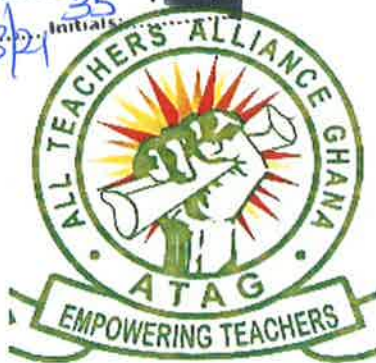




COMMISSION OF HUMAN RIGHTS
AND ADMINISTRATIVE JUSTICE
RECEIVED
Date: 18/3/21 Initials: [Signature]



INNOVATIVE TEACHERS

P.O. BOX 36 Mankessim

Phone: +233 591427807

+233 200837911

ALL TEACHERS ALLIANCE GH

Odorkor, Gloryland

Phone +233 30 2907561

+233 249403277

+233 241871847

18th March, 2021.

THE COMMISSIONER

COMMISSION ON HUMAN RIGHT AND ADMINISTRATIVE JUSTICE

HEADQUARTERS – ACCRA

Dear Sir,

REQUEST FOR INVESTIGATION INTO THE PROCUREMENT OF TM1 LAPTOPS

We write this petition pursuant to article 218(a) (e) of the 1992 constitution and section 7(1) (a) of CHRAJ Act for CHRAJ to investigate the procurement of 280,000 laptops by the Ministry of Education.

Innovative Teachers was registered on 6th December, 2010 and on 30th July 2012 it became full-fledged Trade Union recognized by the laws of Ghana.

All Teachers Alliance Ghana has been registered and it is a fully-fledged Trade Union since 7th September, 2016.

The request for investigation has become necessary due to the fact that the procurement of two hundred and eighty thousand (280,000) laptops ought to result in a significant reduction in the price for teachers and the taxpayer to pay.

The cost of each laptop is purported to be 1,550 cedis and we suspect that this amount is inflated. A thorough investigation into the procurement will vindicate our position.

The highest price for this TM1 laptop in our estimation must not be more than 600 Ghana cedis given the specifications of this laptop and the colossal number of 280,000 laptops.

It is trite knowledge that manufacturing of electronic gadgets in large quantities makes the price per item very low.

One wonders why private businessmen procuring thousands of electronic gadgets from the same companies abroad get huge discounts but when it comes to the use of the taxpayers' money to procure same electronic gadgets the story is the direct opposite.

The Ministry of Education must provide answers to the following questions and any other questions the Commission on Human Rights and Administrative Justice may deem appropriate in its investigation.

1. What is the name of the IT company or the IT consultant who worked on the procurement of the TM1 laptops?
2. Did the Ministry of Education contract a company to supply the TM1 laptops or signed the contract directly with the manufacturer of the TM1 laptops?
3. On which date was the tender invitation published and where is the copy of the tender invitation if the tender was through competitive tendering?
4. What is the name of the company that won the contract to supply the laptops if the procurement contract was given to a company?
5. Which year was the company that won the contract incorporated, the names of the Directors, Secretary, the company's valid business registration certificates, valid tax clearance certificate and VAT Registration certificate?
6. What is the name of the manufacturer producing the TM1 laptops?
7. Why did the Ministry of Education bypass Dell, Toshiba, Acer, hp, Lenovo and other established brands with reputation for producing quality laptops of global acclaim for this manufacturer?
8. In which country are the TMI laptops being manufactured?
9. Did a delegation made up of procurement officers from the Ministry of Education and technical experts visit the manufacturer to conduct due diligence to ascertain the competence of the manufacturer to produce the laptops?
10. What was the report of the delegation that visited the manufacturer if a delegation visited?
11. What is the name of a customer of the manufacturer who gave good testimonial about the performance of the TM1 laptops since TM1 is not a known brand?
12. What is the track record of this company in the manufacturing of laptops and how many years have they been manufacturing laptops?
13. Was the contract given through single-source tendering or competitive tendering?
14. If it was through single-source tendering did it meet the following conditions as set out in section 40 of the Public Procurement Act (663)
 - (a) Is the TM1 laptop a proprietary product that is manufactured by that company only?
 - (b) What is the urgency in the procurement of the laptops for teachers?

- (c) Has the Ministry of Education bought TM1 laptops from this company before and the company gave a good price for this laptop and as a result the company got this contract to manufacture?
 - (d) Has the Ministry of Education entered into a research agreement with this company to produce unique laptops with patented features to specifically aid teachers in teaching?
 - (e) Does the procurement of the laptops a National Security matter which must not go through competitive tendering?
15. If the Ministry of Education resorted to single-source tendering or competitive tendering we would like to request for a copy or copies of the contract bids from the Public Procurement Board pursuant to section 40(2) of the Public Procurement Act, 663.
16. Did the Ministry of Education write to Public Procurement Authority asking same to grant it the permission to single-source the laptops citing reasons based on the Procurement Act as amended and did Public Procurement Authority give authorisation for the single-source tendering?
17. What is the name of the IT company or the names of IT consultants who authorized the mass production of the TM1 laptops when the samples were brought to the Ministry of Education for examination?
18. Has the Ministry of Education signed services and maintenance agreement with the manufacturing company concerning the TM1 laptops in accordance with Procurement of information Technology Products?
19. Is there an invoice from the manufacturer detailing specific numbers of laptops with different prices? For example 10,000 laptops = y dollars 100,000 laptops = x dollars.

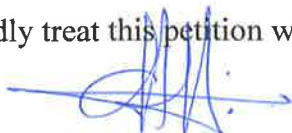
We respectfully request CHRAJ to request the Ministry of Education to provide all the documents concerning the procurement of the TMI laptops in accordance with law.

The investigation must include request for quotations from at least five companies in the country that the TM1 laptops are being produced.

We would like CHRAJ to weigh the response from Ministry of Education to our petition based on Procurement of information Technology Products by the Public Procurement Authority issued in 2019 and the procurement Act as amended.

Images of the laptops and Standard Tender Document on the Procurement of Information Technology Products are attached.

Kindly treat this petition with the utmost attention it deserves.



CHRISTIAN AIDOO
Secretary
Innovative Teachers



ALBERT DADSON
Secretary
All Teachers Alliance Ghana

cc: The President, Ghana Institute of Procurement and Supply.

The President, Chartered Institute of Procurement and Supply.

The Executive Security, Ghana Integrity Initiative

The Executive Secretary, Ghana Anti-Corruption Coalition.

The President, IMANI

Executive Director, Ghana Center for Democratic Development (CDD Ghana)

Executive Director, One Ghana Movement

Co-chair, Citizens Movement Against Corruption