



Ministry of General Affairs
Ministerie van Algemene Zaken
**Department for The Interior
and Kingdom Relations**

Afdeling Binnenlandse aangelegenheden en
Koninkrijksrelaties

I Can Foundation
Att. boardmembers
St. Maarten

Iiw nummer:

Iiw brief:

Ons nummer:

afd: BAK/

Onderwerp: Project Furnishing I Can Foundation

Phillipsburg, January 19th, 2011

TOR Project Furnishing I Can Foundation
Email I can Foundation (Joann)

Dear board members of the I Can Foundation,

In reference to your email dated January 17th 2011, in which you are requesting clarity to some questions the I Can Foundation has pertaining the project Furnishing I Can Foundation, I hereby provide you with an overview of your questions followed by our answers.

1. What was the procedure for the Furnishing of the home?
2. Was the foundation informed about these procedures?
3. What is the procedure for the delivery of goods, who oversees this process?
4. Can the communication, that was sent from our office requesting that Personalized Creations should be considered for the bidding process, be provided to the board.
5. What measures have been taken since discrepancies were discovered in regards to goods delivered?
6. Has USONA been informed?
7. What measure is now in place to insure that finances allotted to the home are used as intended? (quality, durability)

Ad 1)

On April 27 2010 Personalized Creations was awarded the project Furnishing I Can Foundation by the Executive Council of the Island Territory Sint Maarten. Prior to the awarding the former department DPP, now BAK, had communication with Mrs. Gibbs about the bidding process on several occasions. On September 30th, the project manager at BAK, Andrea Ortega, received an email from Debbie Gibbs(ebon@sintmaarten.net), signed by Mrs. Gibbs colleague Joann (forwarded email from Winifred Hercules) in which a reaction was given on the proposed TOR by BAK. The I Can Foundation was asked to give their comments on the entire TOR.

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Ad 2 and 3)

Comments and adjustments were given to the content by the I Can Foundation. These comments and adjustments were taken over by BAK before approval was asked by USONA on the TOR. The TOR entailed the procedures for the project (see attachment), the project organization and ten addendums of the furniture specified. The list of furniture was drawn up prior to this TOR in cooperation with the I Can Foundation.

Ad 4)

After USONA approved the TOR, it was sent out to a list of suppliers provided by the I Can foundation on October 12th 2009. The list was sent per email by Debbie Gibbs (ebon@sintmaarten.net), signed by Mrs. Gibbs colleague Joann, containing a list of suppliers that should receive the TOR. Personalized Creations was one of the organizations mentioned.

Ad 5 en 6)

The TOR specified that no payments would be made to Personalized Creations before delivery. However on three occasions invoices for the delivery and installation on goods specified in the TOR were provided by Personalized Creation signed and stamped by the I Can Foundation for payments. These signatures and official stamps indicated that the I Can Foundation approved the goods and USONA made the payments as agreed.

In November 2010 the project manager, Andrea Ortega, discovered that the goods signed and stamped by the I Can Foundation were not done by the director, but by a co-worker, named Joann. After several conversations with Mrs. Gibbs, in which she indicated at first not to talk to others about this, it became clear that Joann is married to Mr. Forde, owner of Personalized Creations.

Mrs. Forde furthermore used Mrs. Gibbs email address on several occasions in her communication towards BAK. This also implies that Mrs. Forde was aware of the budget BAK had for the project before the bidding.

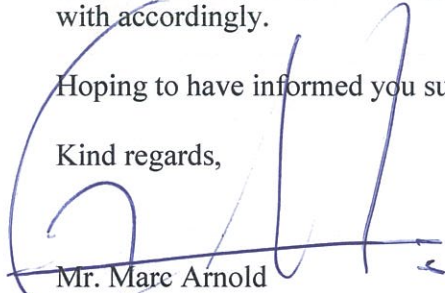
On Friday January 14th the project manager, Andrea Ortega, had a meeting with the director of the Foundation and board member Mr. Giterson. Together we came to an agreement to give Mr. Forde until February 28th to deliver the goods as agreed upon. An official letter will be sent to Personalized Creations to confirm this agreement and USONA will also be informed.

Ad 7)

Once all goods are delivered at the end of February, the project manager will check all the goods on quality and durability according to the TOR and the specified item list. Any discrepancies will be dealt with accordingly.

Hoping to have informed you sufficiently,

Kind regards,


Mr. Marc Arnold
Head Department BAK