



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

4th Session – 10th Parliament (Rep.) – Volume 25 – Number 26

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE WADE MARK
SPEAKER

THE HONOURABLE NELA KHAN
DEPUTY SPEAKER

Friday 25th April, 2014

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CONTENTS

	Page
LEAVE OF ABSENCE	453
PAPERS LAID	453
ORAL ANSWERS TO QUESTIONS	
La Brea Fish Market (Construction of) [Deferred]	454
Floodlighting at Recreation Grounds (Details of) [Deferred]	454
Relocation of Affected Oil Spill Victims (Reasons for Delay)	455
Recreation Grounds (Details of)	457
STATEMENT BY MINISTER	
Public Debts (Inheritance of) [<i>Sen. The Hon. A. Ramlogan</i>]	464
WASA and NGC (Award of Contracts) [<i>Second Day</i>]	473
Arrangement of Business [<i>Mr. Speaker</i>]	512
ADJOURNMENT	
[<i>Hon. Dr. R. Moonilal</i>]	524
Registration of Engineers (Compulsory Requirements) [<i>Mr. C. Imbert</i>]	524

HOUSE OF REPRESENTATIVES*Friday, April 25, 2014*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I have received the following communication from the following hon. Members: Dr. Amery Browne, Member of Parliament for Diego Martin Central; Mr. Patrick Manning, Member of Parliament for San Fernando East; Hon. Dr. Keith Rowley, Member of Parliament for Diego Martin West; Miss Donna Cox, Member of Parliament for Laventille East/Morvant, have asked to be excused from today's sitting of the House.

In addition, Hon. Jairam Seemungal, Member of Parliament for La Horquetta/Talparo, Mr. Chandresh Sharma, Member of Parliament for Fyzabad. [*Crosstalk and laughter*] May I have your attention, hon. Members? Those two hon. Members are currently out of the country and have also asked to be excused from today's sitting of the House. Hon. Nizam Baksh, Member of Parliament for Naparima, is unwell and has asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

PAPER LAID

Audited Financial Statements of the Trinidad and Tobago Electricity Commission for the year ended December 31, 2012. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]

To be referred to the Public Accounts Committee.

ORAL ANSWERS TO QUESTIONS

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, to indicate that the Minister of Food Production is currently aboard on Government business, I will ask that Question No. 88 be deferred for two weeks and Question No. 95 to the Minister of Public Utilities, of course, the Minister is unwell, and I will ask that it also be deferred for two weeks.

The following questions stood on the Order Paper in the name of Mr. Fitzgerald Jeffrey (*La Brea*):

**La Brea Fish Market
(Construction of)**

- 88.** With respect to the construction of the La Brea Fish Market, could the hon. Minister of Food Production state:
- (a) The expected commencement date of construction;
 - (b) The name and address of the contractor who was awarded the construction contract; and
 - (c) The cost of the contract?

**Floodlighting at Recreation Grounds
(Details of)**

- 95.** Could the hon. Minister of Public Utilities indicate when the following recreation grounds will be outfitted with floodlighting:
- i. Lot 10 Village Recreation Ground;
 - ii. La Brea Community Recreation Ground;
 - iii. Palo Seco Settlement Recreation Ground;
 - iv. Vance River Recreation Ground;
 - iv. Parrylands Recreation Ground;
 - v. Erin Recreation Ground;
 - vi. No. 4 Road, Palo Seco Recreation Ground;
 - vii. No. 8 Road, Palo Seco Recreation Ground; and
 - viii. KTO Recreation Ground.

Questions, by leave, deferred.

**Relocation of Affected Oil Spill Victims
(Reasons for Delay)**

- 93. Mr. Fitzgerald Jeffrey (*La Brea*)** asked the hon. Minister of Housing and Urban Development:

Could the Minister state the reasons for the delay in relocating the affected oil spill victims from La Brea to vacant and habitable HDC units at Hubertstown, La Fortune and Southern Gardens?

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Thank you, Mr. Speaker. The Member for La Brea is asking for reasons for the delay in relocating the affected oil spill victims from La Brea to vacant and habitable HDC units at Hubertstown, La Fortune and Southern Gardens.

The Member for La Brea, having checked the records at the Housing Development Corporation, I am instructed that the Member for La Brea has not written to the HDC or has made no request to the Housing Development Corporation for the relocation of citizens in the La Brea area to any of those housing development sites. That is my instructions. I am instructed that there is no record of a request made by the Member for La Brea.

Mr. Speaker, but I will not leave the answer just that way, but in the event that the Member does make a request sometime in the future, I would like to indicate that the three housing sites identified in the question—the status of the three, so the Member may wish to reconsider, if he decides to write, naming the housing development estates.

In terms of the La Fortune Housing Estate, to indicate for the record, this estate started in April 2006. An agreement was reached for a joint venture between HDC and Pace Construction Services Limited for the design and construction of 309 housing units at La Fortune Estate, Point Fortin, for \$88,448,540.82. Mr. Speaker, interestingly on the HDC file, that letter of agreement is unsigned. The letter of agreement for \$85 million is unsigned.

The schedule for infrastructure delivery was six months and housing delivery, 12 months. All contractual arrangements excluded from the contract the waste water treatment facility. Therefore, it was not until 2009, from 2006, that WASA granted outline approval for this site. A waste water study was undertaken in 2010 resulting in the development of tender documents. The Housing Development Corporation issued a separate contract to design and construct the treatment facility in April 2011.

Location of this treatment plant changed due to the intervention of statutory authorities including WASA and the Point Fortin Borough Corporation in November 2012. Changes were also incurred due to electrical infrastructure design to accommodate temporary and final waste water treatment plants at the La Fortune site. The confirmation of a waste water treatment plant location was granted in August 2013. The projected completion date for the waste water treatment plant at this estate is October 2014. The HDC also issued a separate

contract to design and construct a temporary waste water treatment plant with a capacity of 100 units to treat waste from Phase 3, 98 units in May 2011. The project was completed in September 2012.

In the La Fortune Housing Development, this would involve 422 housing units, 24 upscale single family units, 114 single family units with 52 single-storey duplexes. The completion dates for this particular project include Phase 1, February 2015; Phase 2, February 2015; Phase 4, October 2014 and Phase 5, October 2014. In Phase 3, 98 units were completed in December 2013 and allocation is currently ongoing. Mr. Speaker, the completion of the waste water treatment plant will be in October 2014.

As it relates to Hubertstown Housing Development, all 50 units have been occupied; all allocated through collaboration between the HDC and the National Energy Corporation. This was done in March 2013 to facilitate relocation of persons from that La Brea area.

In terms of Southern Gardens Housing Development, there are five empty units which have been already allocated but awaiting remedial works. These works are projected for completion by May 31, 2014.

Mr. Speaker, thank you. [*Desk thumping*]

Mr. Jeffrey: Supplemental. Hon. Minister, are you aware that on December 18, I did communicate with both yourself and Minister Ramadharsingh about the oil spill situation in La Brea and the possibility of relocating the residents, evacuating the residents? I do not know if you can recall.

Hon. Dr. R. Moonilal: Mr. Speaker, we were waiting for your request. I did read in the newspaper attempts by the Member to reach other Members of Government, and I cannot recall a telephone conversation but I am not doubting that we would have spoken. But if the Member could simply write the Housing Development Corporation, make specific requests and identify those persons who you believe to be hindered and in need of help. What happens, for the benefit of all Members, is that the Housing Development Corporation will trigger their own social assessment and needs analysis and based upon that report, allocations in an emergency context can be made.

**Recreation Grounds
(Details of)**

94. Mr. Fitzgerald Jeffrey (La Brea) asked the hon. Minister of Sport to indicate:

- a) When each of the following grounds will be upgraded with adequate bathroom and pavilion facilities and proper fencing:
 - i. Lot 10 Village Recreation Ground;
 - ii. Aripéro Village Recreation Ground;
 - iii. No. 8 Road Recreation Ground;
 - iv. Vessigny Recreation Ground;
 - v. La Brea Community Recreation Ground;
 - vi. Los Bajos Recreation Ground;
 - vii. Rancho Quemado Recreation Ground;
 - viii. Dalleys Village Recreation Ground;
 - ix. No. 4 Road Recreation Ground; and
 - x. Parrylands Recreation Ground?
- b) In the case of each ground:
 - i. The name of the contractor selected; and
 - ii. The cost of each contract?
- c) The reasons why any ground(s) referred to is/are not earmarked for such upgrade?

The Minister of Sport (Hon. Anil Roberts): Thank you, Mr. Speaker, and thank you, hon. Member for La Brea.

Lot 10 Village Recreation Ground: the location is too small to facilitate major upgrades such as the construction of a new pavilion, bathrooms, change rooms, et cetera, as requested by the hon. MP. The location has an approximate dimension of 50 metres by 50 metres so that is impossible.

Aripéro Village Recreation Ground: the Sports Company conducted site visits and investigations to this location which revealed that the property is private land and it is not owned by the Siparia Regional Corporation. Therefore, Government cannot do anything on private land.

No. 8 Road Recreation Ground: nothing as yet. Vessigny Recreation Ground: nothing as yet for that.

La Brea Community Recreation Ground: the Sports Company conducted preliminary sites visits and feasibility study in the month of February 2013. The consultant was assigned to this project. The design and final tender documents were completed and the project will be tendered shortly, and is awaiting additional funding from the Ministry of Finance and the Economy. The scope of works for La Brea Community Recreation Ground include, after the request from the hon. Member: new pavilion which includes washrooms, changing rooms, conference rooms, kitchen, et cetera, drainage, cricket practice nets and fencing.

Los Bajos Recreation Ground: nothing yet on this ground. Rancho Quemado Recreation Ground: nothing yet on this ground. Dalleys Village Recreation Ground: nothing yet on this ground.

No. 4 Road, Palo Seco: the Sports Company conducted upgrade works to the basketball court as requested by the MP in the community. The basketball court was resurfaced and remarked. New backboards and poles were installed. These were completed in 2011. The location is, however, too small to locate a pavilion and change rooms without compromising the size of the field and court.

Parrylands Recreation Ground: unfortunately, this was never on the list requested by the hon. MP of his letter of August 10, 2011. So Parrylands, unfortunately was not on your letter and I must commend the Member of Parliament who, on August 10, 2011, gave an extensive letter and request for a recreational facility upgrade in La Brea and he wrote:

“Dear Hon. Minister,

As the Government of Trinidad and Tobago prepares its 2011-2012 budget, I am kindly seeking your assistance with the following projects.”

There was one problem, if the hon. Member understands the system of governance in Trinidad and Tobago, you would know that any request for the budget will have to come in by April or May of that period to prepare for a late August/September budget. So, by the time he wrote this letter on August 10, it would mean that his request was really for the following period which would have been 2012/2013. And the Member asked about:

“1. Point Do’r Recreation Ground, La Brea Pavilion, toilets and changing room.

*Oral Answers to Questions**Friday, April 25, 2014*

- | | |
|---|---|
| 2. Lot 10 Village, Recreation Ground | Pavilion, toilets, floodlights, changing rooms. |
| 3. La Brea Community Ground | Floodlighting, pavilion, and fencing. |
| 4. Cochrane/KTO Recreation Ground | Floodlighting, pavilion, changing rooms facility and drainage. |
| 5. Rancho Quemado Recreation Ground | Backfilling & grading, floodlighting, pavilion, changing rooms, and toilet.” |
|
1.45 p.m. | |
| “6. Aripere Recreation Ground | Grading and drainage, floodlighting, Pavilion, toilet, and changing room facilities. |
| 7. Quarry Village Recreation Ground | Floodlighting, grading, pavilion, toilet/changing room facilities. |
| 8. Palo Seco Settlement Recreation Ground | Floodlighting, grading... fencing. Pavilion, toilet/changing facilities, floodlighting and fencing. |
| 9. No. 4. Rd. Recreation Ground. | Floodlighting and fencing. |
| 10. Happy Hill Rousillac, Recreation Ground | Combination of retaining wall and re-surfacing of basket ball court. |
| 11. Dalleys Village Recreation Grounds | grading, backfilling, pavilion, floodlighting, bathroom/toilet facilities.” |

These are all requests from the Member—the PNM Member—of Parliament for La Brea.

*Oral Answers to Questions**Friday, April 25, 2014*

“12. Los Bajos Recreation Ground Grading, floodlighting,
pavilion, bathroom/toilet
facilities.”

These are all, on August 10, 2011, requests by the hon. Member for La Brea.

“13. Erin Recreation Ground Floodlighting, pavilion
repair.

14. Sobo Village Recreation Ground Repair to floodlighting,
pavilion expansion of
recreation ground, change
room/toilet facilities.

15. Vance River Recreation Ground Floodlights, expansion of
recreation ground, re-
surfacing of basket ball court.

16. Chinese Village Recreation Ground Back filling, drainage,
floodlighting, pavilion.
Basketball court changing
rooms.

17. Arena Recreation Ground, Erin Floodlighting, grading,
pavilion, bathroom/change
room facility.

18. Vessigny Village Recreation Ground Back filling,
grading...Bathroom change
room facilities.

19. Station Beach Recreation Ground Repairs to floodlighting,
pavilion, Bathroom & change
room facilities.

20. No. 8 Rd. Palo Seco, Recreation
Ground Pavilion, floodlighting,
change room, bathroom
facilities.

21. Bennette Village Recreation Ground Drainage, bleachers,
floodlighting, bathroom
facilities.

- | | |
|---|---|
| 22. Happy Valley, Erin Basketball Court | Re-surfacing, of basketball court, bleachers...bathroom facility. |
| 23. Tanty Play Park | Apparatus for little children...swings... bathroom facility. |
| 24. Industry Lane, La Brea Play Park | Apparatus for little children to play.” |

Mr. Speaker, I commiserate with the PNM Member of Parliament for La Brea because, clearly, in nine years of his government, they did nothing but I am proud to say that since his request, this Government has done three projects for La Brea—[*Desk thumping*]*—and we will continue making finances available, we will continue to serve the entire country, including the suffering people in La Brea who clearly suffered under the PNM for so long. Thank you, Mr. Speaker. [Desk thumping]*

Mr. Speaker: The hon. Member for La Brea.

Mr. Jeffrey: Supplemental, Mr. Speaker. Hon. Minister, No. 4 Road Recreation Ground has no basketball court—I wish to put on record. Hon. Member, do you remember telling this House, on March 08, 2013, that the project for the La Brea Community Recreation Ground:

“...will be tendered...”—and will—“...start by June, 2013.”

We are in 2014 and nothing has happened. The question, therefore, hon. Member, could you tell us why?

Mr. Speaker: The hon. Minister of Sport.

Hon. A. Roberts: Mr. Speaker, even though there is no question, I will tell my hon. colleague—[*Interruption*]

Mr. Jeffrey: Could I?

Hon. A. Roberts:—clearly—no, no. I will answer your question that you did not ask. Let me say, to my honourable colleague, that being a Member of the People’s National Movement, you should understand how difficult it is to do recreation grounds and get work done because between 2005 and 2010, under the PNM, the Sports Company of Trinidad and Tobago Limited, without having an AGM, without audited reports, without Articles of Association, spent \$400 million and only completed seven pavilions.

Thus, since 2010, this Sports Company has Articles of Association, has its fourth AGM going, we have done six years of audited reports, back from 2005, straight up to 2011/2012 and we are up to date right now and we have completed 32 major pavilions at an average of \$3.9 million, facilities across the board [*Desk thumping*] as well as 84 smaller projects across Trinidad and Tobago.

So, yes, we are all subject to the Ministry of Finance and the Economy allocations and we all fight for a piece of the budget, so I can assure you that if you said that I said—because I do not have confirmation, but I know you are an honest “fella”, that if I said that yes, it will be ready to roll in June, I humbly apologize but we are coming as quickly as we can and we know that the people in La Brea have been suffering because they voted PNM for so long and nothing has been done.

So I will fight to get the money from the Ministry of Finance and the Economy and as soon as we get it, we will try to complete your grounds there, as well as everybody because there are over 472 recognized grounds in Trinidad and Tobago that have been neglected for 10 years while the PNM did other things. So I humbly apologize. We will fight and we will get your grounds done for you. We may not be able to do all 24 because if you multiply 41 by 24, you are talking about \$2.5 billion, so we will go slowly but surely. So, the fact is that that information is there for your recreation ground, all the work is ready and it is just awaiting finances to tender an award to whoever wins.

Mr. Jeffrey: Further supplemental, hon. Member—[*Interruption*]

Mr. Speaker: The hon. Member for La Brea.

Mr. Jeffrey:—Lot 10 Village Recreation Ground—[*Interruption*]

Hon. A. Roberts: Which one?

Mr. Jeffrey: Lot 10 Village Recreation Ground, in terms of the pavilion, is it not possible to do an adjustment? Because certainly that 50 by 50 dimension is incorrect and I was wondering whether or not some adjustment could be made to the size of the pavilion so that the people of Lot 10 could have a pavilion.

Mr. Speaker: The hon. Minister of Sport.

Hon. A. Roberts: Thank you, Mr. Speaker. Hon. Member, I am not an engineer, I am not a petroleum engineer, I am not a civil engineer nor am I a surveyor. However, if you, by your expertise or any expertise in La Brea, can get an assessment that could make me have an argument with the civil engineers and

surveyors at the Sports Company, where you could provide surveys, evidence and so on, where you can facilitate and create a design for a pavilion that will please you and the people in Lot 10, I am certain that presented with that evidence, I can go to the Sports Company and say: listen, let us do it this way. So, if you can bring that for me and I can convince them to change their minds—because I am not as intelligent as them because they have said the location is too small to facilitate major upgrades and so on but if you can provide a solution, we are always willing, as People’s Partnership Government, to listen and to serve.

Mr. Jeffrey: Further supplemental.

Mr. Speaker: The Member of Parliament for La Brea.

Mr. Jeffrey: Hon. Minister, is it not possible for us to get the size of a pavilion as we do have in Woodland?

Hon. A. Roberts: “What? What it have in Woodland?”

Mr. Jeffrey: A pavilion. [*Crosstalk*] Lot 10 Village Recreation Ground is much larger than Woodland and I am saying if Woodland could get a pavilion, I think Lot 10 would qualify for one.

Hon. A. Roberts: Hon. Member—[*Interruption*]

Dr. Moonilal: What are we talking about?

Hon. A. Roberts:—what are we talking about? If you come to me, I am—let me speak in slow English—if you provide me with information, whether Woodland, ‘Creeklane’, Cucharan Trace, where it is possible to fit a pavilion in a 50 by 50 and not impact the playing surface, then I am willing to listen. So let us not stand here and just talk in the air. If you come and you say: well, Woodland is 49 by 48 and they have a pavilion and they could still play cricket, or they could still play football and the goalpost not trunking, I will give it to the engineers, who are paid by taxpayers, who have degrees from UWI and all these companies; real degrees, vetted and so on, I will show them your case and make an argument for that but right now the information is, it is just too small.

Mr. Jeffrey: Further supplemental. [*Crosstalk*] Hon. Member—Hon. Member [*Crosstalk*]—[*Interruption*]

Mr. Speaker: Please allow the hon. Member—[*Interruption*]

Mr. Jeffrey: Hon. Member—[*Crosstalk*] Behind me here, Mr. Speaker, I am trying to get silence.

Mr. Speaker: Hon. Members, allow the hon. Member for La Brea to ask his question in silence. The hon. Member for La Brea.

Mr. Jeffrey: Mr. Speaker—Hon. Member, Lot 10 Village Recreation Ground. [*Mobile phone rings*]

Mr. Speaker: Somebody's phone.

Mr. Jeffrey: Lot 10 Village Recreation Ground has scope for expansion. There is enough space for expansion on Lot 10 Recreation Ground.

Hon. Member: Where exactly is that?

Hon. A. Roberts: Yes. It is there. Lot 10.

Mr. Speaker: Oh, Lot 10.

Mr. Jeffrey: Yes, yes, yes. And therefore, Mr. Speaker, and therefore hon. Minister, I will like you to do further investigation on that matter because I think, really and truly, they deserve the recreation ground.

Hon. A. Roberts: Hon. Member, while you will like to give me extra work—and I like to work and we are a hard-working Government and we do not hide away from anybody, I would like to suggest that part and parcel of the responsibilities of a Member of Parliament, you are to tell me, after your consultations with your residents, where the land is, what you would like and then—but you see, you told us that Aripere Village Recreation Ground, you wanted it done but when we went down by you, they said “dais not government land, that is private land”, so you did not do your work. When you come here, you ask me about Parrylands. When I checked your letter, which was very detailed and showed the incompetence of the PNM and the lack of love for La Brea by the People's National Movement, you forgot the people of Parrylands. So I beg you, I beseech you, help me help you, bring me information and we at the Partnership will try to help you serve your constituents.

STATEMENT BY MINISTER

Public Debts (Inheritance of)

The Attorney General (Sen. The Hon. Anand Ramlogan SC): Thank you very much, Mr. Speaker. Mr. Speaker, when we assumed office on May 24, 2010, the Government inherited several problems which could have had a crippling effect on the economy of Trinidad and Tobago. Chief among them, and I will just mention a few, were, of course, the Clico and the Hindu Credit Union crisis which

had burnt a hole in the Treasury and threatened the very viability of our financial system. What was clearly a mismanaged problem, rooted in a misdiagnosis because they treated what was effectively a solvency issue, affecting the Clico empire, as a liquidity problem and therefore simply pumped money to the tune of several tens of millions of dollars of taxpayers money into Clico, did not bear fruit because as has been revealed, it was, in fact, a deep-seated solvency problem.

The second major issue that faced us was the over \$2 billion in legal claims arising from the several mega projects that were constructed. The third issue, of course, was the outstanding wage negotiations, which had been outstanding for some two to three years, that the Government inherited that we had to treat with.

So, there was the Clico and Hindu Credit Union issue that had burnt a hole in the Treasury—over \$20 billion spent on it and counting. We then had the over \$2 billion in claims, legal claims, from these mega projects, that no one had dealt with—contractors had remained unpaid for such a long time.

We had the several wage negotiations and last, but not least, there were several major international commercial arbitrations pending and that were coming at the Government and if we lost any one of them, if they were not carefully managed and we lost any one of those international commercial arbitrations, the financial implications were quite dire. In fact, it could easily leave a hole in the Treasury to the tune of in excess of \$1 billion.

You may recall the OPV matter. That matter, it was largely touted that we had lost the arbitration and we would have to pay British Aerospace Engineering hundreds of millions of dollars. As it subsequently turned out, we had, in fact, emerged victorious with a settlement payment of over \$1.4 billion to the people of Trinidad and Tobago. [*Desk thumping*]

Today, Mr. Speaker, I wish to report on the outcome of yet another arbitration that has been occupying my mind since we assumed office, and that is the World GTL arbitration against our state-owned oil company, Petrotrin.

Mr. Speaker, that arbitration was in two legs: one based in Toronto, Canada and the other based in London. The risk exposure to Petrotrin was so great that it ran into over \$1.8 billion and it could have virtually bankrupted Petrotrin, our national oil company, if we had lost it.

Dr. Gopeesingh: \$US?

Sen. The Hon. A. Ramlogan SC: \$TT—if we had lost it. So, over—close to \$1.8 billion was the risk exposure, in addition to the moneys that Petrotrin had

Public Debts (Inheritance of)
[SEN. THE HON. A. RAMLOGAN SC]

Friday, April 25, 2014

spent. So this has been a total, unmitigated financial disaster for Petrotrin. It could have been a financial disaster for the country, even further, had we lost this arbitration which World GTL brought against Petrotrin.

2.00 p.m.

For that reason, I had been asked, through the Office of the Attorney General, to coordinate and supervise and take an interest to safeguard the public interest in this arbitration, to ensure that we come out on top because if we did not, it could have devastating implications and consequences for the economy of Trinidad and Tobago and, indeed, the energy sector as a whole.

Mr. Speaker, WGTL filed a claim against Petrotrin in December 2011, whereby it sought substantial damages for breaches of fiduciary duty and responsibilities, based on statements and representations made by the former board of Petrotrin, led by Mr. Malcolm Jones.

The whole claim had its genesis in the failed gas-to-liquids project whereby Petrotrin's board entered into an agreement in September 2005, to jointly develop a gas-to-liquids project with World GTL Inc. The GTL project was initially funded by US \$125 million project loan from Credit Suisse, cash equity contributions of US \$10 million from Petrotrin and the issuance of US \$30 million non-voting preference shares.

It was also agreed, as between Petrotrin and GTL, that all cost overruns on this project will be borne in proportion to the shareholding of the parties. So that you and I have a joint venture business partnership agreement and as per the terms of that agreement, we agree that if there is any cost overrun on the project, you will pay and I will pay to defray the cost of the overrun in proportion to our shareholding. Mr. Speaker, incredibly, inexplicably and disastrously, that never happened.

In fact, to date, Petrotrin funded every red cent of those cost overruns because WGTL, as it turned out, did not appear to have any money. Petrotrin funded cost overruns in the project to the tune of not \$10 million and \$20 million, Petrotrin funded cost overruns in that project to the tune of US \$190.4 million. In the end, the actual construction cost, to date, of this unfinished plant was US \$400 million, compared to an initial project cost in 2007, of US \$160 million. The price jumped from US \$160 million to over US \$400 million.

Dr. Gopeesingh: That is TT \$2.5 billion.

Sen. The Hon. A. Ramlogan SC: TT \$2.5 billion. Due to the significant increases in cost and the inability to meet the project completion dates, Petrotrin, in its capacity as lender, placed the jointly-controlled entity into receivership on September 25, 2009.

During the financial years, when I was charged and tasked with this responsibility, I went back into the books to see how is it Petrotrin was able to contribute to these cost overruns to such a large extent, the people of this country did not know anything about it and where was this money coming from in the books of Petrotrin?

Mr. Speaker, during the financial years 2009 to 2010, the total amount of almost TT \$2.7 billion was reported as impairment losses by Petrotrin. This write-off effectively converted profits into those years to huge massive losses for our national oil company. It was in the budget debate of 2010, in the other place, former Independent Senator Basharat Ali spoke about this matter and he said, I quote: This project broke my heart. A multimillion dollar world gas-to-liquid plant is now to be dismantled and sold as scrap iron by Petrotrin, US \$400 million, and now has to be sold as scrap iron.

Permit me to quote from an article in the *Express* newspaper of April 05, 2012, entitled: “Petrotrin’s \$2.8 billion disgrace”

Mr. Speaker, this is what the President of Petrotrin had to say:

“We are actually considering right now, whether we should use this plant as scrap iron. That is a lot and that money could have been better spent looking for crude (oil).’...

We spent \$2.8 billion in building a plant and giving to the foreign shareholders...”

Mr. Roberts: Two point eight what?

Sen. The Hon. A. Ramlogan SC: Two point eight billion dollars.

“in building a plant and giving to the foreign shareholders total control of that money....

‘We spent’—that money—“in a plant that right now cannot work,”—does not work—“and it cannot function. It is about \$2.8 to \$3 billion of taxpayers money that...”—went into that project.

The Chairman of Petrotrin, a former Minister of Energy, Mr. Lindsey Gillette, described this GTL investment as a total disaster.

Public Debts (Inheritance of)
[SEN. THE HON. A. RAMLOGAN SC]

Friday, April 25, 2014

He went further to say:

“I have been pulling my hair out of my head trying to find ways we can generate money from this plant and there are two alternatives, scrap it or do nothing and let it rot,’ ... ‘If you put it into context that is almost half of the country subsidy money that just went to waste,’ ...”

—half of the subsidy for all citizens of this country just simply thrown away.

“The lost money, he said, was irrecoverable, but as the matter was still in court”—and they would see what happens now—“I can only say a lot of my money, your money, taxpayers’ money”—went down the drain—“on a plant that was wasted, ...”

Mr. Speaker, on December 04, I reported to the nation on the first leg of the arbitration. We were successful in Canada in that leg, but I did not make too much of a song and dance about it and the reason for that was because of the sting in the tail with the second major leg of the arbitration, which was yet to come in London.

Today I report on that second leg. On December 04, 2012, when I reported on that first leg, I indicated that the tribunal had issued an award in the following terms: it had declared that WGTL Incorporated and WGTL St. Lucia breached their respective obligations under the GCA by failing to transfer shares of WGTL Trinidad, upon the second anniversary of the date on which each over-contribution advanced—that is the money Petrotrin paid that they should not have to pay—was made, failing to take steps required to ensure that such shares were issued.

The tribunal ordered the GTL to transfer 9,398,211 common shares to Petrotrin and it ordered them to transfer additional common shares of GTL. It ordered WGTL to pay Petrotrin’s legal costs in the sum of TT \$14.5 million. That was the first leg. But that was minor, compared to what was yet to come. The storm was brewing.

Mr. Speaker, today I am pleased to announce that after months of hard work by a committed and dedicated legal team, together with the management and staff at Petrotrin, that yesterday Petrotrin emerged victorious in the arbitration proceedings before the London Court of International Arbitration by World GTL and World GTL St. Lucia. [*Desk thumping*]

Mr. Speaker, this is what we inherited. When GTL, having gotten the benefit of the excess moneys that Petrotrin paid, which GTL was contractually obliged to pay, after all of that money, GTL “turn round and sue” Petrotrin. Had that claim

succeeded, this is what would have happened. Petrotrin would have been found liable and had to find close to \$1.8 billion to pay to WGTL and it would have been left—[*Crosstalk*]

Mr. Speaker: Members, please. Members, please, on both sides. Members, allow the hon. Attorney General to speak in silence. Allow the Attorney General to speak in silence.

Sen. The Hon. A. Ramlogan SC: Thank you, Mr. Speaker. The problem here is this, one needs to understand what has happened. In addition to Petrotrin advancing moneys that GTL ought to have paid under the contractual arrangement they entered into, having already done that, the cruellest of ironies occurred whereby GTL “turn round, after the general election and put Petrotrin in court tuh sue dem” and that claim, with interest, costs and damages, the amount of compensation, what would have been the risk exposure to the State of the Republic of Trinidad and Tobago would have been close to TT \$1.8 billion to TT \$2 billion. That was the magnitude of the claim.

It claimed damages of US \$228 million; legal cost—the team was large—[*Interruption*]

Mr. Speaker: Please, Member for Point Fortin.

Sen. The Hon. A. Ramlogan SC: And I am pleased to say that not only were we able to succeed in getting GTL’s claims dismissed, but our counterclaim was successful and we were able to secure our legal costs as well. The legal costs will give you an indication of the complexity of this arbitration. The legal costs were awarded to the legal team I assembled as follows: to the American team, US \$2.576 million; to the lead counsel, Mr. Allan Newman QC from Great Britain who led this legal team, £763,200, and of course, for disbursements, 40.

Mr. Imbert: \$9 million?

Sen. The Hon. A. Ramlogan SC: The tribunal—that is the award of the arbitrators, Sir—consisted of Sir David Steel, a distinguished former High Court Judge in England; Mr. Henri Alvarez QC, who is a leading commercial Silk from Canada; and Professor Michael Pryles, a leading academic from Australia. This claim was so important to the international, commercial arbitration world that one of the most formidable and strongest commercial law courts you have seen assembled itself. One from Australia, one from England and one from Canada, all of whom were at the top of their game. [*Desk thumping*]

Public Debts (Inheritance of)
[SEN. THE HON. A. RAMLOGAN SC]

Friday, April 25, 2014

Our team comprised a team led by British Queen's Counsel, Mr. Allan Newman together with New York attorneys, Mr. Lewis Kimmelman and Erin Thomas, both formerly of Allen and Overy in New York.

Mr. Speaker, this London arbitration arose out of this failed gas-to-liquid plant. In that joint venture WGTL was to supply the technology for the plant and to be responsible for its management and operation. The project was to be financed in large measure by a project bank to be arranged by WGTL. Petrotrin and WGTL provided a joint and several guarantee of WGTL's Trinidad obligations under the credit agreement. Petrotrin and WGTL also entered into a guarantee contribution agreement which set out the respective obligations of Petrotrin and WGTL as project sponsors, to fund guaranteed project equity contributions as defined in the Act as well as share losses. The agreement provided that the payment obligations for each guarantee loss should be provided between sponsors 49 per cent to 51 per cent to reflect the parties respective equity interest in WGTL Trinidad and the project company.

Petrotrin—this is so incredible, Mr. Speaker, but in the face of those terms and conditions that would have protected the people of this country by protecting Petrotrin's investment to ensure that there was strict adherence to the terms and conditions of that agreement, instead of adhering strictly to that agreement, to protect the people of this country, miraculously, Petrotrin agreed with Credit Suisse to pay off WGTL's share of the guaranteed loss in the event they defaulted. How could Petrotrin agree to pay off the defaulting consequential losses for another company, when the agreement had a built-in mechanism to protect Petrotrin from precisely that happening? This meant that Petrotrin would be liable and responsible. I mean, what this means is that Petrotrin was assuming responsibility and liability for the debt of WGTL, in the face of a contract that demarcated and clearly defined the liability and risk exposure of both parties and this was authorized by the Malcolm Jones led board under the PNM administration.

2.15 p.m.

Mr. Speaker, this meant that Petrotrin would be liable and responsible for WGTL's debt. WGTL had to repay Petrotrin within one year. If it failed to do so and more than two years had elapsed, they had to transfer some of their shares in accordance with a formula. In addition to all of that mismanagement, then came the construction of the project, Mr. Speaker.

Mr. Speaker, the construction of that project was mismanaged ab initio, from beginning to end. In fact, incredibly, there were a total of 33 cost overruns on that project. In each case, Mr. Speaker, when you had the first cost overrun, that overrun should have been split between GTL and Petrotrin—you pay your part; I pay my part. If GTL did not have the money for the first cost overrun, and you helped them out, well, then, there was a second occasion, a third occasion—33 cost overruns, and in every single case, Petrotrin stepped in to pay with its own funds, WGTL's share of the cost overruns. [*Crosstalk*]

In total, you know how much—you know, Mr. Speaker, in total, Petrotrin—you know how much it paid on behalf of WGTL in those cost overruns? Mr. Speaker, in total, Petrotrin paid over TT \$600 million in cost overruns for WGTL. [*Crosstalk*] And that is in addition to the contributions it made on its behalf to the tune of some \$580 million. So \$580 million plus \$600 million in the cost overruns; that is the kind of money we are taking about—[*Interruption*]

Hon. Member: \$1.2 billion.

Sen. The Hon. A. Ramlogan SC:—\$1.2 billion. In January 2009—by which stage the budget for the project had escalated to US \$399 million—it was clear that none of the project completion dates that they set and the targets they had to meet could be met. They began to consider their options to avoid an event of default. WGTL indicated to Petrotrin it had no moneys to pay Credit Suisse, remember Petrotrin paid off WGTL's share in the Credit Suisse arrangement. So when time came to pay back Petrotrin, GTL say, “well, ah glad yuh pay it and you help meh out, buh I eh hah nuttin to pay,” to reimburse you, you see.

Ultimately, in order to—and this is the remarkable thing. In order to avoid a default, Petrotrin paid the outstanding debt to Credit Suisse in return for Credit Suisse assigning the loans to Petrotrin. Could you imagine you paying off the debt—let me break this down, eh. [*Crosstalk*] This is like “yuh brudda borrow money, he say help meh out nah, help me out. So yuh say, okay,. I will pay back your debt. You pay it back on the understanding that yuh brudda will pay you back within ah year. When a years' time come, de brudda say, well, look, I eh hah no money to pay. Ah cyah reimburse yuh. You know what you do? Instead ah putting de brudda in court immediately, or something like dat, you know what you do?” You tell Credit Suisse I will buy those loans, sell them to me. You know what has happened here, is that they were buying loans that were worth nothing, because the person who borrowed the money had nothing, and they were still buying it.

Miss Mc Donald: Mr. Speaker—[*Interruption*]

Sen. The Hon. A. Ramlogan SC: They were still buying the—[*Interruption*]

Miss Mc Donald:—may I have a slight intervention, please?

Sen. The Hon. A. Ramlogan SC: Mr. Speaker, following in this assignment—[*Interruption*]

Miss Mc Donald: Mr. Speaker, with the greatest respect to my colleague, the Attorney General, I really believe that this is bordering on a debate and it is rather lengthy. It is a presentation. It is a debate.

Mr. Speaker: How many more pages do you have?

Sen. The Hon. A. Ramlogan SC: Only two.

Mr. Speaker: Okay.

Sen. The Hon. A. Ramlogan SC: Thank you very much. [*Crosstalk*] Mr. Speaker, this victory is a very significant and important victory for the people of Trinidad and Tobago. [*Desk thumping*] It is a victory of which the Government is proud, because had the Government lost this arbitration, it could have had a crippling effect that could have paralyzed our national oil company with dire implications and ramifications for the economy. Mr. Speaker, and it is an inherited problem, the magnitude of which is difficult to comprehend and dimension. The hard fought arbitration proceedings have resulted in this historic victory for Petrotrin.

I wish to congratulate the Board and Executive management of Petrotrin. I wish to thank them for their cooperation in this matter. I wish to pay tribute to the legal team that put in all the hard work and dedication to representing and seeking this country's interest in this arbitration. The victory represents yet another milestone achievement for the leadership and Government of the People's Partnership, [*Desk thumping*] which inherited a series of complex legal disputes, spawned by the mismanagement of the former administration.

Mr. Speaker, had there been even elementary due diligence on the part of the Board of Petrotrin, this matter would not have come to pass. People are going to ask, what money is the Government going to get out of this, or Petrotrin? Mr. Speaker, I do not know if WGTL was being financed in this arbitration through third parties, because WGTL by virtue of its history, indicated that they had no money whatsoever, and Petrotrin continued with the arrangement under the previous Board.

I now have to do a means and assets search, an international means and assets search to see if I could recover one red cent from these people. But had we lost the arbitration, what we would have had to pay out would have run close to \$2 billion. So the irony of the situation, Mr. Speaker, is that we, now having won, have to go in search to see if we can recoup our moneys. Where are they? Today I call upon Mr. Malcolm Jones to tell us where we are going to find the moneys to recoup the investment on behalf of the people of this country. [*Crosstalk*]

Mr. Speaker, it is for that reason, WGTL's lack of funds and lack of licence for the catalyst, had it been discovered if a due diligence was done, this country would not find itself facing this embarrassing situation. [*Crosstalk*] It is in those circumstances, Mr. Speaker, I will conduct an international means and assets search on WGTL and WGTL St. Lucia to try and see if we can recover any money—[*Interruption*]

Mr. Speaker: Order, please! And allow the AG to speak.

Sen. The Hon. A. Ramlogan SC:—and I will also investigate this matter to see if there was any collusion in this matter, having regard to what transpired, whereby the contractual terms and conditions were ignored to the detriment of Petrotrin and the people of Trinidad and Tobago. This is a most serious matter, and it is a matter, the chickens are coming home to roost. The High Court Action we have filed for breach of fiduciary duty against former executive president Malcolm Jones, will continue in the High Court, and this victory now has cleared the way for us to proceed full pace ahead.

I thank you very much, Mr. Speaker. [*Desk thumping*] [*Crosstalk*]

**WASA AND NGC
(AWARD OF CONTRACTS)**

[Second Day]

Order read for resuming adjourned debate on question [March 28, 2014]:

Be it resolved that the House take note of these developments and call upon the honourable Prime Minister to immediately stop this award and review the overall circumstances to ensure that the public interest is protected and state resources are not stolen or wasted in the arrangements between WASA and NGC with respect to this water supply project. [*Dr. K. Rowley*]

Question again proposed.

Mr. Speaker: The list of speakers so far, those who have spoken that is, the Member of Parliament for Diego Martin West and the Member of Parliament for D'Abadie/O'Meara. The hon. Member for Diego Martin North/East. [*Desk thumping*]

Mr. Colm Imbert (*Diego Martin North/East*): Thank you for recognizing me, Mr. Speaker. "It had ah fella in meh back there, wanted to jump up."

Mr. Warner: "Yuh safe."

Mr. C. Imbert: "Ah safe today."

Mr. Warner: "Yuh safe today."

Mr. C. Imbert: Thank you, Mr. Speaker. Mr. Speaker, on the last occasion the Member of Parliament for D'Abadie/O'Meara tried his best to defend this highly irregular, highly improper and scandalous contract award to a consortium headed by Super Industrial Services, obviously a favoured son of this Government—at a cost that was in excess of \$400 million or \$400 million more than the lowest bid. In making his contribution, the Member for D'Adabie/O'Meara resorted to the usual hyperbole, exaggeration, misrepresentation, inaccuracy, [*Desk thumping*] untruth and, Mr. Speaker, I shall prove all of this. I shall prove it.

Mr. Speaker, let me deal first with statements made with respect to the cost of the project, the need for the project, the cost per cubic metre of water produced by the project, a gentleman called Mr. Chan Chadeesingh, and the tendering process. Let me deal with them—not in that particular order, Mr. Speaker.

In the contribution of the Minister of Sport, he was at pains to defend this gentleman called Roop Chan Chadeesingh. And he read out a disclaimer that had been published in the newspapers and if I can refer to the *Hansard*, Mr. Speaker, of March 28, this is what the Member had to say:

"Mr. Speaker, I will just read the 'Disclaimer' into the record since some people's memory goes a bit soft at certain times. The man spent money to put this in the newspapers and said:

Re: Article published at Page 4 of the Express Newspaper dated 13th March, 2014 - Title caption 'Rowley writes Carmona on water plant contract'...And the contents therein of that article based on quotation from Dr. Rowley. This man paid his money for this big thing.

‘This is to advise that Mr. Chan Chadeesingh referred to in the captioned article has never been appointed nor has he served as Director, Chairman or Officer of Super Industrial Services’...

And he went on to say that:

“...in order to make corruption, you have to find a relationship and if it is not there, you have to concoct it.”

That was the statement made by the Member of Parliament for D’Abadie/O’Meara. What are the facts? Mr. Speaker, I have in my possession a copy of a company newsletter, [*Interruption*] published by Super Industrial Services in October 2010—Mr. Speaker, please?

Mr. Speaker: You have my full protection.

Mr. C. Imbert: Yeah, well, it does not seem so, Mr. Speaker, because he keeps making noise.

Mr. Roberts: Me!

Mr. C. Imbert: Yes, you. You need to shut up.

Mr. Speaker: Please! Please! Please, hon. Members.

Mr. C. Imbert: Now, let us go back to what I was saying, and I know it hurts them when I bring out facts, Mr. Speaker. This is a newsletter published by Super Industrial Services, October 2010. Inside this issue:

Company profile, message from the General Manager, our services, employees, giving back in the community.

And it goes through giving information on the company:

Super Industrial Services was established in 1980 to provide a range of general contracting services within the heavy industrial and infrastructure development sectors. Presently, our main business activities include land development, roads, industrial construction, plant maintenance, container haulage, and other general construction services.

And it goes on to talk about the general manager. His name is Krishna Lalla, general manager, and he talks a lot about the company, how wonderful SIS is. And as you go through, there are photographs of jobs that they have done, then they have a page on safety, then they have a page on employees, our greatest resource, and then they have a page called giving back.

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

I remember this, because I remember when the Government, that is soon to leave, [*Laughter*] came in, in 2010, [*Desk thumping and crosstalk*] I remember there was a flood, Mr. Speaker. I remember there was a bad rainstorm and there was a flood, and a number of businesses got involved in the Government's clean-up campaign. In this newsletter published by SIS, and I have the actual original copy, a dog-eared copy of it, published by them, the actual print copy:

SIS stands up in time of need. The country has witnessed an unbelievable beating by the elements that has resulted in a number of citizens being affected by flooding.

SIS Limited on learning the plight of the people decided to come forward and offer a disaster relief warehouse which was handed over by Chairman of SIS Roop Chan Chadeesingh—Mr. Speaker.

Now this is SIS newsletter, SIS newsletter, Mr. Speaker.

2.30 p.m.

Mr. Speaker—the Member is disturbing me, but I will assist him—it is very easy to take up an appointment and, before the annual returns are filed, to come out of the company and your name will not appear in the company's registry. This was also published in the daily newspapers. [*Interruption*] You can have it if you want. [*Interruption*] I do not know. [*Interruption*] Yes, it is true. Yes; yes, yes, yes.

Mr. Speaker, I have read into the record an official newsletter published by Super Industrial Services in October 2010 where, when they were praising themselves about giving back to the community and all they had done to help those in need, they described Roop Chan Chadeesingh as the chairman of Super Industrial Services Limited. So let us look at what the Minister said. He said:

In order to make corruption, you have to find a relationship.

Well, I have not heard a word from this company or this man because I had given this document to my colleague who read it out on a previous occasion. Since this document has been published in this House, I have not heard a word from Super Industrial Services Limited or from Mr. Roop Chan Chadeesingh. Let them explain why they published an internal company document describing Mr. Chan Chadeesingh as chairman of SIS in October 2010. Let them explain that.

But let us go now into some more specific matters, Mr. Speaker.

Mr. Roberts: Time to retire now. “Yuh loss it.”

Mr. C. Imbert: Mr. Speaker, am I going to be subjected to this obscene barrage from the Member for D'Abadie/O'Meara? I claim your protection, Mr. Speaker.

Mr. Speaker: You have my full protection. Continue!

Mr. C. Imbert: I am not sure because he keeps talking. [*Interruption*]

Mr. Speaker: Member!

Mr. C. Imbert: Now, one of the other things that the—[*Interruption*] “I know all yuh doh like me to talk, yuh know.” One of the other things that the Member said—he was talking here about prices—he said:

Here we have the Member for Diego Martin West, calling out figures that scared some—“members in the audience saying that in Australia, the price per cubic metre is \$2.48”—but in Trinidad, the NGC is going to do it for—“US \$15... I opened my eyes...” ‘Oh gosh, that is something to go and check out.’ Do you know what is the truth?

That is the hon. Member.

“NGC...water treatment plant...will produce water at US 0.56 cents...and Desalcott right now produces at 0.95 cents per cubic metre.”

Mr. Speaker, the most charitable description I can give to that is that that is untrue.

Let us do some simple calculations because sometimes Members opposite do not pay attention; they do not do their homework. The cost of the plant, US \$165 million, if that is amortized over a 20-year period at an interest rate of per cent—and I doubt that if NGC puts out a bond issue it will get a rate more favourable than 6 per cent, so I used generous figures; amortize the cost of the plant over 20 years at a rate of 6 per cent, you get an annual debt service for the cost of US \$14,185,332.

The operating cost in SIS's tender is US \$9,206,349. The total annual cost, adding debt servicing and operating cost, is \$23,391,681. The output of the plant is 50,000 cubic metres per day. So if you take 360 operating days for the year because you are going to have a few days for maintenance and down time—every mechanical plant has to have that, but I am being generous, instead of taking out 15 days, take out five, so you have 360 operating days for the year. If you divide US \$23 million by 50,000 cubic metres per day, by 360 operating days, you get a cost per metre cube of \$1.30.

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

Let us go back and see what the hon. Member told this House in an effort to show how wonderful this SIS scandal is. He said the water will be produced at US 0.56 cents and Desalcott is 0.95 cents per cubic metre. That is untrue because what the hon. Member did was he took out the cost of the plant. If you take the operating cost and divide it by the output and take 360 days a year, you get 0.52 cents per cubic metre. So what he did, in his usual bravé dangre style, banging and screaming, he left out the capital cost of the plant and when this country purchases water from Desalcott, we pay, according to him, 0.90 cents, 0.95 cents. We do not know what the facts are.

The data I have suggests a slightly lower figure, but let us use his figure, although it is probably wrong: 0.95 cents per cubic metre for water produced from Desalcott. Desalcott, in that 0.95 cents has the capital cost of the plant, the operating cost of the plant, maintenance, profit and everything else that goes with the production of a service like that, and they are charging 0.95 cents.

This Beetham plant is going to cost this country \$1.30 per cubic metre when he puts in the capital cost because when Desalcott charges, they have to recover the capital they put out to build the plant. We in Trinidad and Tobago did not pay for that desalination plant. They paid for it and they will recover it through the 0.95 cents. So the operating cost is 50-odd cents; not the total cost. The Minister very mischievously left out the \$1 billion cost of the plant in determining the cost of water.

What makes this all so scandalous, as I said before, I was a Member of a ministerial committee for infrastructure works and it had subcommittees, one of which was water production. This committee met for several years between 2008 and 2010 and looked at all sorts of projects. For example, I will just read some of the projects: desalination plants at Chaguaramas, La Brea, Ortoire and Cove; expansion of the desalination plant at Point Lisas; water reuse facility at Beetham—this is the project we are talking about—universal metering; National Transmission Grid.

So those were the projects on the national radar that we as a Cabinet and as a Cabinet sub-committee were looking at. I will repeat them: desalination plants at Chaguaramas, La Brea, Ortoire and Cove; expansion of the Desalcott plant at Point Lisas; water reuse facility at Beetham, universal metering and National Transition Grid. When the committees meet, we would go through the status of each one of these projects and make recommendations to Cabinet for Cabinet's consideration. [*Interruption*]

Mr. Speaker, would you, please. I do not want to answer crosstalk from foolish people on that side.

Mr. Roberts: What kind of language is that?

Mr. C. Imbert: “Yuh foolish, man.”

Mr. Speaker: Member, take your seat! You are a senior Member. You cannot say that. Withdraw!

Mr. C. Imbert: I apologize, Mr. Speaker, but I hope the Member will be quiet from now on. The foolishness I was referring to was his interruption, not what he was saying.

Let us look at one of the documents that was circulated at this meeting on April 13, 2010. It was a supplemental water supply agreement from Desalcott. This is it, Status Report 26—[*Interruption*] Mr. Speaker, what is going on? He would not stop talking.

Mr. Speaker: Members, this is a church, you are going to have a little bantering here and there. You are very familiar with it. If the Member persists, I am going to take action, but I appeal to the Member to allow the hon. Member to speak in silence because I am going to implement the rule across the board. Continue, hon. Member!

Mr. C. Imbert: Thank you, Mr. Speaker. A status report dated March 26, 2010, was submitted to the ministerial committee for infrastructural works, water production subcommittee.

This report speaks to a supplemental water supply agreement and in this document, which was submitted by Desalcott, they had given target dates for increasing the supply at Point Lisas from 24 million gallons per day up to 27 and then 30 million gallons a day; then 32, 34, 36, and all the way up to 40 million gallons per day. So Desalcott had indicated that they could very, very easily expand the production of the desalination plant at Point Lisas from 20 million gallons to 40 million gallons and, in fact, they had told us they could go up to 60 million gallons, if necessary.

What is the significance of that? In all the noise we have heard from Government Ministers with respect to this project, and I will read out one of these things that I consider to be noise: an article from the *Newsday*, March 27, 2014:

“Energy Minister Kevin Ramnarine said the Beetham water recycling plant is a critical project to ensure this country’s water security.”

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

And you also heard that hon. Member opposite say that by this they will free up 10 million gallons of water that could go into the domestic supply.

What are the facts? Desalcott, stationed at Point Lisas, no need for any pipeline, could have ramped up the production of its water from 20 million gallons a day to 40 million gallons a day, twice the amount coming from this Beetham waste water recycling project. So, in a couple of months, the desalination plant could have provided this 10 million gallons and another 10 million gallons without the need for an environmental impact assessment, without the need for the construction of a pipeline through the Caroni Swamp, without all of the attendant environmental consequences that will flow from running a one-metre pipeline from Port of Spain to Point Lisas.

You just have to increase the capacity of the plant at Point Lisas. It is already there and I have just shown that—taking the Minister's figures, which I do not believe but I will accept them for the sake of argument—Desalcott is producing water at 95 cents per cubic metre. We could have got this \$10 million additional supply in Point Lisas, which is where it is required. The whole reasoning behind this plant is that you need an additional \$10 million to supply the companies at Point Lisas.

So you could have got that \$10 million in Point Lisas from the desalination plant at a cost of 95 cents a cubic metre, but no, no, you want to punish the population and go through all of this scandal and all of this controversy with this corrupt process to buy water at \$1.30 per cubic metre. So they are punishing the population with all of this foolishness to buy water at a price that is 30 per cent more than they could have got from Desalcott right there in Point Lisas in a couple of months. You see the level of punishment they want to inflict on this population, Mr. Speaker, and then come with all this bogus justification for the project?

I have just shown that the price of water from the Beetham plant is 30 per cent higher than from the desalination plant at Point Lisas. It is a fact, after you build the plant in Port of Spain and you run the pipeline—34 kilometres that may take more than a year; could take two years—you will be able to ramp up production in Point Lisas using desalination in six months. So what is the reasoning behind of all of this? Where is the rationale? They said it is an important project but it will take 18 months to do it. You could have got water from Desal in six months, so where is the thought process and where is the logic, Mr. Speaker? As you analyze everything that they say, you realize that none of it makes any sense.

2.45 p.m.

Now, let us go to another statement made by the hon. Member for D'Abadie/O'Meara which is simply not true, and that is when he was attempting to debunk the price estimate that WASA had done—and I would come to that price estimate in a short while. The Minister of Sport was trying to debunk a cost estimate in a final report done on behalf of WASA by CPG consultants dated October 12, 2012, and he was attempting to debunk this cost estimate and say, it did not include the pipeline. Let me get his exact words, Mr. Speaker. What did he tell us when he was trying to say that the WASA estimate did not include the pipeline?

“...the \$100 million WASA concept document”—I am reading from his *Hansard*—“did not include the two booster stations, it did not include the transmitting line...”

Let us go to the final report prepared for WASA by CPG, a highly reputable firm of consultants, Mr. Speaker, and let us see what they had to say. They have estimated the cost to build and operate waste water facilities based on the data available from plants constructed in Singapore.

So, they used Singapore as their base, and I would come to the cost of construction in Singapore in a little while. It is simply not cheaper than Trinidad and Tobago. Just logic will tell you that the cost of construction in Singapore is either the same or more than it is in Trinidad and Tobago. So the consultants estimated the cost of this project using data available from plants constructed in Singapore. They also used data from WASA.

The estimates were prepared using a common set of assumptions to enable the results to be compared on the same basis, and this is their estimate. “Capital cost estimate” which is on page 45 of this WASA document.

Capital cost without membranes, US \$33 million.

That is the plant.

Membranes, US \$7 million; piping cost, Beetham to Point Lisas 34,000 metres of transmitting pipeline—that the Member opposite said was not in the estimate—\$61,450,000—for a total price of \$101,450,000.

So, in the \$101 million estimate done for WASA at the end of 2012, \$61 million out of that was for the pipeline, yet the Minister say it did not include the cost of

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

the pipeline. Misleading the country! Misleading the Parliament! And he should have access to this because he referred to it in his contribution, Mr. Speaker. Shameful! Shameful!

So the cost of the plant with the membranes is \$41 million—\$40 million, sorry—and the cost of the pipe is \$61 million giving you a total price of \$101 million. So, that deals with untruth No. 2 where the Minister told us that it did not include the transmitting line. It did. Untruth No. 1 was the cost of the water where he claimed it would cost 56 cents when it is really \$1.30.

Let us move now to construction costs. The hon. Member made a statement about construction costs. He referred to a project that he claimed was approved by the PNM Cabinet towards the end of 2007, Mr. Speaker, and he referred to a project similar to this one which he claimed was going to cost \$698 million. He did not tell you about the capacity, because the plant that the PNM had been looking at all the time is an 18 million gallon capacity plant. In all the meetings of the infrastructure subcommittee of the Cabinet of which I was a member, and in the water production subcommittee meetings, the cost of the plant—and I am going to read from the minutes in a short while—that was conceptualized was 18 million gallons, not 10, but he did not tell us what it was. He was very skimpy on details. All he said was that the PNM approved a project to recycle water from the Beetham waste water facility at a cost of \$698 million. He did not say how many gallons, and I suspect there is a reason why he did not say how many gallons because it was a bigger plant, but that is irrelevant. That is absolutely irrelevant.

The point he was trying to make was that seven years ago the cost was \$700 million, and he used an example of doubles:

“Anybody who does buy doubles know that in 2007, you coulda get ah doubles for \$2.50; now is \$4.00. Anybody who buy some bodi in the market know that it gone up.”

So what he was saying is that the PNM had estimated the cost of a water reuse facility at \$700 million in 2007, and because doubles gone up and bodi gone up and chataigne and all kinds of things gone up—pumpkin gone up, ochro gone up—the cost of this facility, the heavy industrial construction will go up as well. Of course not! Mr. Speaker, the most charitable word I could use to describe that is “untrue”. Mr. Speaker, I have—[*Crosstalk*]

Mr. Speaker: Please, hon. Members.

Mr. C. Imbert: They cannot help it. They were here in Trinidad and Tobago living here with all of us when oil prices hit \$146 a barrel; when the construction

industry overheated; when the global economy overheated; when you had shortages of basic materials like steel cement and aggregate. We had to import aggregate from Nova Scotia, Mr. Speaker, in 2007 and 2008. They were all here with us when you could not get labour to build a house; where the cost of construction escalated from \$600 a square foot to \$2,000 a square foot, Mr. Speaker. They were all here with us when you had this overheating of the economy in 2007 and 2008 when prices doubled, tripled and quadrupled. All of them were here with us.

But, Mr. Speaker, I have in my possession a graph from an organization called Steel Benchmarker, and as you will realize this project is primarily comprised of steel. The pipeline is all steel; 50 per cent of the plant is steel. So, 75 per cent of the cost is steel. What was the price of steel coming into the end of 2007, the beginning of 2008, Mr. Speaker? Look at the graph!—[Member shows graph]—US \$1,200 a metric ton. That was the price of steel, Mr. Speaker, and steel then dropped because of lack of demand; because of the collapse of the world economy, steel plants shut down all over the world, Mr. Speaker. I will come to that in a little while.

Between 2007, 2008 and 2009, the production of steel all over the world was cut in half, because there was no demand for it, Mr. Speaker, because economies crashed all over the world. Trinidad suffered its own beating from that global meltdown in 2007 and 2008. You would think they were not living here in Trinidad. The price of steel dropped from US \$1,250 a metric ton in November 2007 to January 2008—the same time when the Cabinet made this estimate—it dropped as low as \$550 a metric ton. It went down by more than 50 per cent and it has now levelled off at about \$650. The latest figures I have is April 2014. I do not think you will get more up-to-date than that; \$650 a metric ton, Mr. Speaker.

So it was \$1,300 a metric ton because actually when I look at the graph it was \$1,300 a metric ton at the end of 2007; \$650 a metric ton now for steel; half the price. Anybody involved in construction; anybody involved in the oil industry sector, in the heavy industrial sector will know that the price of steel now is half the price it was in 2007, Mr. Speaker.

So, when Ministers come here to mislead the Parliament, we are not talking about pumpkin and bodi; we are not talking about food; we are talking about construction inputs, and it is a matter of public knowledge that the cost of construction inputs all over the world has come down considerably since the heyday of 2007 and 2008, Mr. Speaker.

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

Mr. Speaker, the cost of construction in Singapore, typical construction, is in the vicinity of \$350 to \$400 a square foot, in excess of TT \$2,000 a square foot. I do not think we have any construction going on now except inflated projects where the prices are at that level; \$2,400 a square foot. In fact, some private sector developers are doing buildings for \$700 and \$800 a square foot now. Singapore is over \$2,000 a square foot. So the consultants from Singapore used Singapore prices, which are higher than Trinidad, to estimate the cost of this project at \$101 million; \$61 million for the pipeline; \$40 million for the plant.

And, Mr. Speaker, what was the SIS bid for the pipeline? Because I have looked at what the hon. Minister of Energy and Energy Affairs had to say in attempting to debunk the lower bid—the bid from Alcatel or whatever they called themselves, Mr. Speaker. He said SIS submitted a unit rate of \$1,339 per linear metre of pipeline, Mr. Speaker—\$1,339 per linear metre. If you take 34 kilometres, multiply it by \$1,339 per linear metre—in other words, I am using the Minister's calculations and the Minister's figures—you get the cost of the pipeline in the SIS bid is US \$52 million. Consultants from Singapore had estimated US \$61 million for the pipeline.

So the SIS bid and the Singapore bid, not so far apart, but where the consultants from Singapore had estimated US \$40 million for the machinery, SIS has come in at over US \$100 million for the machinery, and there is where the mischief is, Mr. Speaker, because the bid from the other bidder is US \$95 million for everything: pipeline plus plant, US \$95 million.

So, if the pipeline is supposed to cost \$50 million, well the plant is costing \$45 million, quite correct, Mr. Speaker. WASA estimated \$101 million; low bidder, \$95 million, not much difference between them, but you see what happen to this project, after WASA had gone to the marketplace and got these consultants to estimate the cost of this project and it was determined that the pipeline cost was US \$61 million or about TT \$400 million, the project was taken away from WASA and given to the National Gas Company.

Now, the National Gas Company has no expertise in water facilities; it has nothing to do with the pipe. The cost that NGC estimated for the pipeline was somewhere in the vicinity of about \$55 million to \$60 million. SIS bid \$51 million, so it is all in the ballpark. The Singapore people estimated \$61 million for the pipeline.

In fact, the NGC estimate for the pipeline and the Singapore consultant's estimate for the pipeline were almost identical, Mr. Speaker. It has nothing to do

with the pipeline. It is a fact that the plant, the machinery is supposed to cost US \$40 million, but it is going to cost this country US \$120 million. There has been inflation of the cost of this project by US \$80 million; TT \$500 million. That is what is going on here. They could pretend all they like, you know.

3.00 p.m.

Go and drill down into the numbers and you will see. You will see the cost of the pipeline in the NGC estimate is about US \$60 million, the cost of the pipeline in the Singapore consultant's estimate is about \$60 million and the cost of the pipeline in the SIS bid is \$52 million, all there. Where is the mischief? The mischief is in the terribly inflated cost of the machinery which is at least twice, could be three times, what the world market rate for something like that is, Mr. Speaker. That is what is going on inside of here.

So let us go now to the tender process. I would not bother with the Member for D'Abadie/O'Meara; what did the Minister of Energy and Energy Affairs tell us? He told us that NGC—because they took the project away from the specialist, WASA, who have been building waste water treatment plants in this country for the last 100 years, and WASA and its predecessor companies for over 100 years building waste water plant, developing the plant, recycling the effluent, treating the effluent to various stages, even up to close to potable water, Mr. Speaker; WASA doing that for 100 years—they took that away from WASA and they gave it to a gas company.

A gas company which decides that the cost of the water treatment aspect—we are not talking about pipeline, you know, because if NGC had competence, nobody would argue NGC does not have competence in pipelines. Nobody is arguing that. Strip away the figures! Take out the element of cost where NGC has competence and go to the element of cost where NGC is incompetent, which is in the treatment of waste water, and their cost is now mysteriously \$50 million more than WASA. They have tripled the cost of the plant.

But let us go and see what the Minister told us. He said in the evaluation, which was according to NGC tender rules, they gave 70 per cent of the marks for technical considerations and 30 per cent of the marks for price. Now, Mr. Speaker, since the infamous Piarco airport, since the corruption enquiry into the infamous Piarco airport—[*Interruption*] Oh, be quiet. In this country, Mr. Speaker, since the year 2002, apportioning a high element of your evaluation to technical and a low element to price has been exposed as naked bid rigging because you cannot fudge the price. You see, when you open the envelopes, one

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

man is at US \$95 million, the other man is at US \$167 million. So one man is at TT \$1 billion, the other man is at TT \$600 million, so you cannot fudge the price. There is a price differential of \$400 million.

You cannot fudge that but if you go and put a very high weighting on the technical considerations, you could fudge that one because you could look at it and say, “Well, I do not like the kind of pipe they bring for me, and I do not like the membrane. And I doh think they treating the water properly.” So you can award low points—the person that you want to exclude from the process—you give them low points on the technical because you cannot beat them on price, and that is exactly what happened here, Mr. Speaker. The use of this method of putting a very high weighting on technical considerations and a very low weighting on price considerations has been discredited in this country for more than 15 years.

It is a recipe for corruption and bid rigging because once you give a man 70 points for technical, you could give him 69, it is entirely subjective. And the other man, you give him one, and the low bidder is winning on points on price but he is only getting 30 points out of 30 for that and you give the next man maybe 20 out of 30. So the person who you have deemed has the best technical proposal is the one that wins the bid, Mr. Speaker.

I heard Members opposite talking about the two envelope system, and it is a shame that they put the Member for D’Abadie/O’Meara to talk about these things, because the Member for Tunapuna will know that the international agencies have long ago, 10—20 years ago, moved away from this point system where you could rig it by giving 80 or 90 points for technical and 10 or 20 points for price and, therefore, you knock out the low bidder, Mr. Speaker.

I have here the *Policies for the Procurement of Goods and Works financed by the Inter-American Development Bank*. This is the current tender rules of the IDB, and I would go in straight to page 18 and page 20 which deal with the evaluation of bids and award of contracts. And what does the IDB tell us what is “best practice”? Because this Government talks a lot about procurement, you know, but four years after they came into office they still using these corrupt tendering procedures. What does the IDB tell us about contract awards? This is on page 20 of the IDB tender rules, tender procurement policy:

“The Borrower shall award the contract...to the bidder who meets the appropriate standards of capability and...whose bid has been”—deemed—“to be...the lowest evaluated...bidder...”

Let me repeat that. What the IDB does? They do technical examination first. They set a threshold so you have to score a certain amount of points out of 100 for technical considerations.

So you might set the benchmark at 50 points out of 100; that you have to make 50 points out of 100 in order to be considered for the next stage and, when they open the next envelope, whoever crossed the threshold in technical, it is the lowest evaluated bid that gets the project. That is how you avoid bid rigging, Mr. Speaker. That is what the IDB has been doing for the last 15 years. So once the bidders meet the technical requirements, you award the contract to the lowest bidder, Mr. Speaker. That is the two-envelope system. That is why you have two envelopes.

So the first envelope is to screen out non-compliant bidders in terms of technical considerations, and after you have done that, you have put aside those technical envelopes and you then award the contract to the lowest evaluated bidder. The World Bank does the same thing, IFC does the same thing and OECD does the same thing, Mr. Speaker. That is how you do it: technical evaluation first and then give the contract to the lowest evaluated bidder, but not our Government, not NGC, not our Ministry of Energy and Energy Affairs. They see nothing wrong. They see nothing wrong, Mr. Speaker.

They see nothing wrong with using a discredited tender evaluation system where you give minimal points for price and you allow manipulation in evaluation of technical considerations, Mr. Speaker. You see, we have to get this right in this country because, apart from this Motion, we have to stop this nonsense. If a contractor qualifies to do a job, you have to give the job to the lowest bidder. You have to stop this foolishness in this country where time and time again, under this Government—*[Interruption]*

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired.

Motion made: That the hon. Member's speaking time be extended by 30 minutes. *[Mr. N. Hypolite]*

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member. *[Desk thumping]*

Mr. C. Imbert: Thank you, Mr. Speaker.

As I was saying, Mr. Speaker, this foolishness has to stop. There is just too much going on. You know, you hear about stories. I get messages every day,

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

information overload in terms of breaches of tendering procedures, because what we are talking about here in this Motion is about procurement, and the Member for D'Abadie/O'Meara screamed about that for about half an hour, all sorts of irrelevancies, but the fact of the matter is, every day, I am getting stories of Government departments and state enterprises, under this Government, manipulating tender rules in such a way to give their favoured children huge multimillion-dollar contracts, sometimes multibillion-dollar contracts.

Who was the man who decided that for this project 70 per cent of the marks would go to technical considerations and 30 per cent on price? Who is the genius that came up with that? And was this ever submitted to the Ministry of Finance and the Economy, Mr. Speaker? I am asking them opposite to answer that to me. Did the National Gas Company, in seeking to use \$1 billion of taxpayers' money, because this is money that NGC has in its reserves—it has between \$12 billion and \$14 billion in a bank account—"billion" I said, Mr. Speaker. So the NGC is sitting on \$12 billion and \$14 billion that is taxpayers' money. Those are dividends that should have been sent back to the Corporation Sole but for some reason NGC is keeping them. So it is sitting on \$12 billion in cash and they decided they had to spend money, taxpayers' money—\$1 billion.

As I told you, Mr. Speaker, we could have gotten water, the same \$10 million, 10 million gallons of water; same 50,000 cubic metres of water, we could have gotten it from Desalcott at 30 per cent cheaper in half the time. But NGC is sitting there with a \$12 billion, war chest, decide they will spend money so they are taking \$1 billion of taxpayers' money. I want to know whether they submitted their procurement practices to the Minister of Finance and the Economy, to the Corporation Sole and to the state enterprise division. Did they tell them that they were going to give 70 points for technical and 30 points for price? Did they get approval of that?

You see, this is why it is so necessary to have reform of the procurement system in this country. Just the other day I heard about some comess with a project that I was associated with when I was Minister of Works. We were planning the development of the East-West Corridor, Mr. Speaker. The interchange at the Uriah Butler intersection is one such project that came out of that discussion but we had also decided to construct flyovers at Kay Donna, at Trincity and so on, going up the Churchill Roosevelt Highway so that you would have free uninterrupted flow all the way to Piarco, Mr. Speaker.

The next project was a project called "Package D", which was the construction of a flyover by Kay Donna drive-in, Mr. Speaker, and you know what they told

me? Tenders came in and because one of their favourite children did not submit the lowest bid, they decided, in complete breach of everything that is right, in complete breach of all known tender rules to man, in complete breach of the state enterprises procurement manual—and I am putting the Government on notice, this will become a scandal soon—NIDCO decides that because the favoured child did not submit the lowest bid, they will take the project now and split it up and share it up among local contractors. Share it up. “You ever hear thing so?”

So people bid for a contract and because your favourite child did not get through, because he did not submit a proper bid, because his bid was too high, because there was no way you could manipulate the process in order to hand over this multimillion-dollar contract to your favorite child, you decided what you would do, you would take out the road and give it to one man, you would take out the bridge and give it to a next man, you would take out the approach, the ramp and give it to a next man. This is what is going on in this country today, Mr. Speaker. I have all kinds of notes of meetings that the hon. Minister of Works and Infrastructure has been having with the Canadian Commercial Corporation about building a causeway to Chaguaramas. Get up and say you did not meet with them to talk about building a billion-dollar causeway to Chaguaramas using a Government to Government arrangement with the Canadian Commercial Corporation. I will sit and allow you to say it is not so, you never talked to them. You cannot get up.

You see, Mr. Speaker, we had a situation with the Canadian Commercial Corporation where they were engaging a corrupt company to do the Penal hospital, which I hope will eventually be built as soon as possible and good sense prevail. *[Interruption]* No, I am hoping the Penal hospital will be built as soon as possible. *[Interruption]* No, well whoever. *[Interruption]*

Dr. Rambachan: Mr. Speaker, I have no such arrangements with any company or any group. I have no such arrangements and I am in no kind of negotiations with any group to that effect, Mr. Speaker. *[Desk thumping]* Many companies visit me from all over the world, but, I repeat, I have no such negotiations or arrangements with anybody, whatsoever.

3.15 p.m.

Mr. C. Imbert: Mr. Speaker, the spin is not going work, you know. That is not what I said. I said the Minister was in discussions with the Canadian Commercial Corporation with respect to the award of a contract for a causeway to Chaguaramas, a billion-dollar project. That is what I said; and I am certain that he

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

was in those discussions. I have chapter and verse, and it shocked me that that was just after we exposed the fact that the Canadian Commercial Corporation was going to give this billion-dollar contract in Penal to a discredited, corrupt Canadian company. Thankfully, good sense prevailed and the Government scrapped the project. But there were all the elements of collusion, bid rigging, tender manipulation, et cetera, present in that Penal project. All of them were there, and they eventually bowed to the pressure and they abandoned that project, and a few months later, the hon. Minister of Works and Infrastructure is talking to the same people about a proposal to use the same company to build a causeway to Chaguaramas, Mr. Speaker? This is what I am saying.

We need to get the procurement right in this country, there is too much foolishness taking place. This project here is punishment for the people of Trinidad and Tobago. Claims and counterclaims, allegations and counter allegations, hundreds of millions of dollars jumping up. Look at what we are seeing on this side. We are saying there was a competent low bid at \$600 million, but you awarded the contract to the higher bidder for \$1 billion. That is a difference of \$400 million, Mr. Speaker.

But if the Government had even followed one, one of the recommendations contained in the Uff report from the Uff Commission of Enquiry—if they had even followed one—we would not find ourselves in this place here today debating a Motion of this nature, because it is scandalous that in the year 2014, you are still using a discredited procurement system which is easy to manipulate, where price does not matter. That is not value for money. If you read the state enterprise procurement manual, the focus is on value for money.

Anybody could tell me that they found an additional cost in that low bid of \$400 million; that is what we are talking about. They have to find some way of changing that bid of \$600 million to \$1 billion. They have to move it from \$600 million to \$1 billion, so they have to find unidentified and unexplained costs inside of there of \$400 million.

In fact, what NGC would like us to believe is that the low bidder was going to escalate the price by 80 per cent, from \$600 million to \$1 billion, but they cannot explain that. They could never come in here and give us reasons why they are spending an additional \$400 million. They could never show that the low bidder's price was going to escalate by \$400 million. They cannot do it, because the major component of price in this project, 80 per cent of the price, is steel. Both bidders have indicated that if the world price of steel goes up, their price will go up.

The high bidder, SIS—the billion dollar man—and the low bidder, Atlatec, \$600 million, both put in their tender that if the price of steel goes up it may affect the cost of the project. So there is nothing to choose between the two in terms of the price of steel, because both of them have flagged that as an area, and it makes common sense, that if you have a multi hundred million-dollar project where out of \$600 million or \$700 million, steel is costing \$400 million or \$500 million. Clearly that is a huge component of price and, therefore, it is quite proper for the two bidders to flag the price of steel as a possible area of cost escalation, but they both did it. So what is left: the cost of the membranes, the cost of the pumps in the plant, the cost of the watchman outside, the guard hut outside? This is corruption at its worst.

They have come here with all sorts of nebulous, vague, inconsequential, incorrect, illogical arguments to try to explain away why they have discarded a \$600 million bid. They cannot tell us why. I would hope that somewhere in this debate somebody will tell me, since the price of steel is in both of them, since the pipeline cost is a small component of the billion dollars, what is the scientific, engineering, mathematical and accounting basis for the board of the National Gas Company to squander \$400 million of taxpayers' money. Come on, tell us, because this has all the elements of bid rigging.

Mr. Speaker, if you read all the literature on bid rigging—I mean, there are all sorts of documents published on bid rigging. The OECD puts out quite a lot of manuals; the Justice Department in the United States has an *Antitrust Primer for Agents and Procurement Officials* that tells you what to look for in bid rigging.

Do you know what is the first sign of bid rigging? The low bidder does not object. You see what happened here? The Government, the National Gas Company, declared the low bidder to be technically incompetent, this is after they passed them through to stage two. They come afterwards and say: “Doh mind we assess their technical competence as adequate, it not good enough. Dey technically incompetent, so we not giving dem the project, even though the price is \$400 million lower.” An international firm engaged in this kind of work all over the world, doing this kind of work for years, “you ever hear” a bidder come and say, “Yes, we incompetent.”? That is the net effect of what has happened here.

The low bidder, \$400 million less, writes a letter saying, “We have no problem with de evaluation process.” The evaluation said that on technical competence they were no good, so the low bidder, an international firm, says, “Is true, we no good.” That is No. 1 in bid rigging. First you start with a large number

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

of bidders, they say look out for this: large number of bidders take up the tender documents, small number of bidders bid. High bidder comes through, low bidder drops out or low bidder does not complain when it is an obvious breach of evaluation, Mr. Speaker. Do you know why? We have done our research, and this particular low bidder, being very aware of the Government that we have to deal with, is bidding for other projects.

They are in line to get multimillion-dollar contracts in this country, so they are being told to keep quiet; shut up and keep quiet. “Doh mine we cheated you; doh mind your price is \$400 million lower than de other one; doh mind we know you could do de project; shut up and keep quiet, because you are currently bidding for projects in Trinidad and Tobago in the hundreds of millions of dollars, and if you misbehave yourself and make fuss about this, you will not get those jobs.” It has all the elements of bid rigging in it, and it leads us to a wider discussion.

Why do we have to be in this Parliament talking about these things? There is nobody on that side who could prove to me that the Atlatec bid, at \$600 million is an inferior bid—no one. Nobody has come here and said anything at all, to explain to us why that bid is an inferior bid. And when you look at the cost of that bid at US \$95 million and the WASA estimate at \$101 million, they are almost the same, Mr. Speaker.

I am saying that the people of this country are going to get absolutely fed up of this kind of thing—fed up; every day you are hearing about some scandal. This particular contractor—I already came into this Parliament and spoke about the new office for the Motor Vehicle Authority in Frederick Settlement—was the fifth highest bid, and using an unqualified person who falsely pretended to be an engineer—that was a guy called Ajodha, who was engaged by the former Minister of Transport as his engineering consultant. That is a guy who claimed to be a qualified engineer, a qualified architect, a FIDIC engineer, a project management professional, when, in fact, he never finished anything. He is the one who was advising the Ministry of Transport; introduced to the people at the Ministry as the Minister’s expert engineer and he is the one who encouraged them to award the Motor Vehicle Authority in Frederick Settlement at a cost of \$235 million, when the lowest bidder was about \$165 million, and you had four other bids in between that were less than \$235 million, Mr. Speaker.

This is what is happening in this country, and the people are going to get fed up of it, absolutely fed up. When you look at the obscene haste—when I read when the Minister came in this Parliament—obscene haste. On February 17, NGC’s tenders committee considers the revised tender evaluation report,

recommended for approval. On February 19—two days later—from one day—“tender committee meet on February 17, board meet on February 19”; the board considered the revised tender evaluation report, approved it and then what happens? The next day, February 20, they sent a letter to SIS, and the day after that, February 21, SIS accepted it. Obscene haste, Mr. Speaker. So in a space of four days, from the 17th to the 19th to the 20th to the 21st, they figure out some scheme to say that, “Doh matter if you spend an additional \$400 million to do this project.” “They send that to the board; your board approve it in a couple minutes; they send it to SIS and SIS write back a letter right away to say, ‘Thank you very much.’” In four days, Mr. Speaker.

So they have put this country now in a very compromised position, because SIS has in its hands a letter of award for a billion-dollar project that should really be a \$600 million project. At the very least, if that project is terminated now, they could claim loss of profit. They could walk away, without doing any work, with \$200 million or \$300 million in their hand, because they have an award. Contract law is clear on this issue, that if you follow a tender process and you award a contract to someone and you cancel it, you have to pay them loss of profit. The only way you do not have to pay them is if you determine fraud, if you determine bribery, if you determine corruption, then you do not have to pay because fraud unravels everything.

Hon. Member: Shameful!

Mr. C. Imbert: Four days; four days.

Imagine this: I am sitting on the board of NGC and a committee tells me, “Two bids.” Seventeen people pick up documents, two bid. One of the first findings coming out of the Piarco Commission of Enquiry is that when you have a situation like that, where you have a large number of bidders picking up tender documents and then only one or two bidding, you must abort the tender process immediately, because you do not have a free and fair competitive environment, Mr. Speaker. You have no benchmarks. Two bids?

Anyhow, so the board looks at this; they do not bother to ask for an explanation from the tenders committee, “How come 17 people pick up the documents and only two bid and 15”—and the 15 companies who did not bid are some of the most reputable and largest water engineering firms in the world. They bid on things like this every week, and 15 of them opted not to pursue it. Do you know why? “Because they coulda smell a rat.” The thing was obviously stinking to high heaven. To put in a tender like this cost millions of dollars. It cost millions

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

of dollars to prepare a tender like this, so they realized they would waste a couple million dollars in preparing a tender, when the result is already predetermined. So they did not bother to bid.

The first thing the board should have done—remember this is National Gas Company; remember you have Desalcott that could ramp up its productions in a couple of months and provide the same 10 million gallons at a cheaper price, so there is no urgency. This is not life or death; this is not to create an emergency in Trinidad and Tobago. The country is not on a shutdown, if the board decides they would like an explanation for 15 companies dropping out. “But dey eh bother with dat.”

Then, in one day, the board sees in front of it a recommendation: two firms bid, one is \$1 billion, one is \$600 million, \$400 million difference. The low bidder is a very reputable international firm, competent, accustomed to doing this kind of thing. The board does not even bother to ask. How could you recommend an award of \$1 billion, when you have a perfectly competent bid at \$600 million? How did you arrive at that? Even the most irresponsible person would say, “Well, show me how you make up that difference between \$600 million and \$1 billion.”

You say the people had unknown variables in their contract. Well what were they? Have you quantified them? How does it add up to \$400 million? “Dem eh do none of dat. Dey just rubber stamp; approve; send letter to SIS; SIS send back letter; whaps they get a billion-dollar contract for something that cost \$600 million.” And let me tell you the worst part about all of this.

Remember I told you previously that I was a member of a Cabinet subcommittee looking at water production. I go now to the note to the committee dated April 13, 2010, Mr. Speaker. As I said, it looked at desalination plants in Trinidad and in Tobago. It looked at expansion of the Desal plant in Point Lisas and it looked at the Beetham waste water project.

3.30 p.m.

Hear what was reported to the committee:

The Beetham Wastewater Treatment Plant currently managed under an operation and maintenance contract with ACON. The facility produces approximately 18 million gallons of good quality secondary effluent per day, presently discharged into the Gulf of Paria. The Beetham Water Re-Use Project was premised on the fact that the good quality secondary effluent could be treated through a re-use facility to a higher standard for other purposes including industrial and agricultural.

So, the committee proceeded to look at what this water should be used for.

The ministerial committee is reminded that at the meeting of March 09—that is the month before—the matter of the usage of treated water associated and required upgrade to the plant in the context of different usages was again considered and it was agreed that from a cost perspective the requirements for untreated effluent outlined by the Trinidad and Tobago Electricity Commission and for the supply of the existing Beetham plant of approximately 8 million gallons per day of effluent water to meet cooling requirements for the proposed power plant at Barataria is a preferred solution.

I want to explain what this means: we as a Cabinet subcommittee had been looking at water production in Trinidad and Tobago for three years and we looked at doubling the capacity of the desal plant, building desal plants in other parts of the country. In fact, the La Brea plant has been built, so that water demand down in the south-west is no longer required, but there were plants at La Brea, in Tobago and so on; small desalination plants, doubling the capacity of the Point Lisas large desalination plant Beetham re-use.

So, we were looking at all of these and the cost of all of them, and what the water was to be used for. And at the same time, Mr. Speaker, those of us who live in Trinidad and live in the Port of Spain area will know that the Port of Spain Power Generation facility on Wrightson Road has long passed its useful life. That facility, and the Member for Pointe-a-Pierre in his former incarnation as head of the Oilfield Workers Trade Union will know how old that facility on Wrightson Road is, and it has reached the end of its useful life, maybe 10 years, maybe 15 years ago, and you used to hear jokes about that facility where they put it together with sticking plaster and chewing gum. But the point is, the plant is inefficient, it cost more than 50 per cent of other plants to produce electricity, it is time for that plant—*[Interruption]* It is five minutes I assume, not five seconds?

Mr. Speaker: No, you have five minutes.

Mr. C. Imbert: It is time for that electricity plant at Tragarete Road to be wound down, because it costs us and this has come up in other places. The cost of electricity from the Trinidad Union Plant which is a combined cycle, using heat to assist in the generation of electricity, it is about 30 per cent to 40 per cent cheaper to purchase electricity from these modern plants.

So, a decision had been taken to build a new combined cycle, modern electricity power plant and locate it at the Beetham, and it was decided, because the Beetham waste water plant is right next door, the pipeline work would just be

WASA AND NGC (*Award of Contracts*)
[MR. IMBERT]

Friday, April 25, 2014

a couple hundred metres, it would not cost US \$61 million, it might cost \$6 million; it was decided by this committee which had technocrats on it—people from WASA, technical experts and so on and Ministers—that the best use for the treated water from the Beetham waste water plant was for cooling for a new power plant in the Beetham area.

This is what the PNM was going to do, because you do not need the water. You do not need to do this nonsense! If you are not building the power plant in the Beetham anymore, I do not know what you people are doing, you seem to live in some other world so you decide Port of Spain will continue to suffer outages because you do not care about Port of Spain. But, if you are not building the power plant in Port of Spain anymore, you do not need to treat the water from the Beetham waste water plant. You could easily double the capacity of the desal plant in Point Lisas at a fraction of the cost.

So, that is why I say, Mr. Speaker, this Government has got to stop punishing this population. All they are doing is looking for projects so they could give one of their favourite children money. That is all that is happening in this country. They have thrown caution to the wind. They do not care about what is right and what is wrong. They have lost sight of what is right and wrong. They do not do any feasibility analysis of anything. It is all about putting money in the pockets of other people [*Interruption*] and I call on this Government to stop it, and I call on the Prime Minister, and I suspect that she will be unable to, but I call on her anyhow in support of the Motion, to stop this scandalous waste of public funds immediately, Mr. Speaker.

I thank you.

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Thank you very much, Mr. Speaker. I rise to contribute on a Motion brought by the hon. Leader of the Opposition. A Motion which calls upon the Government to take specific action on a particular matter. [*Interruption*]

Mr. Speaker, regrettably, the Leader of the Opposition is not here to listen to his Motion. [*Interruption*] The Leader of the Opposition is not in the House to listen to debate on a Motion. In fact, if I am tempted to agree with him he is not even here to hear me agree with him. But, the Leader of the Opposition is not here. I do not think the Chief Whip knows his whereabouts.

Miss Mc Donald: Not at all, I am here.

Hon. Dr. R. Moonilal: Whether he is at Dubai on the golf course, or Moka, or soca, or whatever, he is not here, or Chaguaramas, he is not here. But, Mr. Speaker, in his absence we will still have to meet and treat with his ill-conceived Motion.

We have just heard 75 minutes from the Member for Diego Martin North/East. [*Interruption*] He gave us a tutorial on bid rigging. [*Laughter*] He explained with forensic detail how you conduct bid rigging, theft, deception, using the two-envelope system to deceive, to cheat, to defraud. If out there had any students of theft, he would have presented them with a tutorial, a majestic presentation on how to “tief”. [*Laughter*] And, I am not in any way calling the hon. gentleman a thief, of course, but he gave us a detailed analysis on how if one wanted to steal and to deceive and to cheat, how it should be done and how it could be done, and one recalls that the hon. gentleman from Diego Martin North/East would have spent about 25 years in Government.

Mr. Imbert: Twenty-five! Twelve.

Hon. Dr. R. Moonilal: Twelve! But from your experience of theft, it sounded like you spent more time in Government. [*Laughter and crosstalk*] Mr. Speaker, I sat here in awe with my mouth agape staring incomprehensively at this detailed presentation on how to “tief”, from the Member for Diego Martin North/East.

Mr. Speaker, if there was any doubt by members of the national community that the People’s National Movement know how to do one thing, they know what to do. [*Interruption*] They know what to do and they know how to do it. [*Desk thumping*]

Miss Mc Donald: Watch it!

Hon. Dr. R. Moonilal: You see, Mr. Speaker, it was only one month ago I heard what is a two-envelope system from the Member for Diego Martin West. I had no idea what was that at all in my life. Today I understand how it can be used to rig and steal, by the former Minister of Works, former Minister of Health, former Minister of Tertiary Education, all these Ministries with huge, mega contracts—[*Interruption*] Minister of Local Government—billions of dollars in contracts and gave us a good explanation on how to “tief”.

Mr. Speaker, both the Leader of the Opposition, in his absence, and the Member for Diego Martin North/East, they have this preoccupation with the chairman of NGC, Mr. Roop Chan Chadeesingh, but they are at odds. The Leader of the Opposition said on the last occasion, that he was not referring to the gentleman as chairman of SIS. Today, the Member for Diego Martin North/East

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

brings a company document and says the man identified himself or was identified as the chairman of SIS. The Member for St. Joseph, I think, said that he was a friend for 40 years and he did not know what he was, whether the man was chairman or not and did not bother to call him to find out.

Mr. Speaker, the chairman of NGC took an ad in the newspaper, paid thousands of dollars to protect and defend his name from the Leader of the Opposition. Now, I want to ask, if this gentleman was ever the chairman of SIS, what he is, a madman to put an ad in the papers at the cost of \$80,000 to say that he was never? The Member for Diego Martin North/East knows very well that the company corrected that misinformation which he peddled today in the House. But this evening I do not want to talk about the small things of miscommunication and peddling foolishness and so on, I want to lift this debate to another level because there are deeper issues here. This debate is not about the \$1, \$2, 56 cents, 20 cents here and so on. It is not about that. This is the continuation of a campaign. The political leader of the PNM is in a desperate situation. He is desperate! Members opposite are desperate. They are on a political campaign to 2015 to name, to shame, to taint, to tar Members of this Government and anybody associated with this Government.

Mr. Speaker, I want to tell the Member for Diego Martin North/East, because they made the point and they keep repeating—these fellas have a paranoia with this SIS. It is a paranoia! SIS get this, they get that, they build school, they build market—[*Interruption*]

Mrs. Persad-Bissessar SC: But what contract they got under the PNM? They got under the PNM.

Hon. Dr. R. Moonilal: They got under the PNM—as if no other contractor is involved in several sectors of the economy. A very dear ex-friend of the Member for Diego Martin North/East.

Mr. Roberts: Ex-friend?

Hon. Dr. R. Moonilal: His ex-friend and very dear current friend of the Leader of the Opposition, built schools, built housing, built hospital, built, what else?

Mrs. Persad-Bissessar SC: Built walls that fell.

Hon. Dr. R. Moonilal: The Member for Diego Martin North/East built a LEGOLAND wall that fell down. [*Interruption*]

Mr. Speaker, what I am saying is that they know of persons in the construction sector who would be involved in several areas, whether it is school, housing, hospital, road, but they target one and the reason is to criminalize and delegitimize the person and the Government. That is the objective. They are targeting them.

Mr. Speaker, I want to go back to the contribution of the Leader of the Opposition on the last occasion—[*Interruption*]

Dr. Gopeesingh: Who is their leader, Rudy?

Hon. Dr. R. Moonilal: The leader is Laventille West who may well eventually end up as opposition leader here. [*Interruption*]

Mr. Speaker, on the last occasion the Member for Diego Martin West, in moving this Motion, raised several issues, which I will just deal with briefly. But what got me really startled is part of his introduction, and I want to make the point, the Leader of the Opposition who aspires to be a Prime Minister of this country, he aspires to lead all the people of Trinidad and Tobago—this is what he aspires for, this is the job he will be applying for, if he is successful in May, he will go to the population to apply for a job. He makes the point in relation to the Beetham waste water facility. He says when they went out for tenders and bids, it was a scandal in that new contractors were identified and invited to bid and the known ones were not invited.

Now, this is an interesting point: new contractors, but not the known ones. So, what are you saying? That if you are a prime minister of this country only the known people will get work, will get contracts or will be considered? That no one else can get into whether it is waste water treatment, recycling of water or if it is housing as the case may be. [*Interruption*] I think he let that one escape when he said that when they went out, the known persons were not invited, it is unknown companies and so on, and it is a very startling point to be made by an opposition leader.

3.45 p.m.

This is the very Opposition Leader who has made mistakes over the years, when he identified the Member for—I think it was when he had identified the Attorney General as going to New York and making racist statements. He has made mistake, after mistake, after mistake, then saying that he had identified Chadeesingh as the Chairman of SIS, and then saying, no, I did not identify him as that.

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

Mr. Speaker, the Leader of the Opposition has proven himself to be unfit for the Office of Leader of the Opposition and unfit to be a candidate for Prime Minister of the Republic of Trinidad and Tobago, because if you cannot check the small things, it is unlikely that you will check the big things. This is a Leader of the Opposition who came to the Parliament with a cut and paste piece of paper and said the Prime Minister and the Attorney General were conspiring to murder a journalist. And his position was, I say so, you prove me wrong. It is alleged—and, Mr. Speaker, let me make a point with this “it is alleged”. This society is becoming a Gestapo society.

Mr. Speaker, the Member for Chaguanas West, former colleague in the Government, now runs a newspaper which, Mr. Speaker, we welcome the sunrise—[*Interruption*]

Mrs. Persad-Bissessar SC: *The Sunshine.*

Hon. Dr. R. Moonilal:—but not the *Sunshine*. [*Laughter*] We are happy with the sunrise but not the *Sunshine*. You see, there is a photographer all over the country moving in a van, and you just give them some information, even if you mislead them, they go and snap house, this is a Minister’s house, this is a Minister’s land and you put it like that and it is alleged. This TV person on Wednesday evening, on a television thing, he is up and down like a Muppet on TV, and it is alleged—and apparently in this country you could say anything about anybody, anytime, just say “it is alleged”. Go try that in the United States, go try that in London, but this is where the society is, everything is, “it is alleged”, and you taint the character of persons, you tarnish their reputation, “it is alleged”.

Today, you cannot talk on a phone, you cannot send an email, you cannot text, because you think somebody receiving this will paint some ugly picture. In my text messages—because I am always so busy, when people send me a message I am always replying, “k”, meaning it is short for “okay”. Mr. Speaker, I am scared to do that, they may say “k” means kiss. [*Laughter*]

Hon. Member: Or Kamla.

Hon. Dr. R. Moonilal: Or worse. Or you agreed to something and you put “k” and they think it is the first name of the Prime Minister. No, that is where we are. There is a paranoia that is developing now because of that culture. Everything now people believe. You can say anything about anybody, destroy character—[*Interruption*]

Dr. Gopeesingh: Deliberate mischief.

Hon. Dr. R. Moonilal: Deliberate mischief.

Mrs. Persad-Bissessar SC: But right-thinking people do not believe.

Hon. Dr. R. Moonilal: Mr. Speaker, right-thinking people will not believe.

Mrs. Persad-Bissessar SC: And there are good right-thinking people in this country.

Hon. Dr. R. Moonilal: And there are many good right-thinking people. But in leaving this issue, I will just make one point about that and leave it. The first targets were Members of the Government on this. But I want to say that when you create that culture the Government will not be the last target; it was the first but not the last. That is like a cancer you build in the society, after a while it will be media workers, intelligentsia, commentators, business leaders, trade union leaders, they will create a culture of this, allegation and allegation, and they will destroy each other. So you thought you are attacking the Government with this culture, it will tear up the entire society.

In 2001, there was an election in this country, 18/18, led to one year of battle in the court and so on. That also became a norm. Today, in the society, you almost could never have an election anywhere, whether it is doctors, university students, mason, village council, the High Court determines an election today, not the ballot box.

Mr. Cadiz: Balisier House.

Hon. Dr. R. Moonilal: Balisier House, look what is happening. Mr. Speaker, they have candidates there who are campaigning to nobody because they cannot get a voters list. In fact, they could be on Debe Junction campaigning. They do not know who are the members of their party. They are running a one man one vote system through a delegate system. And eventually they will go to court too, because somebody will not be pleased with the—I have noticed that the Member for Laventille West already indicated that the courthouse would be a preferred option for his dynamic team that he is supporting there for his leader.

Mr. Speaker, that culture that they are developing with these allegations and picture of this and picture of that, and you know, they get set up with that because once we make you out we set you up. There was a picture in the *Sunshine*, it was of a businessman's house in Brian's Gate. They do not know it was deliberately sent to them and claimed it was somebody else's house, they published that. It was deliberately done, and you can do that over and over again, because they are into "mauvais langue" and bacchanal.

Mrs. Persad-Bissessar SC: But they say I had some secret meeting in Rienzi.

Hon. Dr. R. Moonilal: There was a secret meeting in Rienzi. Mr. Speaker, there was no meeting whether secret or not, there was no meeting. But you say that and you create “mauvais langue”, bacchanal and that type of thing, and I want to warn against that, because that is like a cancer, everybody will get in that. You will hear a radio announcer today, it will be another professor at the university tomorrow, it will be somebody else.

Mrs. Persad-Bissessar SC: Whoever in Germany said, first they came for—they came first for—

Hon. Dr. R. Moonilal: They came yes, and when you come finally there is nobody else to stand up to you.

On this matter of the particular business arrangement, another issue raised by the Leader of the Opposition and the Member for Diego Martin North/East, they keep saying that they are not in favour of this business venture, per se, by itself. Meaning, it is not a priority, it is not something that we should be doing. We should be doing something else and why do we do this now. The Member of Diego Martin North/East, as is his habit, he is finished speaking, he takes off. Now we do not know if he is in the country, he is in the Parliament, where he is, because today on a Motion brought by the Leader of the Opposition and Members of the Opposition—this is Private Members’ Day, you know the Leader of the Opposition is not here. The Member for Diego Martin North/East has taken off—well many of them are away. But, Mr. Speaker, I have in my hand here documents from the Water and Sewerage Authority, and I have here excerpts from board meetings of WASA over the period 2004—2013. And they are telling us that this project was never on the board, we do not need it, waste of money.

On the last occasion, the Member for D’Abadie/O’Meara quoted from a Cabinet decision, where their Cabinet, Mr. Speaker, in November 2007, their own Cabinet with the Member for Diego Martin West present and accounted for, agreed to the implementation of a water reuse programme at the Beetham waste water treatment facility. They agreed to it; the Cabinet of the People’s National Movement of which both were present. When we examine the Minutes of WASA—and I take you to June 2004—by June 2004, WASA, under the chairmanship of Dr. Rollin Bertrand, was contemplating the Beetham wastewater reuse project. As you go along, from June 2008, the Beetham wastewater reuse project, they reviewed the status on this programme. And it is not only Mr. Bertrand, Mr. Speaker, under the chairmanship of Mr. Barry Barnes, in 2004,

first, Barry Barnes, the Board received presentations on the Beetham wastewater reuse project and endorsed pursuit of the project, 2004, you skip to 2005—

Mrs. Persad-Bissessar SC: Who was in Government then?

Hon. Dr. R. Moonilal: Under the People's National Movement. In 2005, Ms. Leandra Ramcharan, acting chairperson—the Board again agreed to facilitate the implementation of a water reuse project, including the execution of a Memorandum of Understanding. In 2008—and they would have been doing this pursuant to the Cabinet directive, because the Cabinet would have taken a decision in 2007 and, in 2008, WASA would be implementing the Cabinet directive.

So they were about doing this before. But you see, they just do not want us to do it. In fact, they want us to do nothing. They just do not want us to do it. We must do nothing, so when we go to the electorate they will say look, these people in Government for so long and they do nothing, they accomplished nothing. It is amazing, you know, they accused us of doing everything in central and south Trinidad, wrongly accused us, that is a lie, you know, we are putting a multimillion-dollar complex in Beetham, they object—to create jobs, training of persons, service sector industries to link to a major industrial complex, they object. But they accused us of doing everything in central and south, wrongly, but when we put the multimillion-dollar complex, a billion-dollar complex in Port of Spain, Beetham, they object to that. Yet—but the hypocrisy continues.

They are now saying on their platform, if citizens put God out of their thoughts and they are returned to office, they will introduce a ministry of rural development, to do what? What are you introducing a ministry of rural development for? To develop Port of Spain? To develop Diego Martin? But you accused us of developing central and south when you want to have a ministry of rural development. But that is mamaguy. The population will know it is mamaguy. You are trying to con the population into thinking you will do something for central and south, when you attack this very Government for putting industry, job creation economic activity outside, and you do not support even the Beetham which your own Government in 2007 voted for it in Cabinet, which your own WASA under the commissioners appointed by the PNM, sought to implement, you do not support it. And this is the hypocrisy. It is the hypocrisy of the Opposition.

Mr. Speaker, the Member for Diego Martin West, I really studied his presentation because I had to, to prepare for today. It is not a contribution that I

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

would normally read, the Member for Diego Martin West, you see, Mr. Speaker, so I studied this one, and he took umbrage to NGC indicating in a correspondence that NGC—because of the resources that NGC had, and he was referring to cash, that NGC would recruit an investment consultant to assist them with investing. He took umbrage to that. He said this was another attempt to rape the Treasury.

Mr. Speaker, I do not know if you heard—well you heard, but if the national community heard the report, presentation, statement by the Attorney General a few hours ago. You cringed when you heard the Attorney General a couple of hours ago, he made a most remarkable presentation indicating that the former PNM had squandered, brutalized, raped the Treasury, sunk an oil company to the tune of TT \$400 million, and today they have scrap iron to sell.

Dr. Gopeesingh: Two point eight billion TT?

Hon. Dr. R. Moonilal: Two point eight billion TT dollars gone. Where is Kirk Waithe when you need him? Where is he?

Mrs. Persad-Bissessar SC: He is fixing TT.

Hon. Dr. R. Moonilal: I think he is fixing himself. Where is he when you need him? Two point eight billion dollars gone, a scrap heap to show for it. They argued, they want to jail everybody associated with the airport, but I think they landed safely there last week. All right, you have an airport, jail everybody they wanted to. You have a scrap heap in Pointe-a-Pierre, \$2.8 billion gone. The Attorney General made the point earlier. He said we cannot find the money because this investing team of—what they called them, GTL, World GTL?

Mrs. Persad-Bissessar SC: GTL.

Hon. Dr. R. Moonilal: We do not know where to find them. Malcolm Jones found them in the flea market somewhere, and they gone; they gone with \$2.8 billion.

Mr. Roberts: “Dat we cyah get back.”

Hon. Dr. R. Moonilal: We do not know where it is, we do not know who those people are. That is a scandal of the century. It is not that they built something that we “cyah” use, you know, the Brian Lara is there, another billion gone, I think 10,000 people could go there and if it rain, 9,999 get wet. One could be behind the post.

Hon. Member: So they build a “sun stadium”.

Hon. Dr. R. Moonilal: Yeah, they build a stadium for Dubai, where they play golf. Mr. Speaker, the pan headquarters in Arouca—*[Interruption]*

4.00 p.m.

Mr. Cadiz: Pan Trinbago.

Hon. Dr. R. Moonilal: Pan Trinbago, Arouca? Mr. Speaker, this is the first time I have seen a building with two and a half floors. They put a building with two floors and then decide to put a third floor, and you cannot climb up, you cannot climb down. They went on land without the statutory approvals. You have no road to get in there; you have no drainage. Mr. Speaker, \$80 million gone, and they come here today to get 10 million gallons more of water that will be diverted to customers, citizens of Trinidad and Tobago—

Mr. Cadiz: “Carenage now geh water—200 people.”

Hon. Dr. R. Moonilal: “Yeah, and then complain people not getting water.”

The Brian Lara I was talking about, this project the Attorney General raised—US \$400 million. He says we have to look for \$2.8 billion that we must now go searching for, and then the Leader of the Opposition has the audacity, the shame, to come to the Parliament—

Mrs. Persad-Bissesar SC: No shame.

Hon. Dr. R. Moonilal: No shame—to come and accuse NGC of—what?—trying to steal by recruiting an investment consultant. If Petrotrin had an investment consultant, we would have had \$2.8 billion today—the taxpayers. They had none! They were picking up as they go along.

Mr. Speaker, I got another document. Do you know that NIPDEC, sometime in 2008, under the chairmanship of Calder Hart, took \$100 million of taxpayers’ money and put it in Clico? NIPDEC? That is taxpayers’ money! That was not a loan; it is taxpayers’—in cash! They put \$100 million into Clico Trinidad Limited.

Mrs. Persad-Bissesar SC: Why?

Hon. Dr. R. Moonilal: As an investment. Calder Hart was using NIPDEC for investment. Government’s policy now says we get back \$75,000.

Mr. Roberts: “And dem have de audacity tuh talk, yuh know, boy.”

Hon. Dr. R. Moonilal: Imagine that. You got back \$75,000 from \$100 million, and then Calder Hart, as chairman of NIPDEC, transfers the \$100 million

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

investment to UDeCott when he was chairman of UDeCott, and they come to tell us today how much landslip it “woulda” fix. One hundred million dollars gone—of taxpayers’ money! Add that to the \$2.8 billion.

Calder Hart, chairman of NIPDEC, at the same time chairman of UDeCott, moves from NIPDEC to UDeCott, \$100 million, and they talk about governance. They talk about conflict of interest. They talk about conflict of interest and good governance, as if the country would forget what they have done.

Mrs. Persad-Bissesar SC: And we are still paying for what they have done—\$2.8 billion.

Hon. Dr. R. Moonilal: As the former TV host used to say, this is solid, liquid cash gone! “We doh know in which janam—j-a-n-a-m—we will get back \$2.8 billion. In which birth, in which lifetime, we will get back \$2.8 billion as a result of their governance, and the Leader of the Opposition accuses NGC of seeking to mismanage funds when he was a part of the Cabinet that approved it.

You see, Mr. Speaker, they find all their time involved in all types of leaks and so on. I saw that gentleman from another place somewhere with a long, long beard, like “he trying to hide now [*Laughter and desk thumping*] or he trying to collect ah next document. Not being recognized, he probably looking to collect a next document.”

You see, Mr. Speaker, if you have something in your possession—two institutions said they did not leak it and you have it, it is stolen property. It is fraudulent or it was stolen. So if you have it in your possession you have stolen property in your possession. “I doh know if he feel growing ah beard he might go somewhere and get something else, not being recognized.”

Mr. Speaker, let me get back to the Leader of the Opposition, Member for Diego Martin West. He makes another point. He says in his contribution, the President of NGC changed the employment policy to oversee the hiring of persons and it was to pack their cronies and who they think fit and so on, so that you could exploit the business arrangements. Mr. Speaker, what he did not tell us was that the gentlemen—and I believe they were all gentlemen—who were on the evaluation team—most, if not all of them—were employees of NGC with 14 years’ experience, 17 years’ experience, at NGC. One of them had—how much experience?—34 years.

So who came in? Who were the newcomers that the Government brought in to assist and help to bid rig and so on? If you had seen the evaluation team and

everybody on this team came last week and they just got hired and they are now on this team, you would say, “well, something looking a little fishy”. But the people who were there: Ron Traboulay, worked in this sector, 14 years, a subsidy of NGC. He was working—NEC employee, 14 years. So what, they bring him in yesterday—2010? He came in in 2010, May 25?

Mr. Speaker, Ernest Esdelle, 34 years’ experience in building, civil, mechanical engineering, construction works. He came in in 2010? It goes on. Another gentleman here—I do not know these people: Robert Baird, employed with the NGC for the last 30 years. I did not know NGC was 30 years old. Thirty years employed with the NGC, and the Leader of the Opposition will give you the impression that this deal “cook up” and they bid rigging and so on; we bring in everybody and the President of NGC got the authority to hire, and that is what they were doing it for.

Look at this, Mr. Speaker. These people are not even known to me or none of us. Another one: Nazim Sarjad, joined NGC in 1984.

Mrs. Persad-Bissesar SC: Thirty years.

Hon. Dr. R. Moonilal: And two others. And in all honesty, I must say another one, Lee O Reilly with the NGC for the last 17 years, and one person, I understand, was there one year, April 2013.

Mr. Roberts: “So it must be he.”

Hon. Dr. R. Moonilal: Mr. Speaker, I make the point, too, you do not take professional people in a country like this—these people, Mr. Speaker: BSc mechanical engineering and economics—highly trained people; graduate UWI—economics and law; PhD, BSc in—“ah cyar even pronounce dat”—geomatic engineering; MSc in engineering construction.

Look at the qualifications of these people: instrumentation, business management—*[Interruption]*

Mr. Roberts: And Rowley say they are bid riggers.

Hon. Dr. R. Moonilal: Yes—civil engineer, MSc, project management, BSc honours, civil engineer, and diploma, construction engineering. And it goes on and on. You take citizens like these, highly qualified, working in the State sector and you expose them to ridicule. You expose them in the public domain as if they are thieves conspiring with criminals in government. Now when these people pack up their bags and they go to work somewhere else, and they say, “I done wit

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

Trinidad and Tobago. Ah doh want tuh be part ah dat”, then you quarrel that you do not have human resources to run your country. You chase away your bright human resource when you scandalize their name like this. That is what the Leader of the Opposition is doing. That is what they do. Our prized human resource that you should cherish, you chase them out, because nobody “like dey name callin in Parliament in bacchanal, and comes, and scandal”. They get a job somewhere paying less than NGC, they will go, and Trinidad and Tobago has lost. You have lost your human resource.

That happens in banana republics of the world, where there are poor countries but they have the brightest people and they are generally in a developed country in the north, contributing to that society, not where they were born; not their home society, and it is because of this type of politics, you know.

Mrs. Persad-Bissesar SC: Brain drain.

Hon. Dr. R. Moonilal: Yeah, this brain drain. It is because of this oppressive politics of the People’s National Movement. That is the politics of oppression, where you pick on the professional class, and I want the country to take note of this; this sustained attack on the business class and the professional class by the Opposition PNM. It is part of their DNA. Whether in office or in Opposition, it is an attack on the professional class, on the business class. If you are not with them, they will victimize your dog!

Mr. Roberts: Hound you out.

Hon. Dr. R. Moonilal: They will victimize your dog; hound you out.

Miss Mc Donald: Mr. Speaker, I rise on 36(5) please.

Mr. Speaker: I did not interpret that to mean that he is attacking any Member of the Opposition in a strict sense.

Miss Mc Donald: He said Opposition PNM.

Hon. Dr. R. Moonilal: Mr. Speaker, thank you very much. Mr. Speaker, the Leader of the Opposition, then makes another startling remark. At page 45 of his contribution, the Leader of the Opposition comes back with this email-type operation. He says he got information from disgruntled staff. “Yes, disgruntled staff, who gave me information on the NGC.” Now, we “doh know who is staff; we doh know who disgruntled”, but he got this information and turns this “mauvais langue” as if it is fact. It is the exact approach.

And, Mr. Speaker, this has been, I believe, the fourth Leader of the Opposition of this country. I think he is one of the few to be in another profession except law, and the Member for San Fernando East was not a lawyer either. But with a Leader of the Opposition you have come to expect when they bring information to the Parliament, they bring information that is a fact but they put their interpretation on facts. They will bring the facts, but give you their political interpretation. This Leader of the Opposition does not do that. He brings the “mauvais langue”, turns it into fact and then interprets.

With great respect to the Member for San Fernando East, the former Member for Couva North and the shortest serving Member Opposition Leader from Siparia—with great respect—served, I think for a few weeks—[*Interruption*]

Mrs. Persad-Bissesar SC: A month.

Hon. Dr. R. Moonilal: A month as Leader of the Opposition—[*Interruption*]

Mrs. Persad-Bissesar SC: A couple months.

Hon. Dr. R. Moonilal:—and then as was the will of God, was rushed into that position to save this country. Opposition Leaders before never had this approach. That is a carelessness and a recklessness, a negligence. Mr. Speaker, it is negligence of—such a gross level of negligence that—in fact, I think there are about—on the Opposition there is one qualified lawyer and I think one, two, three—there are about one and a half other lawyers: the Members for Diego Martin North/East, St. Joseph and I think Point Fortin. If you add up, they have two and a half lawyers in the Opposition.

And there is a particular doctrine of constructive notice. The Member for St. Joseph has read the introduction of a couple law books [*Laughter*] and you would know that there is a doctrine of constructive notice, and it means that when you hold positions like Leader of the Opposition and information is in the public domain, you ought to take steps to know—because information exists—it is somewhere there. You should not come into a Parliament and give information that you did not check where it is possible that you should check. You betray that, and the Leader of the Opposition has developed a habit—[*Interruption*]

Mr. Roberts: A penchant.

Hon. Dr. R. Moonilal: That big word, a penchant—to come to the Chamber with monotonous frequency and give us misinformation. He has been doing that for four years.

Dr. Gopeesingh: A great falsifier of information.

Hon. Dr. R. Moonilal: Yes, a fabricator, if one would call him that. Mr. Speaker, he did it again this time. So that you peddle your own untruths and disguise it as disgruntled staff to tell us what is happening at NGC, and he went on to talk about male and female staff and so on.

Mrs. Persad-Bissesar SC: What that had to do with anything?

Hon. Dr. R. Moonilal: Somehow the gender of the staff came in there. [*Crosstalk*] Yes, they are always up to that.

Mr. Speaker, there are a couple other untruths that I want to deal with quickly. The propensity for the Opposition Leader to misdirect us and misinform us is startling. All the talk that they talk about the WASA in-house estimate of US \$101 million versus the \$149 million of the NGC, and they conveniently leave out several salient points, in that the NGC, when they took over this project, identified certain key operational elements which were omitted with the WASA estimate. And they identified it. They were not afraid to do it.

4.15 p.m.

They identified it, Mr. Speaker, which included the 40 kilometre pipeline and not 34 as the Member said, pumping stations at Beetham and Point Lisas, storage tanks and associated distribution networks at Point Lisas, in addition to cost of land acquisition for the right of way and storage facilities and that is how NGC went to 149. Because WASA—first you have to doubt that WASA could do it in the first place. Mr. Speaker, I want to tell you, with great respect to WASA, even the water treatment plants for housing estates, if we have a choice, with great respect, we would like to do it in-house and ask WASA to do the supervision work.

NGC came up with their 149 million and, of course, the process involved independent and reputable organizations that were involved in the evaluation methodology. The Member for D'Abadie/O'Meara explained in detail international firms' involvement in that, but the Leader of the Opposition came and cast aspersions on the international firms.

Mr. Speaker, when you come to a Parliament and in your naked and desperate quest to attack SIS and anything SIS represents, you forget that SIS was also in partnership with international reputable companies, Foster Wheeler. He did not mention them at all, but Foster Wheeler is an internationally reputed company. I think their work goes back to 1927. They operate globally. Across the globe, they are operating—[*Interruption*]

Hon. Member: Eighty-seven years.

Hon. Dr. R. Moonilal: Eighty-seven—and you cast aspersions on companies like these, international players with big reputations throughout the world.

What is the image of this country when in a Parliament—a comparatively small Parliament like us—speakers get up and attack the reputation of internationally respected organizations, organizations that can take their business elsewhere? They can go to the Bahamas, they can go Barbados, they can go somewhere else and invest. They come to you to invest, to work alongside you, to transfer their know-how, their skills.

Mr. Speaker, Foster Wheeler employs 13,000 employees in 30 countries of the world. They agreed to participate in this project. Their history dates back to 1927, internationally recognized and respected engineering and construction company. Again, you pour scorn on them. You undermine the image of your own country as an investment destination. So while the Government is working hard, the Prime Minister is working hard, Ministers of Government travelling, wooing investors, begging them to come here and invest their money, create economic zones for us, generate employment, generate economic activity, wealth—[*Interruption*]

Mrs. Persad-Bissessar SC: Water.

Hon. Dr. R. Moonilal:—water. Mr. Speaker, you know they stand here and pour scorn, castigate international companies. You see, and that brings an interesting point, you know. I am not sure the PNM shares a vision for water. Water was a political good and weapon under the PNM.

Mr. Speaker, when the PNM was in office, people used to be on the road with a tin bucket. Sometimes ladies in a duster with curlers in their head, they say they cannot bathe in the morning—[*Interruption*]

Miss Mc Donald: With duster and curlers in their head, you like that?

Hon. Dr. R. Moonilal:—with a bucket protesting.

Miss Mc Donald: And on Old Year's night you like that too, right? [*Desk thumping and laughter*]

Hon. Dr. R. Moonilal: Mr. Speaker, protect me from the Member for Port of Spain South. Mr. Speaker, I understand the passion of the Member for Port of Spain South. Her former colleague did not tell her when she bailed out her money

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

from Clico. They did not tell her. The former colleague—how she looked? On Old Year’s Day, Mr. Speaker, when she should have been home “Cutexing” her toes and so on to go to a dance, she bailed out her money.

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired.

Motion made: That the hon. Member’s speaking time be extended by 30 minutes. [*Hon. K. Persad-Bissessar SC*]

Question put and agreed to.

ARRANGEMENT OF BUSINESS

Mr. Speaker: Before you continue, Hon. Member, I would like, with leave of the House, the Member ends his contribution at 10 minutes to five, we will then suspend. I understand there are two matters on the Motion on the Adjournment. We will suspend for tea and come back for those two matters on the Motion on the Adjournment.

WASA AND NGC (AWARD OF CONTRACTS)

Mr. Speaker: Hon. Member, you may continue, please.

Hon. Dr. R. Moonilal: Thank you. Mr. Speaker, and thank you, Member for Port of Spain South, for your generosity of spirit.

Mr. Speaker, I was making the point of the damage done to our image when you undermine the reputation, scar the reputation of international firms, whether it is Foster Wheeler, it is Caterpillar, whether it is Schlumberger, whoever it is, it is not a good thing for you to come without evidence.

You see, when you came with the SNC-Lavalin matter, there were some issues there which we recognized. But when you come here and you drag through the mud companies and fabricate lies and you develop this, those companies are operating, Mr. Speaker, with billions of dollars of revenue. They will easily go to a next region in the world and conduct their business, and so much for your workers, so much for your staff, so much for training, some much for investment, so much for service development in Trinidad.

Mr. Speaker, I was not surprised when Atlatec, one of the companies involved in this matter, the company whose name they are calling every day, issued a letter dated March 20, 2014 to the National Gas Company and stated:

Dear Sirs,

This letter refers to the project at caption and serves to state that Atlatec is in no way aggrieved at the outcome of the evaluation process. Furthermore, Atlatec does not intend to pursue the matter any further.

We look forward to participating with NGC and the Government in future ventures.

Now, I want to make the point, the Leader of the Opposition in his closing remarks, when he moved the Motion, threatened and warned in his normal arrogant way. He said this matter will not end here, Mr. Speaker. When I leave the House I will meet with lawyers and I will discuss with the legal fraternity our next move. I can assure you that this matter will be in court and this project will not get off the ground. This is the threat when he ended.

So, 10,000 gallons of water, no. Irrelevant! But Atlatec says, “We do not intend to pursue this matter any further”. This is the most gentle and humble way of telling you, please shut up. Leave us out of your bacchanal. That is how they tell you. It is a diplomatic way of telling you, please shut up. Leave us out because you are scandalizing the name of this company. Do not scandalize their name.

When a company like this, operating globally, writes a letter and tell you, please, we are not pursuing this matter, they are telling you leave them out. Do not drag them through the mud here. They are the company, Mr. Speaker, I believe, that came second, that did not get the contract.

Mrs. Persad-Bissessar SC: The only other.

Hon. Dr. R. Moonilal: The only other. And they said, “No, it is okay. We understand.” There was an in-house bid estimated 149. They came in much lower. They had problems with the technical evaluation. They understand. They do not want local politicians to scandalize their name.

I was shocked, Mr. Speaker, that this company would commit to writing something like this. Normally, companies, you do not get through with something, you move on. That they write this, is telling us that they are asking the PNM to shut up. That is what—[*Interruption*]

Mr. Imbert: They are in collusion too.

Hon. Dr. R. Moonilal: Now they say they are in collusion too. That is the next thing, they are in collusion too. So everybody in collusion. These companies are involved in collusion and bid rigging. But this is a man who served as Minister of Works. He knows what he is talking about. He gave us a professorial dissertation of “tiefing” earlier today.

You see, Mr. Speaker, Atlatec issued a statement to tell the Opposition that they are scandalizing their name, and cease and desist from that. But, Mr. Speaker, I want to also make the point that this strategy that the PNM has embarked upon, of course, within recent time, has been ably supported by the Member for Chaguanas West because the Member for Chaguanas West, of course, is fond of speaking on matters of corruption and fond of “bussing mark” about who have this, who have that and so on. That is a dangerous road to go. The PNM has also raised this issue, which is a fascinating development. Before, you would come to issues when something happened. Something has happened and you believed that is corrupt, you bring your evidence to show that person A benefited, person B benefited, so on. Today, they come with pre-corruption scandals.

Now, the Minister of Health will tell you there is a stage called pre-diabetes. Before you become diabetic, I think there is a pre. Now, they are suggesting that there is a pre-corruption stage and they are there looking after interest. So it is nothing you do, eh. You might consider doing something. That is the corruption they are talking about.

Mrs. Persad-Bissessar SC: They do not even consider.

Hon. Dr. R. Moonilal: They considering, but you considering because they would have done it. They do that. They write and fabricate and talk about this is going to happen, and that is going to happen because it is in their head. Corruption is in the head. When corruption is in your head, that is all you could talk about, that is all you could think about. It is a darkness that resides in the heart, Member for St. Augustine.

Hon. Member: Disease.

Hon. Dr. R. Moonilal: It is a cancerous disease that engulfs you, when the only thing you think about. I will tell you, today, I was fascinated to hear about this two-envelope system and how it could be manipulated and used for bid rigging and theft and stealing taxpayers’ money. I did not know you could do it that way.

Mr. Speaker, the Attorney General may have to read his statement to know how to develop laws to prevent these things from happening. We will have to study with great care his presentation today. You see, Mr. Speaker, we will have to study with great care that—and their desperation stems from this fact. They cannot campaign and compete with this Government in terms of performance. They cannot do that. No way! No way! [*Desk thumping*]

Mr. Speaker, our most vicious critics would admit that this Government delivers. [*Desk thumping*] You see the roads, you see the bridges. Bridges that had broken down 45 years ago; roads, 25 years ago—a road broke down—water; communities that have never received water since the Spanish were here. Communities that never received water, in La Horquetta, I remember. In Paramin a school was built, Minister of Education.

Mr. Imbert: Is being built.

Hon. Dr. R. Moonilal: It is being built, finally. Mr. Speaker, the point I am making is that they cannot beat us with performance, they cannot mobilize people. The other day they had something, they mobilizing two weeks on radio. Mobilizing two weeks every night on radio, a handful of people came outside [*Crosstalk*] and they assaulted the Member for D'Abadie/O'Meara. Mr. Speaker, unknowing to us, some persons came out to support.

Mr. Speaker: Silence please. I am trying to hear the hon. Member, please. Continue, hon. Member.

Hon. Dr. R. Moonilal: Mr. Speaker, they cannot mobilize people against this Government, they cannot beat us on performance. What they will seek to beat us on, is on old talk, on scandal and mauvais langue, and all this talk about corruption hoping that it sticks. This is what they will seek to beat us on. It cannot be performance.

Mr. Speaker, when you go, you see the interchange at the Grand Bazaar, you drive a bit higher to the north, you see an oncology centre which they promised, I think, 20 years ago promised.

Hon. Member: [*Inaudible*]

Hon. Dr. R. Moonilal: Longer than that.

4.30 p.m.

Mr. Speaker, when you go down the highway, you will see the children's hospital on the left under construction. The vision of the Member for Siparia to

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

have a children's hospital tied to the Children's Life Fund. I think 18 or 20 children—[*Interruption*]

Mrs. Persad-Bissessar SC: No.

Hon. Dr. R. Moonilal: More?

Mrs. Persad-Bissessar SC: Sixty something.

Mr. Roberts: Eighty-three from the life fund received funding.

Dr. Gopeesingh: Eighty-three.

Hon. Dr. R. Moonilal: Mr. Speaker, 83 children received support from the Children's Life Fund and their lives were saved. Eighty-three lives were saved because of that Children's Life Fund. [*Desk thumping*] A children's hospital is being built in Couva. When you look over the road from the children's hospital, you will see a world-class aquatic centre being constructed now. Of course, you have the Couva interchange between there.

When you go down further south, you will see the San Fernando Teaching Hospital constructed, opened, being used in San Fernando; the first hospital to be built in San Fernando in Trinidad since 1981. [*Interruption*] But the first hospital in south since, I think, Princess Margaret opened the hospital in San Fernando. This is the first hospital to be built in south Trinidad. When you pass there and you go further down, you take a brand new road from Golconda to Debe. They talked about this highway forever; never built. Today, the first leg opened, Golconda/Debe and we are moving to Point Fortin to complete the highway. [*Desk thumping*]

Mr. Speaker, when you are on that brand new highway from Golconda to Debe, you look to your left, you will see the University of the West Indies, South Campus, Faculty of Law, under construction. [*Desk thumping*] If you spin around from Debe, you can drive on the highway to the market in Port of Spain without facing a traffic light. [*Desk thumping*] If you decide to go down Diego Martin, you will find that school in Paramin that the Minister of Education is now building; you will find a highway extension in Diego Martin, four-lane dualling of the highway in Diego Martin. Mr. Speaker, assuming you do not like Diego Martin because of the representative; assuming you do not like there, turn around, go back to the East. When you go back, you will see this Government, in Duncan Street, built a police post to assist the citizens there. [*Crosstalk*] When you go further east, the Arima police station built—the sod was turned by this administration, opened by this administration. [*Continuous crosstalk*]

In two weeks' time or thereabout, we are opening the police station at Piarco and then we open one in Maloney and then we open one in La Brea. Mr. Speaker, the Member for La Brea is a phenomenal Member. He has asked a thousand questions about what happening in La Brea as if the PNM never represented La Brea in life. [*Laughter and desk thumping*] Today, he was pleading for recreation grounds, I think, to be upgraded. Every recreation ground including "tanty" recreation ground he came and say, "Do that". He is getting his police station in La Brea. In a couple of weeks, we will be there to open it. The Prime Minister will visit La Brea to open that police station.

Mr. Roberts: National Tennis Centre in Tacarigua.

Hon. Dr. R. Moonilal: The tennis centre in Tacarigua. Mr. Speaker, when you go to Valencia, highway construction, Mount Pleasant Bridge in Arima. The highway extension bypass in Valencia, under construction, 25 years they are trying to build that. [*Crosstalk and laughter*] Mr. Speaker, it is hot here. [*Crosstalk*] Calm down.

Mr. Speaker, you are seeing the development on the East-West Corridor. They will have you believe wrongly that this Government is not doing anything on the East-West Corridor. That is what they will have you believe—[*Interruption*]

Miss Mc Donald: Not for Port of Spain South.

Hon. Dr. R. Moonilal:—because that is their propaganda.

Mr. Speaker: Please, Member, let the Member for Oropouche East speak.

Hon. Dr. R. Moonilal: But later this year, we have housing estates and apartments to open in Diego Martin, to open in St. James. [*Desk thumping*] Victoria Keys opposite the mall, massive housing project for the people of Diego Martin and the people, generally, of Diego Martin North/West, Trinidad.

Dr. Gopeesingh: Febeau, Laventille.

Mr. Roberts: Yes, man, schools all over.

Mrs. Persad-Bissessar SC: Yeah, man, Febeau: 72 schools.

Hon. Dr. R. Moonilal: Mr. Speaker, if the Member for Caroni East continues so, I may give him the rest of my time [*Laughter*] but he is rattling out the schools that are under construction that this Government has built and I do not have to tell you about our constituency.

Mr. Speaker, the point I want to get back to is that they cannot beat this Government on performance. It is mind-boggling—the number of roads and

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

bridges and bypass. Simple things. You are going to the Piarco airport, they have this connector road now. Long time, you have to curl and wind and go through five, 10 villages, when you pass “rambolo” selling doubles there, everybody on the road waiting for doubles, you cannot get to the airport. Today, five minutes through the Caroni road and you are at the Piarco International Airport. [*Desk thumping*]

Dr. Gopeesingh: St. Helena bypass.

Hon. Dr. R. Moonilal: The St. Helena bypass as well. It is so much. So how can they win? They want now to poison the mind of the population to believe that this administration has been involved in bad governance. That is the objective: poison the mind. But what? What dollar or loss? How many millions gone? Like today, we heard of this GTL. How many million—[*Interruption*]

Mrs. Persad-Bissessar SC: Billion.

Hon. Dr. R. Moonilal:—\$2.8 billion gone? They have squandered and squandered and squandered. What squandermania did you see here? What? In four years—I am trying to find out—what squandermania that you saw? [*Desk thumping*] You have schools, you have community centres, you have roads, you have bridges, you have housing, recreation grounds, landslip being fixed. [*Continuous crosstalk*] Mr. Speaker, I was going to Rio Claro a few weeks ago—[*Interruption*]

Miss Mc Donald: I am going to take you down St. Paul Street so you would know about town.

Hon. Dr. R. Moonilal: Mr. Speaker, there is a threat now of taking people down St. Paul Street.

Mr. Roberts: Mr. Speaker, your protection, please.

Mr. Speaker: Yeah, I think you all better go behind me, please. [*Laughter*]

Hon. Dr. R. Moonilal: On the final frontier: water. Water means life. The People’s Partnership and the United National Congress, Congress of the People and other parties, we have this fundamental commitment to a vision of water for all. That is our commitment. That is not a commitment shared by the Opposition. This is why they will scandalize this project to ensure that that 10 million gallons of water that could go to residents and citizens will not go, that you will not produce water for industrial use.

Mrs. Persad-Bissessar SC: They want to stop the project; they want to stop it!

Hon. Dr. R. Moonilal: “Stop it!” They could do it eh; they tried since 2007 to do it, they could not get off the ground.

Mrs. Persad-Bissessar SC: And they want to stop us.

Hon. Dr. R. Moonilal: But they want to stop us from doing it, and a few things in life you are sure about, if we say we are doing it, we are going to do it; [*Desk thumping*] where pipe will run from Beetham to Point Lisas easy. If we say we are going to do it, we will do it, because, Mr. Speaker, we have started projects, we have finished projects. When we got into office, I want to remind colleagues opposite, they also, we took some steps to clear lands in central Trinidad at Chaguanas. Today, that housing estate called Egypt is the most beautiful housing estate ever built by the public sector. [*Desk thumping*] We are now putting a school there. When you drive there, you think you are in some private development.

But, Mr. Speaker, I want to ask the Opposition Leader in his absence, because he is not here today—[*Interruption*]

Miss Mc Donald: You said that 10 times.

Mrs. Persad-Bissessar SC: The chief will tell us.

Miss Mc Donald: Talk to me!

Hon. Dr. R. Moonilal:—and no one could explain where he is.

Miss Mc Donald: “Doh have to explain.” [*Continuous crosstalk*]

Hon. Dr. R. Moonilal: No one could explain where he is, no one could explain what he is up to—just no one could explain.

Miss Mc Donald: Mr. Speaker, again, I rise on 36(5), you do not have to give any explanation to you.

Mr. Speaker: Yes, the Member has been properly excused.

Mrs. Persad-Bissessar SC: Oh yes, but we do not know why.

Hon. Dr. R. Moonilal: Mr. Speaker, having asked for excuse, he was excused but we do not know where he is—[*Interruption*]

Mrs. Persad-Bissessar SC: That is right.

Hon. Dr. R. Moonilal:—but he has been properly excused.

Miss Mc Donald: Why you so malicious?

Hon. Dr. R. Moonilal: Had the Member for Diego Martin West been here—
[*Interruption*]

Mrs. Persad-Bissessar SC: You do not even know where he is.

Mr. Roberts: Because you love him with all his imperfections. [*Continuous crosstalk*]

Hon. Dr. R. Moonilal: Mr. Speaker, I do not know how to continue.
[*Continuous crosstalk*]

Mr. Speaker: Please, please, allow the Member to speak in silence.

Hon. Dr. R. Moonilal: You see, Mr. Speaker, had the Member for Diego Martin West been here, we would have asked him whether or not he had any business interest in any of the 16 companies that expressed an interest in constructing this plant. That is the question. Whether he had any interest in any company of the 16 companies that expressed an initial interest? Because he has admitted before that when this matter came up under the former UNC administration, he accompanied a group of investors to go to his favourite Minister, Ganga Singh, and make representation—and I imagine he was there in a technical capacity—to then Minister Ganga Singh in 2000. He went to make representation with investors concerning securing this deal—[*Interruption*]

Mrs. Persad-Bissessar SC: With his clients.

Hon. Dr. R. Moonilal:—with his clients.

Dr. Gopeesingh: The same waste water project.

Hon. Dr. R. Moonilal: This exact waste water project. The Member must indicate to the population whether in 2013, he also represented any other company that was involved? If he did, then he found himself conflicted in coming to the Parliament because he did not come with clean hands, he had other interest.

Mr. Roberts: Why did he not disclose?

Hon. Dr. R. Moonilal: He had other interest, other business interest, and he said proudly that he represented investors and local businessmen to the former administration to undertake this very project. So it is a project that he clearly has studied, he clearly has some information—[*Interruption*]

Mrs. Persad-Bissessar SC: And has friends!

Hon. Dr. R. Moonilal:—and has friends and business partners involved.

Mr. Roberts: And it was clearly a good project and not what the Member for Diego Martin North/East said.

Hon. Dr. R. Moonilal: Well, yeah. When he went to Ganga Singh, it was not a bad project then. Today, we would like to ask the Opposition Leader to clear the air on whether he has any special interest in this matter, and whether in filing this Motion, it is being done in a genuine and sincere manner to discuss these issues in the public interest or it is being done towards another interest.

You see, in calling on the Prime Minister to cancel this project, what does that mean? Suppose the Prime Minister decides, “Well you speak rubbish, of course, but okay, let us cancel this project and start over”. Do you know what it means? It means companies that did not submit bids for one reason or another will be invited again and it could well be that one of those companies may—
[*Interruption*]

Mr. Roberts: One or more.

Hon. Dr. R. Moonilal: One or more—have as their own consultant the Leader of the Opposition. He should clear the air.

Miss Mc Donald: Mr. Speaker, 36(5).

Hon. Dr. R. Moonilal: He should clear the air on that.

Miss Mc Donald: Mr. Speaker, clearly 36(5), imputing improper motives.
[*Continuous crosstalk*]

Mr. Speaker: Okay, okay, I am on my legs. Hon. Member, do not impute improper motives, please.

Dr. Khan: It is alleged. [*Laughter*]

Mrs. Persad-Bissessar SC: It is alleged.

Hon. Dr. R. Moonilal: Mr. Speaker, as I move on, all I would say is if this Motion succeeds, the natural effect of that will be to return to a competitive bidding process in which other companies would have a second bite of the cherry to get into this billion-dollar project. It will mean that any other business with interest from anyone will have an opportunity to return to this project which they wanted in the year 2000—which they desperately wanted in 2000 because for the Member for Diego Martin West to go and line up and sit down outside the door and wait for Minister Ganga Singh, that took a lot; [*Laughter*] that would take a lot for him to do. I could not imagine that he would do that but that would take a lot for him to do.

WASA AND NGC (*Award of Contracts*)
[HON. DR. R. MOONILAL]

Friday, April 25, 2014

Mr. Speaker, one will hope, one will pray, that this is being done in a very sincere and genuine manner; that you genuinely want to raise issues in the public interest as opposed to perpetuate your personal interest by effecting a Motion like this that would lead to a situation to favour you. That is what we will not want to believe. So the Member—I do not want to say, again, he is not here because I think you are fed up hearing that—should do all he can to clear the air on that matter.

Mr. Roberts: He must clear his perfect imperfections.

4.45 p.m.

Hon. Dr. R. Moonilal: And, Mr. Speaker, the Member must also state, categorically, Mr. Speaker—now, this might be frightening but the Member came very close but did not say—what is the policy of his party? For four years, Mr. Speaker, we have been debating in this Parliament, budget after budget; major legislation and so on. All we have heard from the Opposition is blimp—
[*Interruption*]

Mr. Roberts: Rapid rail.

Hon. Dr. R. Moonilal:—rapid rail, smelter—[*Interruption*]

Mrs. Persad-Bissessar SC: 2020 and 2030.

Hon. Dr. R. Moonilal: 2030—they went to 2030.

Mr. De Couteau: Property tax.

Hon. Dr. R. Moonilal: Property tax.

Mr. Roberts: Smelter plant.

Hon. Dr. R. Moonilal: Smelter plant. What is their policy on this matter—
[*Interruption*]

Mrs. Persad-Bissessar SC: Of water.

Hon. Dr. R. Moonilal:—of water? Would you be pursuing a policy directive to complete the Beetham Wastewater Treatment Plant? Or would you turn to desalination? Would you expand Point Lisas? Or put up six more desalination plants? Mr. Speaker, their Cabinet, in 2007, told us what they will do. WASA, by 2008, told us what they were doing. Today, they have a policy U-turn. They said: “no we wasn doing dat; forget what the Cabinet decide; forget what WASA was doing under Barry Barnes and Mr. Bertrand, forget dem; we were not interested in

dat”, Mr. Speaker. “We were not interested in that”. What is your policy today? He was the Minister of Energy. Was he not at WASA before you demitted office in 2010?

Mr. Speaker, what I am saying is: what is your policy on water? What is your policy? Or are you going to return to the dark days, those distressing days of citizens on the street, pounding the street and marching with buckets in their hands and so on; marching because they do not have water? Is that the future? Mr. Speaker, in the case of the PNM, is it back to the future? Is that the future for us again in this country, if you do not take steps like these, Mr. Speaker? They need to give us their policy on water and this is probably an opportune moment, in a debate—well, in the context of this debate, water, but they just need to give us a policy on anything, at this stage but they have nothing, absolutely not one new idea in four years.

Mrs. Persad-Bissessar SC: Rural development.

Hon. Dr. R. Moonilal: They came and said rural development and then want to attack the Government for rural development. Not one new policy, Mr. Speaker, in four years. Not one single policy but they will come today to indicate to this administration that you should not pursue this matter; attack innocent citizens, professional classes of people, well qualified persons, you come here to slander, to attack them; international companies—bring them into disrepute. Tarnish the image of Trinidad and Tobago—tarnish the image, Mr. Speaker, of major companies in Trinidad and Tobago, like NGC and WASA, which are there to readily receive investors for joint venture partnerships, et cetera.

Mr. Speaker, I have asked the Opposition Leader, in his absence, a few questions. I hope, as the debate continues, on another occasion they may choose to do so, that he will respond. Mr. Speaker, I thank you. [*Desk thumping*]

Mr. Speaker: Hon. Members, this is a good time for us to suspend for tea. This sitting is now suspended until 20 minutes past five.

4.48 p.m.: *Sitting suspended.*

5.20 p.m.: *Sitting resumed.*

Mr. Speaker: The hon. Leader of the House—adjournment and then the matters.

Adjournment

Friday, April 25, 2014

ADJOURNMENT

Motion made and question proposed: That the House do now adjourn to a date to be fixed. [*Hon. Dr. R. Moonilal*]

Mr. Speaker: Hon. Members, before we put the question, there are two Matters on the Motion for the adjournment, in the name of the Member of Parliament for Diego Martin North/East. Well, we have four matters but we are dealing with two today. Or do you want to advise?

Hon. Dr. R. Moonilal: Mr. Speaker, with the agreement of the Member for Diego Martin North/East, we have agreed to deal with one matter.

Mr. Speaker: Which one is that?

Hon. Dr. R. Moonilal: The one involving the engineers' certification.

Mr. Speaker: Okay.

Hon. Dr. R. Moonilal: And on another occasion we will deal with the other matter.

Mr. Speaker: Okay.

Hon. Dr. R. Moonilal: Thank you.

Mr. Speaker: The hon. Member for Diego Martin North/East. [*Desk thumping*]

**Registration of Engineers
(Compulsory Requirement)**

Mr. Colm Imbert (*Diego Martin North/East*): The line Minister is not here for the other one. I will deal with that on the next occasion. Mr. Speaker, this matter reads as follows:

The need for the Government to take steps to make the registration of engineers compulsory for the practice of engineering or the provision of engineering services in Trinidad and Tobago.

The reason governmental action is required is because the practice of engineering is governed in Trinidad and Tobago by an Act of Parliament entitled the Engineering Profession Act, an Act respecting the registration of engineers and regulating the practice of engineering. Mr. Speaker, one of the unfortunate things about this piece of legislation is that it does not require compulsory registration of engineers.

There are other professions, in Trinidad and Tobago, that have equally onerous responsibilities—accountancy, medicine and law, are three good examples and in each case, Mr. Speaker, you cannot practise as a medical doctor, for example, unless you do the necessary course of study, you do your internship and you are registered by the Medical Board of Trinidad and Tobago. And if you attempt to practise as a doctor, without this combination of qualifications and experience, you commit an offence.

Hon. Member: You commit a what?

Mr. C. Imbert: An offence. Similarly, for lawyers, you have to do the Bachelor's degree, the LLB. You then have to do either a period of pupillage or tutelage, as it is called in different places—recognized, such as a period of tutelage in the United Kingdom, together with your LLB and meet certain other requirements and you can apply to be called to the Bar. Or you do the two years in-service training at the Hugh Wooding Law School and you get your Legal Education Certificate. So to be an attorney at law, called to the Bar, you must do both—the Bachelor's Degree in Law and also a recognized period of practical training. In our case, in Trinidad and Tobago, you must do the Legal Education Certificate. Similarly, an accountant must pass the professional exams that are offered by the Association of Chartered Certified Accountants and so on. Otherwise, you cannot call yourself an accountant and you cannot practise as an accountant.

Regrettably, with respect to engineers, the way the law is written, you are debarred—and this is in section 3 of the law—from using a title that leads to the belief that you are:

“...registered as a registered engineer;”

So it is very limited in its application. In the current law governing the registration of engineers, the only prohibition on using a title is that you must not lead other people to believe that you are registered as a registered engineer. You must not act as a registered engineer and you must not:

“act in a manner...”

You must not:

“advertise...as a registered engineer;”

You must not “act in a manner” that will lead people to believe that you are an engineer. But registration is not compulsory. So, you can do engineering work

Registration of Engineers
[MR. IMBERT]

Friday, April 25, 2014

without having to be a registered engineer, unlike medicine, unlike law, unlike accountancy.

Now, I will use an example from the Caribbean. In Jamaica, Mr. Speaker, in the Jamaican professional engineering Act; it is called The Professional Engineers Registration Act, section 15 of the Jamaican Act provides for the following—it states that:

“...no person unless he is a registered engineer shall, in Jamaica—

(a) carry on the practice of engineering;”

And this is the part where our law was deficient:

“(b) take or use, in relation to himself, the designation ‘engineer’ either alone or in conjunction with any other words...in such a manner as to imply that he is qualified to carry on the practice of engineering in Jamaica;”

Now, in Trinidad and Tobago, anybody can call himself an engineer and get away with it. As long as you do not say that you are a registered engineer, registered on the list of registered engineers at the Board of Engineering—[*Interruption*]

Dr. Moonilal: URP—engineer.

Mr. C. Imbert: Yes. Yes, this is no joke. URP engineer. People without any qualifications whatsoever call themselves engineers. And, as I said, anybody can call himself an engineer and get away with it. Now, what does the Act say with respect to the combination of qualifications and experience to be a registered engineer. I read from section 4 of the Act which says:

“(3)...a person is qualified to be registered as a registered engineer if—

(a) he has been awarded a degree, diploma or other qualification in Engineering granted by a University or School of Engineering that in the opinion of the Board, is evidence of satisfactory training in engineering; and

...has had not less than four years experience in the practice of engineering and has acquired such standard of proficiency as may be approved by the Board.”

So, to become a registered engineer, in Trinidad and Tobago, you must first have your first degree or Bachelor’s Degree in Engineering and you must also have practised as an engineer for four years before you are even eligible to apply to be a registered engineer. Having gone through all of that and you become a

registered engineer, the unfortunate thing is now, it does not really mean anything because, you know, anybody in Trinidad and Tobago can call themselves an “engineer”, rather than as a “registered engineer”. The Jamaicans have dealt with that very well by saying that nobody can call himself an engineer, either by itself or with other words and letters associated with it.

5.30 p.m.

And if we look around the world, Mr. Speaker, in many countries of the world, it is an offence for persons to call themselves engineers or to portray themselves as engineers without having done the requisite undergraduate education in engineering and done the requisite combination of qualifications and training.

Now, I will use an example because, you know, people like to talk in this country. I did make some statements the other day. Members opposite got very angry with me and quarrelled with me. But, you know, facts are facts and you cannot hide from them. So I am reading from a document here. It is called *Trinidad and Tobago the Caribbean Connection*. It is by an organization called Business Outlook and it was a special advertising section promoting Trinidad and Tobago, paid for by the Government of Trinidad and Tobago, the new Government, in 2011, and it has a nice picture of the Prime Minister, Kamla Persad-Bissessar, a picture of Winston Dookeran, the Minister of Finance and the Economy and it goes through giving statements and speeches from various Members of the Government of Trinidad and Tobago

On the third or fourth page of this special advertising section, as I told you, paid for by the Government in this publication called Business Outlook, there is a page called: “Fuelling Growth in the Caribbean, Trinidad and Tobago’s Energy Companies are ready for Partnership and Expansion” and it speaks about Trinidad and Tobago having the largest oil reserves in the Caribbean, but due to a lack of investment where our oil production is falling and there is a 39-year-old politician putting his energy into remedying this and they have a nice picture of Kevin C. Ramnarine, Minister of Energy and Energy Affairs and it reads as follows:

A former British Gas economist and a petroleum engineer, Ramnarine is certainly qualified to lead the sector. I am a bit of a hybrid he says.

Now, if that was Jamaica, I mean, I hope that has put paid to this talk about whether he calls himself an engineer or not. This is an international advertisement paid for by the Government of Trinidad and Tobago. The man called himself an engineer inside of here. *[Interruption]* It does not matter it said if you add words

Registration of Engineers
[MR. IMBERT]

Friday, April 25, 2014

to it. Let me read the Jamaican legislation.

“...no person unless he is a registered engineer shall...—

...(b) take or use, in relation to himself, the designation engineer either alone or in conjunction with any other words or initials in such manner as to imply he is qualified to carry on the practice of engineering in Jamaica;”

I believe the penalty for that is \$250,000 and two years imprisonment. If it was Jamaica; the Minister of Energy and Energy Affairs would find himself running afoul of section 15 of their engineers Act and facing a fine of \$250,000 and two years jail. So I just that as an example that anybody could call themselves an engineer in Trinidad and Tobago.

Let me tell you what the problem is with all of this. Just like medicine—the Member for San Fernando West is a qualified engineer. Has a degree, more than one, I believe, in engineering. The Member for Oropouche West, it is alleged, if I can use the language of the Member for Oropouche East, has a Bachelor’s degree in engineering, it is alleged. But all the Minister of Energy and Energy Affairs has is a Master’s degree in engineering in a one or two-year course.

Mr. Speaker, I have an LLM, in construction law and arbitration.

Mr. Cadiz: It is alleged you have it.

Mr. C. Imbert: No, I have it, and as a result of that LLM, I am a member of the Chartered Institute of Arbitrators of the United Kingdom because I did well in that LLM. I am currently doing another Master’s degree in law, in oil and gas law. [*Desk thumping*] I am currently doing it. But I am not a lawyer, Mr. Speaker, and I will never, because I have not done an LLB and I have never done a Legal Education Certificate. I have never practised in the profession of law. I am not entitled to call myself a lawyer and I never will. I heard the Member for Oropouche East making some jokes. I will never call myself a lawyer. I have a postgraduate degree in law and I am going to get a second post graduate degree in law, highly specialized disciplines, but I am not a lawyer. And this is why I am asking the Minister now—because just like medicine, just like law, just like accountancy—this is serious business. These professions deal with life and death.

And whereas the Minister of Energy and Energy Affairs might want to call himself an engineer for his own reasons, I do not think he is going to go and build a petrochemical plant or a waste water recycling facility or whatever, but engineers deal with life and death just like doctors, and I think it is high time that

the Government of Trinidad and Tobago amends the Engineering Profession Act to make it an offence for anybody to call themselves an engineer, not any kind, just an engineer. In the same way it is an offence to represent yourself as an attorney-at-law, it should now become an offence to represent yourself as an engineer and an offence to represent yourself as practising engineering.

We had the situation of this Adjodha man at the Airports Authority, no degrees in engineering and saying that he is a FIDIC engineer and a civil engineer and all sorts of things, and representing that to the Ministry of Transport that actually paid him as an engineer. So, I am calling on the Minister, this has been a long time in happening and I think the profession is in analysis paralysis. They have been talking about this for 15 years. It is not a big deal. I am recommending that we amend our law along the lines of the job. Make an Act and make it an offence for anybody to hold themselves out as an engineer if they have not done an undergraduate degree and done the requisite number of years of practise in the industry. I would wait now to hear what the Minister has to say.

The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan): Thank you, very much, Mr. Speaker. I think that my hon. friend, the Member for Diego Martin North/East, has raised a very important issue and he correctly suggests that it is not something that only affects the practice of engineering but of all the professions which affect the lives and safety of citizens in our country. And, therefore, I think that it is beholden of any Government or authorities to ensure that adequate laws are there in the country for the protection of citizens when they are affected by persons in particular professions where the decisions made in that profession, in the course of their duties can have tremendous implications for safety and security of persons and communities and engineering, no doubt, is one such particular profession.

Mr. Speaker, the matter, therefore, is the need for Government to take steps to make the registration of engineers compulsory for the practice of engineering and of the provision of engineering services in Trinidad and Tobago. To put things in perspective, the engineering profession in Trinidad and Tobago is governed by the Engineering Profession Act, No. 34 of 1985.

Since the enactment of this legislation in 1985, which is approximately 29 years ago, there have been no amendments with a view to updating the said legislation to treat with the contemporary issues affecting the practice of the discipline of engineering in Trinidad and Tobago and as a result, the Ministry of Works and Infrastructure and the Board of Engineering of Trinidad and Tobago

Registration of Engineers
[HON. DR. S. RAMBACHAN]

Friday, April 25, 2014

have partnered to assess the current legal framework governing engineering and to explore initiatives geared towards amending the current legislation and tightening the legal framework.

In 2010, a draft policy was established and circulated to all stakeholders for their comments and their input. In August 2012, the Board of Engineering of Trinidad and Tobago forwarded its comments on the draft policy and one of the matters focused upon is the mandatory registration of engineers mandatory in Trinidad and Tobago. It appears that the current legislation does not provide for the mandatory registration of engineers.

Mr. Speaker, it was noted that a considerable number of engineers are therefore not registered but are practising in Trinidad and Tobago and as such, they are not subject to the code of ethics of the profession. That is an important point, because it means that they cannot be disciplined for infractions under the Act.

Mr. Speaker, it was also noted that the unregistered engineer pays no fees to the Board of Engineering of Trinidad and Tobago and is not subject to the control and superintendence of the board, although the Board of Engineering of Trinidad and Tobago was inaugurated on October 14, 1986, following the Engineering Profession Act, No. 34 of 1985. Act No. 34 of 1985, is an Act respecting the registration of engineers and otherwise regulating the practice of engineering and includes the Engineering Profession (Registration) Regulations of 1994 made by the then Minister of Works and Transport on March 31, 1994, and laid here in the House of Representatives on April 08, 1994 and the Senate on April 12, 1994.

Mr. Speaker, there are a number of unregistered engineers, they pay no fees to the board and, therefore, they are not subject to the control and superintendence of the board. It is an untenable situation and, therefore, it exposes citizens to grave risks since he or she may not have an avenue to address any grievance arising out of professional negligence by an unregistered engineer and it also creates a very difficult contention between registered and unregistered engineers. Although, the Board of Engineering is essentially a licensing authority for engineers, based on accepted and generally recognized professional standards.

Also, the Board of Engineering of Trinidad and Tobago also regulates the practice of engineering by a legislated code of ethics that is included as a Schedule to the Act. Persons may be registered by the board as an engineer if:

- “(a) he has been awarded a degree, diploma or other qualification in Engineering granted by a University or School of Engineering that in the

opinion of the Board, is evidence of satisfactory training in engineering;
and

- (b) ...has had not less than four years of experience in the practice of engineering and has acquired such standard of proficiency, as may be approved by the Board.”

Mr. Speaker, since the board began registering engineers in August of 1987, over 1,000 engineers have been registered, and presently there are over 800 registered engineers in good standing.

Mr. Imbert: Including me.

Hon. Dr. S. Rambachan: Persons who are not registered with the Board of Engineering, and this is what I am advised by the Board:

1. may not use any title or description that leads to the belief that he or she is a registered engineer;
2. may not advertise himself or herself as a registered engineer;
3. act in a manner so as to create or induce the belief that he is a registered engineer;
4. sign or stamp any plans, drawings, designs, or specifications purporting to be acting in the capacity of such registered engineer.

You may very well find, if my memory serves me correctly, if you look into the local government Act, where the councillor has the power to name someone as engineer, that may run contrary to what is here in the legislation. The functions of the board, therefore, include:

the assessment of “qualifications and experience of persons applying for registration as registered engineers;”

conducting “examinations of persons applying for registration as registered engineers;”

registering -“engineers and issuing certificates of registration;” and this is important,

monitoring - “adherence to and investigate breaches of the Code of Ethics;

exercising “disciplinary control over registered engineers;”

...keep published for public scrutiny in a format to be decided by the Board and notified in the *Gazette* a list of qualifications and institutions recognized by the board in respect of the engineering training required by this Act” and

Registration of Engineers
[HON. DR. S. RAMBACHAN]

Friday, April 25, 2014

“...advise the Minister on such amendments to the Act as considers desirable; and generally to regulate the practice of engineering in accordance with this Act.”

5.45 p.m.

Now, these are very important functions, and if the Board is carrying out these functions as I described here, you may have what is essentially some control also over the matter, but what is not sure—what is, you know, projected here, that I am alluding to is, in fact, carried out by the Board as one would expect. Therefore, you know, it raises the question when we set up these boards whether people, in accepting responsibility to serve on these kinds of boards, whether they actually carry out the functions, whether they understand the implications of their presence on that board, and the importance of saving and securing lives and properties and what in the country.

Mr. Speaker, the draft policy, therefore, that I am speaking about, notes that providing for the mandatory registration for all engineers wishing to practise in Trinidad and Tobago, is in keeping with international norms and standards. If that is done, it will strike a balance between an engineer’s responsibility to deliver professional services diligently and ethically, and a client’s rights to seek redress through the Board of Engineering in instances of misconduct or professional malpractice. All of that, Mr. Speaker, has to be addressed if we will have amendments to the Act and what have you. That is why the Act will really have to be amended in the context of these new developments.

Mr. Speaker, in December 2013, that was last year, the Permanent Secretary of the Ministry of Works and Infrastructure, following some representations made to me as Minister, dispatched written correspondence to the Board, advising that the recommendations of the Board on the draft policy, were reviewed and incorporated into a draft policy document. The Board was also invited to make presentations on the draft policy to its stakeholders including engineers attached to our Ministry.

Mr. Speaker, I wish to assure this honourable House and the Member for Diego Martin North/East, that the Ministry of Works and Infrastructure continues to work closely with the Board of Engineering of Trinidad and Tobago, with respect to the finalization of this policy document which inter alia, is seeking to treat with issue of mandatory registration of engineers in Trinidad and Tobago, and, of course, as we said, other related issues concerning the provision of

engineering services. For example, the definition of what is engineering, in a clear and concise manner, to enable proper implementation of the control of the practice.

Another example, providing for the Board of Engineering of Trinidad and Tobago to give examinations or interviews to applicants to determine acceptability, where they are unable to meet the stipulations of the existing law in respect of academic preparation and work experience. Thirdly, another example, catering for reciprocity of registration with Caricom and other territories, because we do have the work situation of Caricom nationals being able to work. So we have to dovetail, and you alluded to the Jamaican legislation.

Providing for miscellaneous improvements in the management and administration of the registration process, providing for continuous professional development. This is one area that we seem to fail in this country, you know, continuing professional development. Sometimes you know—and I think aloud for a moment—you know, your training of five years ago obviously, you need to keep updating this training if not every five years, maybe every year, given the change in research, and new technology and new developments and what have you. Revising the composition of the Board, Mr. Speaker, protecting consumers of engineering services or the public interest, of substandard engineering work, and providing fair opportunities for local engineers.

So, Mr. Speaker, we are in the process of waiting now on the Board of Engineering of Trinidad and Tobago to come back to us. It is not that we are going to just keep waiting on them. We have asked them to come back to us as early as possible, and we hope they do so. We are for the mandatory registration and so on.

Mr. Speaker, there is one other group in Trinidad, the Association of Professional Engineers of Trinidad and Tobago, APETT, and then you know, I rather describe them as a learned society of professional engineers, dedicated to the development of engineers and the engineering profession. They were established, you know, even before the Board, they go back to 1959, that is 55 years ago, they were instrumental in drafting the Engineering Profession Act, the Act that, of course, established the BOETT. And APETT is also outspoken regarding the need for greater public education and enforcement of the registration of engineers in Trinidad and Tobago. APETT is currently working with the Ministry of Planning and Sustainable Development, as well as the Ministry of Works and Infrastructure, on significant amendments and regulations to the Engineering Profession Act, as well as other legislation.

Registration of Engineers
[HON. DR. S. RAMBACHAN]

Friday, April 25, 2014

So, Mr. Speaker, we are very much looking into this matter, and I think that it is important that, as I said, not only with regard to the Engineering Profession Act, but generally in all cases where the—well, legislation is needed, whether it is new legislation or legislation that will update— significantly update. I want to use the word “significantly” update existing legislation that ensures the security and safety of people and of communities as a whole. This Government is committed to such reform and to the introduction of such legislation.

I thank you, Mr. Speaker. [*Desk thumping*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 5.51 p.m.