

ANTI-CORRUPTION COMMISSION

Press Release

Review of contractual arrangement for the demolition of the William Wilberforce Memorial Hall (City Hall)

The Anti-Corruption Commission (ACC) has conducted a process review on the contract for the demolition of the William Wilberforce Memorial Hall (City Hall) at Wallace Johnson Street, Freetown, following a tip-off about certain irregularities in the contract design and execution and the following breaches were discovered:

- 1 That the National Competitive Bidding (NCB) method was adopted instead of the International Competitive Bidding (ICB) method as provided for in the Public Procurement Act 2004, for civil works contract amount exceeding the threshold of Le 900,000,000.
- 2 That the contract for the demolition exercise was entered into without any proper legal advice.
- 3 There was an overlap in the responsibilities of the consultants in their advisory role to the Freetown City Council, and supervisors of the contractor, which created an opportunity for likely collusion. For instance:
 - 4 The consultants who drew up the bidding documents and contract agreement were also involved in the evaluation of bids and supervision of the contract.
 - 5 The consultants arrogated excessive powers to themselves in the contract agreement for the execution of the contract such that contractors were not seen to be answerable to the Freetown City Council.
- 6 That the overall contract cost was inflated with the inclusion by the consultants of the non-mandatory provisional sums for contingency and insurance which should not be part of the total contract sum.
- 7 That the demolition exercise has far exceeded the 8 weeks scheduled by almost ten weeks and this is compounded by the expiration of the contractor's performance bond.
- 8 That there was no proper bidding process for the sale of scrap metal salvaged from the demolition exercise in accordance with section 67 (1) of the National Public Procurement Act 2004.

- 9 That the Procurement Officer of the Freetown City Council failed to discharge his responsibilities as provided for in the said Act. The Procurement Committee also failed to exercise the requisite due diligence in the entire procurement process.

Following a number of consultations and a meeting attended by the Acting Mayor, the Chief Administrator, a representative of Sierra Construction Systems Ltd, the Contractors, the Consultant and the National Public Procurement Authority, all the parties agreed that in consultation with the National Public Procurement Authority, the said contract should be reviewed as it was not in the best interest of the parties.

In addition, the Commission also found prima facie evidence that proceeds from salvaged scrap metals at the demolition site were misappropriated by certain individuals working in the council. The Commission will conduct an investigation on the sale of the said scrap metals in due course.

In order to forestall future violations of procurement procedures, the ACC, in collaboration with the National Public Procurement Authority will seek to organize a training session for all local government administrations and the private sector across the country in order to reduce loss of Government revenue through non-compliance with the procurement law and regulations thereof.

Abdul Tejan-Cole
Commissioner

Dr. Alfred Kandeh
Chief Executive Officer, Procurement