

**REPUBLIC OF KENYA**  
**PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD**

**REVIEW NO. 29/2012 OF 18<sup>th</sup>JUNE, 2012**

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**BETWEEN**

**MAKINI CONSTRUCTION AND ENGINEERING LTD..... APPLICANT**

**AND**

**RIBE BOYS HIGH SCHOOL.....PROCURING ENTITY**

Review against the decision of the Tender Committee against the decision of the Tender Committee of Ribe Boys' High School in the matter of Tender No. RBHS/2/2012 for Construction of a Twin Dormitory.

**BOARD MEMBERS PRESENT**

Mr. P.M. Gachoka	-	Chairman
Mr. Joshua W. Wambua	-	Member
Ms.Natasha Mutai	-	Member
Eng Christine Ogut	-	Member
Mr. Sospeter Kioko	-	Member.

**IN ATTENDANCE**

Ms. Pauline Opiyo	-	Holding brief for Secretary
Ms. Judy Maina	-	Secretariat.

## **PRESENT BY INVITATION**

### **Applicant, Makini Construction and Engineering**

Mr.Rashid Juma Ali - Director.

### **Procuring Entity, Ribe Boys High School**

Mr.Katana Joseph - Principal

Mr.Musau Martin - Deputy Principal.

### **Interested Candidates**

Mr.Mohamed Haroun - Director, San Siro Contractors Ltd.

## **BOARD'S DECISION**

Upon hearing the representations of the parties and interested candidates and upon considering the information in all documents before it, the Board decides as follows: -

## **BACKGROUND**

### **Invitation for Bids**

On 19<sup>th</sup>April 2012, the Tender Notice for Tender No. RBHS/2/12 that was prepared by the Procuring Entity was posted on notice boards at the offices of the District Education Officer,Rabai; District Commissioner, Rabai; District Education Officer, Kaloleni;Provincial Director of Education, Coast Province; Area Councillor and Area Chief. Eleven Contractors bought Tender Documents.

### **Closing/Opening**

Tender closing/opening was on 9<sup>th</sup> May, 2012. Eight contractors' representatives, BOG members and SIC Chairman witnessed the opening of the tenders. The bids received and opened were as tabulated hereafter.

Table 1: Tenders Received

No.	Bidder Name	Tender Sum	Bid Bond
1.	Lizam Enterprises Ltd	23,697,255.5	520,000 by Invesco Assurance.
2.	Blue Print Enterprises	23,696,010	None
3.	Jyan Construction Services	24,992,960	None
4.	Aljos and Sons Suppliers	27,020,924	None
5.	San Siro Contractors	23,801,188	185,000 by Amaco Insurance
6.	Azai General Agencies	26,015,714	None
7*.	*Dicom Engineering Ltd	26,532,485	520,000 by Chase Bank
8.	Kadhu-Wa-Developers	27,179,334	3,000,000 by Equity Bank
9.	Makini Construction and Engineering Co. Ltd	25,605,275.08	300,000 by Chase Bank

At the close of the tender opening exercise, the bidders enquired about the Engineers Estimate. Bidders were informed that from the Public Works Bills of Quantities it was quoted as 25,045, 395.00.

The nine bids were handed over to the Public Works Officer, Rabai for Technical Evaluation.

### **EVALUATION**

Evaluation was done by two distinct teams. One team consisted of technical officers from the District Public Works Office, Kaloleni while the other, which was constituted by the School Administration, consisted of the school officials. Consequently there were two different evaluation reports, one prepared by the Public Works Office and the other prepared by the School's Evaluation Committee. In addition, a third report was prepared by the District Procurement Officer, Rabai.

## 1. Technical Report from Ministry of Public Works

The Tender was opened at Ribe Boys High School on 9<sup>th</sup> May 2012. Open tendering method was used. Nine tenderers successfully returned their tender documents as listed in table 2 which also shows the tendered amounts in ascending order and the comparison of the tenders returned and the official estimate of Kenya shillings 26, 245, 345, arrived at by pricing a sample of the tender Bills of Quantities.

Table 2: Received Tenders and Variance

Item No.	Tenderer	Tender Sum	Bid as a % of Estimate	Variance
1.	Blue Print Enterprises	23,696,010	90.29%	-9.71%
2.	Lizam Enterprises Ltd	23,697,255.5	90.29%	-9.71%
3.	San Siro Contractors	23,801,188	90.67%	-9.33%
4.	Jyan Construction Services	24,992,960	95.23%	-4.77%
5.	Makini Construction and Engineering Co. Ltd	25,605,275.08	97.56%	-2.44%
6.	Azai General Agencies	26,015,714	99.12%	-0.88%
7.	Dicom Engineering Ltd	26,532,485	101.09%	1.09%
8.	Aljos and Sons Suppliers	27,020,924	102.95%	2.95%
9.	Kadhu-Wa-Developers	27,179,334	103.56%	3.56%
10.	Official Estimate	26,245,395	100%	0%

In accordance with Clauses 5.5, 5.6, 5.7, 5.8 and 5.9 of the Instructions to Tenderers, the nine tenders were examined to determine their responsiveness to the terms, conditions and specifications of the tender documents. The results were as tabulated in table 3.

Table 3 – Tender Responsiveness

KEY: X – Not Responsive

Y – Responsive

	Within Estimate	Bid Bond	Form of Tender	Public Works Reg.	Tax Compliance	Equip.	Personnel (Tech. Staff)	Proof of Similar Works	Financial Statement	Remarks
Blue Print Enterprises	Y	X	X	Y	Y	X	X	Y	X	Not Responsive
Lizam Enterprises Ltd	Y	Y	Y	Y	Y	Y	Y	Y	Y	Responsive
San Siro Contractors	Y	Y	Y	Y	Y	Y	Y	Y	Y	Responsive
Jyan Construction Services	Y	X	Y	Y	Y	Y	Y	Y	Y	Not Responsive
Azai General Agencies	Y	X	X	Y	X	X	Y	X	X	Not Responsive
Makini Construction and Engineering Co. Ltd	Y	X	Y	Y	Y	Y	Y	Y	Y	Not Responsive
Dicom Engineering Ltd	Y	Y	X	Y	Y	Y	Y	Y	Y	Not Responsive
Aljos and Sons Suppliers	Y	X	X	X	X	X	X	X	X	Not Responsive
Kadhu-Wa-Developers	Y	Y	Y	Y	Y	Y	Y	Y	X	Not Responsive

From the foregoing, only two contractors were responsive i.e. Lizam Enterprises and San Siro Construction Co. Ltd. The analysis of the responsive bidders was as follows:

### **Lowest Tender – Kshs 23, 697,255.50**

- ❖ Submitted by M/s Lizam Enterprises of P.O. Box 42290, Mombasa
- ❖ Their tender sum was 9.71% below the official estimate and their rate compared well with those of the official estimate
- ❖ They had no arithmetic error.

### **Second Lowest Tender – Kshs 23, 801,188**

- ❖ Submitted by M/s San Siro Construction Ltd of P.O. Box 210, Malindi
- ❖ Their tender sum was 9.33% below the official estimate and their rate compared well with those of the official estimate
- ❖ They had no arithmetic error.

### **Recommendation**

In view of the foregoing analysis, the tender submitted by M/s Lizam Enterprises Ltd of P. O. Box 42290, Mombasa amounting to Kenya Shillings Twenty Three Million, Six Hundred and Fifty Five and Fifty Cents (23,697,255.50) is hereby recommended for award.

### **2. Evaluation Committee Report**

The Evaluation Committee members first subjected the nine (9) tenders received to an evaluation of their responsiveness. The evaluation of responsiveness involved the confirmation of conformity to mandatory requirements which included:

- Tender Security from a recognized insurance company or bank
- Current and valid Tax Compliance Certificate
- Properly filled and signed Tender Form
- The tender must be within  $\pm 10\%$  of the official estimate
- Properly filled Business Questionnaire Form
- Bank statements for the last 3 years

- Must have done work of similar nature, magnitude and complexity in the last 3 years
- Must have personnel.

The official estimate by the Ministry of Public Works was Kshs 26,245,395.

A matrix with the mandatory requirements was drawn and a tick was given for conformity as shown in table 4 hereafter.

Table 4: Preliminary Evaluation Results

Requirement	Blue Print Enterprises Ltd	San Siro Contractors	Makini Construction & Engineering Co. Ltd	Aljos & Sons Ltd	Lizam Enterprises Ltd	Azai General Agencies	Jyan Construction Services	Dicom Engineering Ltd	Kathu-wa Developers
<b>Tender Security</b>		√	√		√		√		
<b>Tax Compliance</b>	√	√			√		√	√	
<b>Duly filled and signed Tender Form</b>					√		√	√	√
<b>Within ±10% of official estimate</b>	√	√	√	√	√	√	√	√	√
<b>Duly filled and signed Business Questionnaire</b>							√		
<b>Last 3 years bank statements</b>								√	
<b>Previous works</b>	√	√	√		√		√	√	√
<b>Personnel</b>	√	√	√		√		√	√	√

On the strength of Section 64(2)(b) of the Act, which provides that 'errors and oversights that can be corrected without affecting the substance of the tender do not affect whether a tender is responsive', it was agreed that the following three (3) tenders were responsive:

- San Siro Contractors
- Lizam Enterprises Ltd
- Jyan Construction Services

The evaluation committee then proceeded to evaluate the three tenders listed above based on: the Bills of Quantities; Up to date Ministry of Works (MoW) Registration; Tax Registration; Business Permit; Certificate of Incorporation and VAT Registration.

The results were as shown in table 5 hereafter.

Table 5: Evaluation of Responsive Tenders

	Document	San Siro Contractors	Lizam Enterprises	Jyan Construction
1.	BQ	23,801,188	23,697,255.50	24,992,960
2.	Up to date MoW Registration	√	√	√
3.	Tax Registration	√	√	√
4.	Business Permit		√	√
5.	Certificate of Incorporation	√	√	√
6.	VAT Registration		√	√

The lowest bidder was Kshs 23,697,255.50.

The second lowest bidder was Kshs 23,801,188.

The highest bidder was Kshs 24,992,960.

The difference between the lowest & the second lowest bidder = Kshs 103, 932.50.

The difference between the lowest and the highest bidder = Kshs 1, 295,704.50.



## Recommendation

Lizam was recommended on the strength that; it was the lowest bidder, had an up to date MoW Registration Certificate, Tax Registration Certificate, Business Permit and VAT Registration.

San Siro (the second lowest bidder), lacked a Business Permit and VAT Registration while Jyan was the highest bidder.

### 3. Technical Advice from the District Procurement Officer

The District Procurement Officer, Rabai was requested to give technical advice on the tender. He analyzed the bids and came up with a combined preliminary and price comparison schedule as replicated in table 6 hereafter.

Table 6: Preliminary and Price Comparison Schedule

Tender	Receipt	VAT	PIN	TCC	Tender 2% Security	Bank A/C	Personnel	Equipment	Form of Tender	MPW Reg. Letter	Previous Works Shown	Bid Price (Kshs)
T <sub>1</sub>	√	√	√	√	x	√	√	√	√	√	√	25,605,275.8
T <sub>2</sub>	√	√	√	x	x	√	√	√	√	√	√	23,801,188
T <sub>3</sub>	√	x	x	√	x	x	x	x	x	x	x	23696,010
T <sub>4</sub>	√	√	√	√	x	x	x	√	√	√	√	24,992,960
T <sub>5</sub>	√	√	√	√	√	√	√	√	√	√	√	23,697,225.5
T <sub>6</sub>	√	√	√	√	√	√	√	√	√	√	√	26,532,485
T <sub>7</sub>	√	x	x	x	x	x	x	x	x	x	x	27,020,924
T <sub>8</sub>	√	√	√	x	x	x	√	x	√	√	x	27,179,334
T <sub>9</sub>	√	x	x	x	x	x	x	x	x	√	x	26,075,714

The District Procurement Officer recommended that in view of the above analysis, the responsive tender submitted by M/s Lizam Enterprises of P.O. Box

42290, Mombasa, whose tender sum is Kshs 23,697,255.50 (twenty-three million six hundred and ninety-seven thousand, two hundred and fifty-five and fifty cents only) be awarded the tender upon appropriate adjudication by the Tender Committee.

## TENDER COMMITTEE DECISION

The Ribe Boys' High School Tender Committee at its meeting held on 4<sup>th</sup> June, 2012 adjudicated Tender No. RBHS/2/2012. The Tender Committee first analysed the evaluation reports to confirm the responsiveness or non responsiveness of the nine (9) bidders to the tender requirements.

The finding of the Tender Committee is as tabulated hereafter.

**Table 7: Analysis by the Tender Committee Members**

KEY: X – Not responsive      ✓ - Responsive

Tenderer	Receipt	Tax Compliance Cert.	Reg. Cert.	VAT & PIN	2% Tender Security	Proof of Works	Bank A/C	Personnel	Equipment	Form of Tender	Tender Sum
Makini	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	25,605,275.08
San Siro	✓	X	✓	✓	X	✓	✓	✓	✓	✓	23,801,188
Blue Print	✓	✓	✓	X	X	X	X	X	X	X	23,696,010
Jyan Const.	✓	✓	✓	✓	X	✓	✓	✓	✓	✓	24,992,960
Lizam	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	23,697,255.50
Dicoms	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	26,532,485
Aljos	✓	X	X	X	X	X	X	X	X	X	27,020,924
Kadhu- Wa	✓	X	✓	✓	X	✓	✓	✓	✓	✓	27,179,334
Azai	✓	X	✓	X	X	X	X	✓	✓	✓	26,015,714

In view of the above, Lizam Enterprises of P. O. Box 42290, Mombasa, whose tender sum is Kshs 23,697,255.5 (twenty-three million six hundred and ninety-seven thousand, two hundred and fifty-five and fifty cents only) was awarded the tender by the Tender Committee.

The Successful Bidder and the Unsuccessful Bidders were notified of the tender outcome through their contact addresses via letters dated 5<sup>th</sup> June 2012.

## **THE REVIEW**

The Applicant, Makini Construction and Engineering Ltd lodged the Request for Review on 18<sup>th</sup> June, 2012 against the decision of the Tender Committee of Ribe Boys' High School in the matter of Tender No. RBHS/2/2012 for Construction of a Twin Dormitory.

The Applicant was represented by Mr. Rashid Juma Ali, Director while the Procuring Entity was represented by Mr. Katana Joseph, Principal and Mr. Musau Martin, Deputy Principal. The interested candidate present was San Siro Contractors Ltd represented by Mr. Mohamed Haroun, Director.

The Applicant requests the Board for the following orders:-

- 1. To stop the tendering process and order re-tendering**
- 2. Investigate the Tender Committee and the Public Works Office.**

The Applicant has raised 2 grounds of review which the Board deals with as follows:

**Grounds 1 and 2 - Breach of Section 38 of the Public Procurement and Disposal Act, 2005, hereafter referred to as "the Act"**

These grounds have been consolidated as they raise similar issues relating to the manner the evaluation was done and whether there was inappropriate influence on the evaluation.

The Applicant stated that it had purchased the tender document and submitted the same together with all the required documents. It stated that at the tender opening, the Engineers estimate was read out as Kshs 25,045,395/-. It submitted that it had received a notification letter from the Procuring Entity informing it that its bid was unsuccessful. It further submitted that it had obtained some documents from an individual working in the school and since it was dissatisfied

by the decision by the Procuring Entity it used the said documents to support the Request for Review.

The Applicant submitted that in the evaluation of the tenders, the Procuring Entity had declared its tender non-responsive on grounds that it had not provided a tender security and that it had no valid Tax Compliance Certificate. It stated that it had purchased its bid bond of Kshs. 300,000 from Chase Bank. In this regard, it alleged that its tender document was tampered with by removal of the Bid Bond and the Tax Compliance Certificate. It referred the Board to Section 52(3) (e) (iii) of the Public Procurement and Disposal Act (hereinafter referred to as the Act) which provides as follows:

**Section 52 (3) (e)**

***Instructions for preparation and submission of tenders including-***

.....

***(iii) any requirement that tender security be provided and the form and amount of any such security; and***

It further stated that Clause 3.7 of the Instructions to Tenderers provided that the Tender Security was to be an amount not exceeding 2% of the tender price.

It therefore argued that its bid bond of Kshs. 300,000/- which was 1.17% of its tender sum fell within the requirement in that it did not exceed 2% of the tender price. It submitted that its tender price was of KShs. 25,605,275.08 and therefore the Kshs 300,000 Bid Bond was within the 0.5% to 2.0% range provided in the standard tender document.

The Applicant submitted that Tax Compliant Certificates are issued every six months. It stated that when the tenders were opened on 9<sup>th</sup> May, 2012, its Tax Compliance Certificate was valid up to 18<sup>th</sup> May, 2012 and it had since renewed

its Tax Compliance Certificate therefore it was unfair for the Procuring Entity to disqualify it on this ground. It stated that this was an indication that its bid documents were interfered with.

The Applicant alleged that the Engineers Estimates as read out at tender opening was a figure of Kshs 25,045,395. It further alleged that the figure was later changed to Kshs 26,245,395 during the evaluation. It urged the Board to establish what had necessitated the change after the tender opening.

Finally, the Applicant submitted that the contract was signed on the 18<sup>th</sup> of June before the 14 days appeal window had lapsed as provided in Section 68(2) of the Act. It stated that the letter of notification was dated 5<sup>th</sup> June, 2012 but it was dispatched on 9<sup>th</sup> June, 2012 as evidenced by the postage stamp. The Applicant also urged the Board to investigate why a tender of this threshold was not advertised in the newspapers of nationwide circulation pursuant to Section 84(2) of the Act.

In response, the Procuring Entity submitted that the Applicant had raised two issues in the Request for Review and therefore the Board should ignore the other issues that were raised during the submission as it was not aware of those issues when it was preparing its response.

The Procuring Entity submitted that the tender document presented by the Applicant was not tampered with as alleged. It stated that the Bid Bond of Kshs 300,000/= from Chase Bank Ltd submitted by the Applicant in its tender documents was still intact. It further stated that the Applicant's Bid Bond was declared non responsive during evaluation as it was below 2% of estimated contract sum. It urged the Board to peruse the tender evaluation report where it had noted that the Applicant was responsive in regard to Tax Compliance Certificate and was not declared non responsive on this ground.

The Procuring Entity submitted that at the tender opening, it erroneously read out an estimate of Kshs 25,045,395/= that had been prepared by the Public works Officer for purposes of securing funds from the Ministry of Education for the project. It stated that the Engineers estimate, which was confidential, was in the custody of the School Principal who was away on official duty at the time of the tender opening. It averred that no bidder was disqualified on the basis of the Engineers Estimate of Kshs 26, 245,395/= during the evaluation.

The Procuring Entity submitted that the signing of the contract with the Successful Bidder was done on 18<sup>th</sup> June, 2012, within the stipulated time. It stated that the notice from the Board instructing it to stop the tender process was received after the signing of the contract.

The Procuring Entity submitted that the evaluation of the tender was done by three teams namely the Ministry of Public Works; the School and the District Procurement Officer. It further submitted that the Tender Committee had harmonized the three reports during the award of tender.

An interested candidate, Ms San Siro Contractors Ltd submitted that the tender evaluation was not fair and the Board should order a re-tender.

The Board has carefully considered the submissions of the parties and the documents that were presented.

The issues for consideration are whether the Procuring Entity tampered with the documents that were presented by the Applicant and whether the evaluation was done properly.

The Board has perused the documents submitted by the Procuring Entity and in particular the Applicant's tender documents, the minutes of the tender opening and the Evaluation reports. The Board has noted that the tender closed/opened

on 9<sup>th</sup> May, 2012 at 10.00 am as stipulated in the tender notice and the Tenders were opened in the presence of all the nine bidders.

Upon perusal of the documents, the Board notes the following:

- i. that the Applicants Bid Bond of Kshs 300,000 issued by Chase Bank (Kenya) Limited was valid from 8<sup>th</sup> May 2012 up to and including 4<sup>th</sup> September, 2012;
- ii. that the Applicant's Bid Bond is approximately 1.17% of its tender sum of Kshs 25,605,275.08;
- iii. That the Applicant's Bid Bond is valid for 118 days and not 120 days as specified at page PP/4 of the Bills of Quantities.
- iv. That the Engineers Estimate at tender opening was read out as Kshs 25,045,395/-;
- v. that during evaluation, all bids were found to be within 10% of the Engineers Estimate of Kshs. 26,245,395/-
- vi. that Bidders were notified of the outcome of the procurement vide letters dated 5<sup>th</sup> June, 2012; and
- vii. That the contract agreement was signed on 18<sup>th</sup> June, 2012

In regard to the tender security, the Board has perused a copy of the tender document issued to the bidders by the Procuring Entity. The Board notes that Clause 3.7 of the Instruction to Tenderers provides as follows:

***'The Tenderer shall furnish as part of its tender a Tender Security in the amount and form specified in the appendix to invitation to tenderers. This shall be in the amount not exceeding 2% of the tender price.'***



The Board further notes that the Tender Notice provides as follows with respect to the requirement that bidders submit a Tender Security;

*“The Tenderer must provide the following:-*

*(a) Tender security from a recognized insurance company or bank*

*(b)*

*.....”*

Further, the Board notes that the provision cited above does not specify the amount of tender security or its validity period. However, at page PP/4 of the Bills of Quantities, it is provided that ‘..... **Letters of Credit or Bank Guarantees issued as surety for the bid shall be valid for a period of one hundred and twenty (120) days from the date of tender opening.**’

From the foregoing, the issue for the Board to determine is whether the Applicant’s Bid was declared non responsive fairly.

The Board notes that the evaluation of this tender was conducted by three evaluation committees namely, The Ministry of Public Works, The School, and the District Procurement Officer. In this regard, the Board is of the view that schools lack capacity on tendering and therefore recommends that there is need for PPOA management to train the management of schools on handling the procurement process.

The Board also noted that the various evaluation committees found the Applicant’s tender non responsive albeit for different reasons. On the issue of Bid Bond, the Board find that Clause 3.7 on the Instructions to Tenderers stated that the Bid Bond amount should not exceed 2% of the tender sum. Clearly, this clause was vague and the Procuring Entity should have specified the specific percentage or amount that it required as the tender security. However, going by the wording of Clause 3.7 of the Instructions to the Tenderers, the Bid Bond given the Applicant satisfied this requirement, vague as it was. The Board further finds that

the Bid Bond was valid for a period of 118 days and not 120 days as specified in the Bill of Quantities. In regard to the Tax Compliance Certificate, the Board finds that it was valid at the time of tender opening but would have expired before the tender validity period. However, nothing turns on this as the Applicant was not disqualified on this ground.

With Regard to signing of the Contract, the Board notes that the notification letters are dated 5<sup>th</sup> June, 2012. The Board further notes that the Applicant was notified on 9<sup>th</sup> June, 2012. Counting from 10<sup>th</sup> June 2012, the 14 days appeals window was to expire on 24<sup>th</sup> June, 2012. The Board finds that Procuring Entity signed the Contract on 18<sup>th</sup> June, 2012 before the expiry of the 14 days appeal window in breach of Section 68 of the Act.

In conclusion, on the allegation that there was tampering with the Applicant's tender document, the Board is satisfied that the documents were not interfered with as alleged by the Applicant. However, as already stated the disqualification of the Applicant on the ground that its Bid Bond was invalid was wrong.

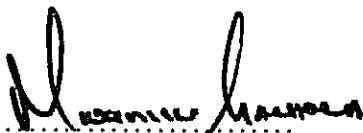
In view of the foregoing, the issue for the Board to consider now is whether the tenders should be evaluated afresh including the Applicant's tender. The Board has noted that the three evaluation committees recommend Lizam Enterprises Limited which had quoted a price of Kshs. 23,697,255.5 against a price of Kshs. 25,605,275.08 by the Applicant. On its part San Siro Contractors, an interested party, had quoted Kshs. 23,801,188. Therefore, although there are procedural lapses in the evaluation process, the Board finds that a re-evaluation will not achieve any useful purpose as the Applicant's price is higher than that of the Successful Bidder by almost Kshs 2,000,000.00 and its Bid Bond was not valid for a period of 120 days as specified in the Bill of Quantities.

Before concluding, the Board observes that the possession of the evaluation minutes by the Applicant is a contravention of Section 44 of the Act which requires that the tender process should remain confidential.

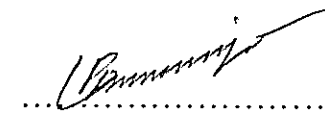
In view of the foregoing, and taking into account that the dormitory to be constructed is a crucial facility for the school, the Board finds that in the interest of substantial justice, the award of this tender should not be disturbed. Accordingly, the grounds for review fail and this Request for Review is dismissed.

The Board orders pursuant to Section 98 that the procurement process may proceed.

Dated at Nairobi on this 10<sup>th</sup> day of July, 2012.



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**CHAIRMAN**  
**PPARB**

  
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FOIA : **SECRETARY**  
**PPARB**

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