

IN THE MATTER OF A COMMISSION OF INQUIRY

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STATEMENT OF KENNETH SINCLAIR DILL

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I, Kenneth Sinclair Dill, say as follows:

Renovations of the Department of Human Resources

1. By way of background, I confirm herewith that at the time of the renovations of the Department of Human Resources in 2008, I was employed as the Head of the Civil Service, and the general supervision of that Department was one area of my responsibilities.
2. Prior to the relocation, my office and the Department of Human Resources were located in Global House, Church Street, but on different floors.
3. The reason my office was being relocated was the result of substantial hurricane damage.
4. The reason the Department of Human Resources was being relocated was because the government required that particular space for the expansion of another government department.

Question (i) Please explain why you had the authority to direct the Permanent Secretary of W & E (or his staff) to negotiate the contract.

5. Answer: I did not have the authority to direct the Permanent Secretary or any member of his staff. As evidenced in an email from the Ministry's architect Lucy Chung, (dated 09 September 2008, DHR -1 pages 11/12) I was asked four (4) questions, which I answered, (see my email response of the same date). At no

time was the word “contract” used, as the issuing of contracts is the responsibility of the Ministry of W & E. As Head of the Civil Service, I have no budget so the responsibility for all such budget items would be with the PS of W & E. I was simply asked an operational question and I gave my opinion – that it seemed reasonable to negotiate a cost with a contractor.

Question (ii) What was the justification for negotiating directly with the contractor and not following the tendering process?

6. Answer: I cannot answer this question as negotiating contracts was the responsibility of the Ministry of W & E. I note that the architect stated in the same email noted above that (it was) “...straightforward”.

Question (iii) Were the requirements of PFA 2002, specifically paragraph 6.11.3, met? If yes, please explain your views.

7. Answer: I do not know, as this was the responsibility of the Ministry of W & E.

Question (iii) (sic) (iv) Why was Cabinet approval not obtained?

8. Answer: I do not know, as this was the responsibility of the Ministry of W & E.

Question (iv) (sic) (v) Please comment generally on why payments were made on this contract if PFA 2002 / Financial Instructions had not been followed.

9. Answer: I do not know, as payments were made by the Ministry of W & E (see DHR -1 page 13).

Signed and dated:



Kenneth Sinclair Dill

23 September 2016