr Ferguson would later deny that works have stalled even though construction had not been in evidence for weeks. He however admitted that the company had “scaled down work” whatever that means in the context of public procurement and the specific terms set out in the contract. Mr Ferguson also ventured that works will be back to normal once “payments are sorted out” which suggested that there had been some sort of dispute over the rate of disbursements.

The Minister of Local Government, Nigel Dharamlall was equally hazy about what was occurring despite the fact that this matter had been in the news for days and his ministry was the procuring agency. He told yesterday's Sunday Stabroek “I am aware that the works are behind schedule but I cannot say if it is stalled or anything. I have been informed that the works are not going as planned and so I asked that there be a technical meeting between the contractors”.

He said that the meeting is scheduled for today among engineers, contractors and consultants along with other officials and that after the meeting the ministry would be in a position to say definitively what was happening with the project.





project and whether it has met contractual commitments and if not why not and whether penalties have been assessed. One must also question whether the consultant on this project has been reporting regularly to the procuring agency given that the minister appeared not to have specific information on the state of play.

Billions of dollars in monies belonging to the people of this country are being handed out by this government on large and small infrastructural projects. Value for money is expected and this is intrinsically tied to whether the best contractors are being chosen by evaluation committees. The recent selection of Kares Engineering Inc for the construction of the North Ruimveldt Secondary School has again raised concerns about what the NPTAB evaluation committees are doing. Former Auditor General Anand Goolsarran has already pointed out that the procuring agency, the NPTAB and Cabinet are all at fault for allowing this project to proceed without the poor performance of the company on the Kato school project being taken account of. Questions were recently also raised about the stalling of work on a pump station at Adventure, Corentyne.

The decisions made by the evaluation committees for the Bamia and North Ruimveldt schools should be examined by the recently constituted Public Procurement Commission (PPC) for a determination of whether the tender documents advanced by the procuring agencies were acceptable and whether the tender evaluation committees acted in accordance with their mandate.

A major part of the problem the country faces with ill-equipped contractors is the continuing absence of an engineer's act. For decades, both PPP/C and PNCR-led governments have refused to ensure that an act that enables the registration and licensing of engineers was in place. Such an act would have certainly enabled qualified engineering and construction firms to bid and would have weeded out the unqualified. With its still unimpressive legislative achievements, one wonders about the PPP/C government's plan for the engineer's act given the exponential rise in the number of public infrastructure projects and the attendant spending. In November of 2020, it was reported that Public Works Minister Juan Edghill had delivered a draft Engineering Bill for a

