



# Parliament of Sint Maarten

## Staten van Sint Maarten

To the Hon. Minister of Housing, Spatial Planning, Environment and Infrastructure  
Mr. A.C. Meyers  
p/a Council of Ministers  
**Philipsburg**

UV/243/2015-2016

Philipsburg, May 10, 2016


Re: Questions from MP T.E. Leonard

Hon. Minister Meyers,

Herewith I submit to you questions posed by Member of Parliament, Ms. Tamara E. Leonard pursuant to article 62 of the Constitution and article 69 of the Rules of Order of the Parliament of Sint Maarten.

The letter is self-explanatory.

Yours truly,

  
S. A. Wescot-Williams  
President of Parliament

**Subject:** FW: Revised

**From:** nancy.joubert@sxmparliament.org [mailto:nancy.joubert@sxmparliament.org]  
**Sent:** Monday, May 9, 2016 8:05 AM

**From:** Tamara Leonard [mailto:tleonard1974@gmail.com]  
**Sent:** Monday, May 09, 2016 12:32 AM  
**To:** Nancy Joubert  
**Subject:** Revised

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MP Sarah Wescot-Williams  
Parliament Chairman  
Parliament Building  
Wilhelminastraat  
Philipsburg  
St. Maarten

May 8, 2016

**Subject: Questions about Garbage Contracts for VROMI Minister**

Dear MP Wescot-Williams,

By means of this letter, I am directing a number of questions to Minister of Public Housing, Spatial Planning, Environment and Infrastructure VROMI Angel Meyers. I have grave concerns about a number of discrepancies, inconsistencies and conflicting issues that arise in two different tenders/contracts for garbage collection and district cleaning as well as clear conflicts with our law.

I am aware that the Minister has put off the tendering of the garbage contracts until further notice. This is a good move and one I encourage the Minister to prolong until he and/or his Ministry carries out a thorough investigation to correct the discrepancies.

The move to postpone the tender was the right one for all interested parties. There were only six actual work days between the information meeting for interested contractors and the submission date. A postponement was only the proper thing to do.

Moving on to the discrepancies/inconsistencies in the tenders, I want the Minister to give an explanation as soon as possible and preferably before any new date for the tender submission is decided upon by the Minister.

1. In the Solid Waste Collection on St. Maarten 2016-2021 Tender Document, Parcel 1 as described on Page 25 lists the same streets, alleys and public areas as in the District Cleaning 2016-2018 for Parcel 13 (Page 20). Please explain the duplication.
2. In the Solid Waste Collection on St. Maarten 2016-2021 Section 2, Project Definition on Page lists public areas for garage and stray garbage collection on main roads, alleys, and squares including beaches. This is again duplicated in the District Cleaning 2016-2018 under Deliverables (Page 5, Section 2.4-a). Again, do explain this duplication for the District Cleaning calls for cleaning of all public areas and beaches (including any type of land greenery on the beach) once every two weeks.
3. In the Solid Waste Collection on St. Maarten 2016-2021 Section 2, Page 10, 2.4.7 Main Road Cleaning calls for stray garbage to be collected everyday on the main roads and the removal, collection and transport of erosion material twice every month in hurricane season and once every month outside of hurricane season. In the District Cleaning 2016-2018 on Page 5, 2.4 Deliverables calls for once per week cleaning of all public roads and roadsides from stray garbage and erosion materials. Again, please explain what appears to be the same job in two different contracts.
4. In the Minutes of the Information Meeting of April 25, Agenda point #3, it is stated that garbage on the beach, becomes part of the district cleaning and the bins placed on the beaches by the government must be serviced three times per week by the contractor for the parcel. This does not match the tender document which calls for cleaning once every two weeks. Please provide explanation.
5. Contractors were told in the April 25 Information Meeting if they do not list workers on their tender they can request a list of unemployed youngsters to select potential workers from the Labour Department if they win the bid. Has the Minister or his Ministry look in the requirement to access such a list and the length of time the access takes? Was access to the list discussed with the Labour Department? If yes, what was the response?
6. To avoid the same disaster as with the collection of solid waste, which is not 100 per cent resolved, I encourage the Minister to pay more attention to ensure contractors actually have the availability of equipment to carry out the job. Has this aspect been considered and, if yes, where it is reflected in the Call for Tender?
7. Why is there no guarantee of willingness for contractors bidding for the District Cleaning contract? After all this is a government project so an explanation about the exclusion of this step is more than needed. I request such post haste.
8. In the April 25 Information Meeting Minutes under the answer to Question 5, it is stated that youngsters are people ages 18-35. The tender calls for the hiring of youngsters within that age bracket. Does this mean anyone over age 35 will not have access to employment? If yes, is this not against our Labour Law and can be consider discrimination?
9. Under Question 6 in the Minutes, contractors were told no garbage collection experience was needed, because companies did not have to have a business licence for such work. It is stated that any company in good standing could submit a tender. Is this not against the law in terms of companies getting licences for specific purposes?
10. Can the Minister confirm that his Ministry and/or Government has allocated funds to assist contractors (to start up their business) who win the bid to carry out the job? If yes, what's the logic

behind this? Would it be a situation of giving a job to an ill-equipped company? What's the amount in question and where in the budget will be it taken from?

11. It has been suggested that the District Cleaning tender has been designed to keep out the two large garbage haulers who lost their contracts for Solid Waste Collection 2016-2021. This is evidenced in the Tender Document requiring only contractors / businesses who have not made NAF 500,000 in the past two years. Is this not discriminatory and somewhat victimization against contractors? What's the Minister's view on this?

12. Is the Minister of VROMI aware of glaring conflicts with the laws and government policy?

After reviewing the discrepancies with the tenders as well as the glaring fact that no guarantee of willingness and no insurance, I am left only to brand this venture as discriminatory, in conflict with the law and government policy. Contractors are asked to make bids for government work, but are not being given the same treatment or preferences as other contractors. This should not be so and should be corrected now.

Looking forward to speedy answers from the VROMI Minister.

Sincerely,

MP Tamara Leonard

United People's (UP) party