

KEMP & ASSOCIATES

LEGAL CONSULTANCY CHAMBERS, INC.

S & G Building, Carey Street
P.O. Box 5616, Monrovia, Liberia – West Africa

14 September 2009

The Chairman
Public Procurement & Concession Commission (PPC)



Dear Mr. Chairman:

The Southeast Resources Limited writes to appeal from a decision awarding forest management contract to the International Consultant Capital (ICC) in violation of the PPCA by the FDA. Our complaint is predicated upon the fact that the PPCA set up guidelines to guide the bid and evaluation process for the various bidders by which the Bid Evaluation Panel set up by the IMCC conducted a strategic financial, technical, environmental survey of competitors.

This evaluation process rated Southeast Resources Limited as having the requisite financial capacity and technical capability to manage and operate Area "K" more responsibly and professionally than the International Consultant Capital (ICC). **See copy of the Bid Evaluation Panel Report attached to this appeal.**

Strangely, the FDA/IMCC has defended its award of forest management contract to the ICC on grounds that the award process was not based solely on the report of the Evaluation panel. We believe that such argument amounts to the adoption of new rules which were not part of the bidding process and were not unveiled to the bidders.

Further, it may interest you to know that the FDA/IMCC in defending its action of adopting new criteria contrary to the PPCA has also argued that FDA law frowns on group with "single business interest" but failed to define the particularity and specificities of "single business interest", thus it use as a yardstick to deny our company area "K" is inarguably an adoption of a strange criteria which is in contravention of section 112 of the PPCA.

We are even taken aback, the FDA/IMCC has audacity to contend there exist interrelations between Alpha, Southeast and Atlantic, but failed to show any linkage and although the Southeast and Atlantic presented separate and distinct documents as well as Articles of Incorporations to which Alpha is not a party, the FDA/IMCC has used such purported interrelation to deny our company Area "K" which was never part of the requirements set for the bidding process. We give notice to prove this allegation during hearing. Also, assuming without admitting the allegation that these companies are interrelated, then the burden of proof rests on the FDA/IMMC to prove the contrary. Further, we hereby attach our articles of incorporation to prove that that Southeast is a separate and distinct company.

Finally, we hereby file this appeal because we believe that the award of Area "K" to ICC which depends on a director and two separate corporations for financial resources and equipment raises a serious fundamental question about the credibility and integrity of the award process.

In view of the foregoing, it is our prayer that that PPCC will investigate all of the miscarriages cited and award us Area "K" consistent with the Bid Evaluation Panel Report.

Respectfully Yours,



David Woah

ATTORNEY-AT-LAW

Cc Forestry Development Authority (FDA)