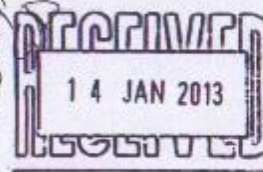




# UNIT EXPORT LIMITED

11th, January 2013 *Export, Trading and Procurement Consultants*

**PUBLIC PROCUREMENT AND CONCESSIONS  
COMMISSION,  
EXECUTIVE GROUNDS,  
CAPITOL HILL,  
MONROVIA,  
REPUBLIC OF LIBERIA**



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Cabr  
P/S  
and advise by  
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For the attention of Mrs Peggey Varfley Meres – Executive Director

Telephone: (01268) 416641.

Dear Madam,

**re : Protest of Award - LPRC/NCB/033/2012 for the Procurement  
of Loading Arms, Loading Meters, Calibration  
Tank and Transformers**

Unit Export Limited is a U. K. based specialist Export, Trading and Procurement company, which is actively undertaking business throughout Africa, the Caribbean, Middle East, the ex-Soviet Republics and South America either by way of international tender or direct request for quotation (RFQ) business..

Our company is already active and supplying goods to Liberia and has an established local company, Ready Imports, as our representative in Monrovia.

Unit Export was invited by Liberia Petroleum Refining Company (LPRC) to participate in the above tender for the supply of various refinery equipment including Fuel Loading Arms Fuel Loading Meters, Fuel Calibration Tank and Electrical Transformers, which closed on the 10th, October 2012, with bid opening on the 15th, October 2012.

The bidding to be conducted through the National Competitive Bidding (NCB) procedures as specified in the Public Procurement and Concessions Act (PPCA).

Under the Terms and Conditions of the Bid document issued by LPRC it is stipulated "In order to qualify for evaluation, sealed bids must include the following documents :-

- Copies of their 2012 Business registration documents and recent Tax clearances
- Evidence of similar goods supplied in the last four years including dates, client's full addresses etc
- Company profile"

**LH** A member of the Laidon Holdings Group of Companies.





and under the Terms and Conditions of the Bid Document issued by LPRC – Section II. Bidding Data Sheet ITB 21.1 “The bid shall include a Bid Security issued by a reputable bank” and ITB 21.2 “The amount of the Bid Security shall be : 2% of bid price”.

Unit Export submitted bids for all lots and all items required under the Tender, and our bid submissions were duly delivered into LPRC before the official tender close time/date by our local representative Ready Import, Inc., who then attended the public tender opening, which took place on the 15th, October, at the Managing Director’s Conference Room, commencing approximately 14.00 hours.

Ready Import provided Unit Export with a full report on the bid opening, advising there were three (3) bidders : –

New Africa Technology Company  
A & N Exports Inc  
Unit Export Limited

According to the tender opening procedures, each tender was individually opened and relevant information read out, to those company representatives in attendance, by Mr. Prince W. Kieh, the Senior Procurement Officer of LPRC.

As you will see from the copy of Ready Import’s report of the opening results attached, it was announced New Africa Technology and Unit Export Limited had provided Bid Securities as required under the terms and conditions of the tender.

However, following the opening of A & N Exports, Inc’s bid, the following advice was given by Mr. Kieh to the attendees, A & N’s bid did not include :-

1. Bid Security
2. On further examination, No Business Registration Certificate documentation
3. No valid Tax Clearance documentation.

**All of the missing documents are required under the Terms and Conditions of Tender and to be incorporated in the bidder’s submission documents, as tendered for the bid opening.**

Under the Terms and Conditions of the Tender, each of the above failures to provide a Bid Security; Business Registration Certificate and Tax Clearance evidence, are immediate grounds for LPRC to reject A & N’s bid and for it to be excluded from any further part in the tender evaluation process.



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Unit Export was therefore extremely surprised to learn from Ready Import, Inc., that they had received a letter from Mr. J. Robert Ellis Procurement Manager LPRC dated the 20th, November 2012, confirming

**"That A & N Exports Inc., had emerged as the responsive bidder for Lots 1,2 and 3 and declared the winner" for all goods under IFB. No. LPRC/NCB/003/2012".**

We are attaching copy of Mr. Ellis's letter for your reference.

On receipt of this advice, Unit Export officially notified Mr. T. Nelson Williams II, Managing Director of LPRC, by way of email/letter on the 23rd, November 2012, of our protest to the award, as A & N Export's had failed to comply with the provision of documents, as called for under the Terms and Conditions of the tender, and should have been rejected from the evaluation process.

Acknowledgement of receipt of our protest was received from Mr. Williams of our protest on the 23rd, November, and that he had instructed for an investigation to be made.

Unit Export received a formal reply from Mr. Williams on the 27th, November 2012, by way of email/letter, of LPRC's investigation and its findings appear to be totally contrary and at odds to what was publically announced at the Bid Opening Session, in that A & N Exports Inc., did submit a valid Bid Security and Business Registration document.

We are attaching copies of correspondence with Mr. Williams for your reference.

Unit Export has no reason to disbelieve the evidence publically announced at the Tender Opening Session and recorded by Ready Import that A & N Export's failed to submit a valid Bid Security; evidence of their Business Registration and Tax Clearance, and in the light of Mr. Williams email/letter of the 27th, November 2012, officially wrote to the Chairman of the Board of Directors of LPRC on this matter. We are enclosing copies of communications between Unit Export and Reverend Dr. Herman Browne

Please see our letter dated the 26th, November 2012 addressed to Reverend Dr. Herman Browne – Chairman of the Board of Directors LPRC of our formal protest to the award and copy of his response dated the 12th, December 2012.

As Unit Export had not received any further reply to our letter of the 26th, November 2012, we advised Reverend Dr. Herman Browne by way of email/letter on the 7th, January 2013 of our surprise at not receiving any response on the Board's investigation, and reserving our right to submit our complaint to PPCC.



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As no further response has been forthcoming from LPRC, we request the Public Procurement and Concessions Commission fully review said award of IFB NO. LPRC/NCB/033/2012 to A & N Exports Inc., as from the evidence of the Public Opening Meeting A & N Exports Inc., failed to comply with the Terms and Conditions of the Tender and their bid be rejected.

From the evidence of the Public Opening session and LPRC's award to A & N Exports Inc, Unit Export is frankly extremely dismayed, as it calls into question the integrity of the LPRC tender process and it appears it may be "badly compromised".

For such a prominent company as LPRC, which is vital for Liberia's economic development, to fail to implement their own published Terms and Conditions for Public Procurement regulations is not good for Liberia and its' future development.

Such practice will only drive reputable manufacturers and suppliers away from undertaking business with Liberia.

We request PPCC kindly acknowledge receipt of our letter of complaint, plus supporting documents, and request for said award to be fully investigated.

Kind regards.

Yours faithfully,  
for Unit Export Limited

  
Grevil Sharp  
BUSINESS DEVELOPMENT

Email : [gsharp@unitexport.com](mailto:gsharp@unitexport.com)  
Please visit our website at [www.unitexport.com](http://www.unitexport.com)

**Documents enclosed :-**

ITB Invitation to Bid Announcement  
Section II Bid Data Sheet  
16th, October 2012 from Ready Import Inc Tender Opening Report  
20th, November 2012 from Mr. J. Robert Ellis (Proc. Man.) - LPRC  
23rd, November 2012 to Mr. T. N. Williams (MD) - LPRC  
23rd, November 2012 from Mr. T. N. Williams (MD) - LPRC  
27th, November 2012 from Mr. T. N. Williams (MD) - LPRC  
12th, December 2012 from Chairman of the Board of Directors – LPRC  
7th, January 2013 to Chairman of the Board of Directors – LPRC



cc: Ready Import Inc.,

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