

Email leaked to the media — Children's Garden (P2CG) project procurement concerns

5 January 2024

Reproduced for publication. The names of individuals and the local part of each email address have been redacted; only the email domain is shown. The substance of the email is unchanged.

From: [REDACTED] <[REDACTED]@gov.ky>
Sent: Friday, 5 January 2024, 3:52 PM
To: [REDACTED] <[REDACTED]@cinaa.ky>
Cc: [REDACTED] <[REDACTED]@candw.ky>; [REDACTED] <[REDACTED]@gov.ky>; [REDACTED] <[REDACTED]@gov.ky>; [REDACTED] <[REDACTED]@gov.ky>
Subject: RE: Children's Garden (P2CG) Business Case Submission

Good afternoon [REDACTED],

I have taken some time to analyze this request and I have a number of concerns:

1. A project of this size (1.874M) is required to have a business case approved by the PPC prior to the start of the project in accordance to the Procurement Act 14 (1).
2. We have noted that 78% of this project has already been completed without PPC approval.
3. Procurement Regulations 20 (4) speaks about disaggregation of a project and I note this Regulation was used to justify splitting the remaining sections of this project. However the Regulation 20 (4) mainly refers to the lack of local supplier capacity or resources to bid on the aggregated project. I have reviewed the regulation and it is my opinion that this project has not met the Regulation 20 (4) in order to be split as there does not appear to be a shortage of suppliers on island to justify splitting or subdividing the project.
4. The invoices that were recently provided total over 350k and again this is over the 250k threshold thus requiring EPC and PPC approval prior to the start of process.

In accordance with The Ministry's Policies & Procedures, any request to release Equity Investments needs to follow the Procurement Process. The Ministry cannot justify releasing these funds since the Procurement Process has not been followed.

I have cc'd the [REDACTED] to provide any comments if needed.

Regards,
[REDACTED]