



Friday 21<sup>st</sup> July 2017

Mr. Frank Barnes  
Chief Executive Officer  
Urban Development Corporation of Trinidad and Tobago  
38-40 Sackville Street  
Port of Spain

**Attn: Ms. Tamica Charles-Phillip**

**Re: Request for Access to Official Document(s) Under the Freedom of Information Act, 1999**

Dear Ms. Charles-Phillip

Reference is made to the correspondence received from your organisation dated May 26<sup>th</sup> 2017. We would like to thank you for your response and invitation to meet. Disclosure Today as always is committed to resolving these Requests for Information (RFI) via dialogue. As such this is our detailed response intended to reduce/eliminate any remaining ambiguity in terms of our requests.

**Management Contract/Agreement**

Disclosure Today has requested copies of the Management Contract/Agreement/s for the Hyatt Regency Hotel in POS. The fourth and fifth paragraph of your response of November 25<sup>th</sup> 2016 refer to those documents. Please note that at that stage no questions arose as to the identity of the parties to those contracts/agreements.

Further, in your correspondence dated November 25<sup>th</sup> 2016, your organisation refused our RFI for the agreements and performance details of those contracts on grounds of commercial confidentiality etc. The agreements and details to which you were referring on November 25<sup>th</sup> 2016 are the documents that Disclosure Today is requesting.

In addition, we considered the [Joint Select Committee Report of July 2016 into UDECOTT](#) - UDECOTT's current Chairman, Noel Garcia is quoted at pg 54 as responding, on 2nd May 2016, to queries from Opposition Senator Wade Mark - "...*Yes, there is a management agreement, which we call the hotel management agreement. We will make that available to the Committee....*" As such, based on information in the public domain, there is a management agreement/hotel agreement in relation to the operation of the Hyatt Regency Hotel in Port of Spain. This is therefore the agreement which we are seeking under our RFI. We would also invite you

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Covent Garden  
London, WC2H 9JQ  
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Europe  
Rua Braamcamp 88, 5 esq  
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T: +351912962864

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120 Abercromby Street  
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attention to the fact that Mr. Garcia did not place any conditions or restrictions on the release of the management agreement. In our view, that is an entirely reasonable reading of his testimony.

It is our respectful view that these clarifications dispose of the seventh point of your correspondence of May 26<sup>th</sup> 2017.

It should also be noted that on paragraph four of your response of May 26<sup>th</sup> 2017, you indicated that you are in discussions with 'the relevant undertaking' on our request. Can you please indicate to us what or who is the name of 'the relevant undertaking'?

### **Additional Information (2.1 to 2.10 and 3.1 to 3.9)**

The eighth item in your correspondence of May 26<sup>th</sup> 2017, requested that we direct you to the statements as well as the public official who made them.

UDECOTT's Chairman, Noel Garcia, is quoted at pg 54 of the July 2016 JSC Report - "*...I must say that the Hyatt has proven to be one of the better investments, and one of the more successful hotels in Trinidad...*"

Again, Mr. Noel Garcia was quoted in an interview published on 2<sup>nd</sup> May 2016 in *Newsday* - "*...Asked how much profit Hyatt makes, the Udecott chairman said, "I can't give the figure right now but what I could say is Hyatt is very profitable.*

*The investment has more than paid back for itself...*"

Again, we invite your attention to the fact that Mr. Garcia did not place any conditions or restrictions on the financial details, merely saying that the figure could not be given at that time.

In Disclosure Today's view, the Chairman of UDECOTT, Mr. Noel Garcia is absolutely clear about the performance of the Hyatt Regency Hotel in Port of Spain. It is not our intention to cast any doubt whatsoever upon Mr. Garcia's statements. Disclosure Today is requesting sight of whatever management review, accounts, audits etc Mr. Garcia relied upon in making those unequivocal, public statements.

There is no indication from the reported statements of the current UDECOTT Chairman, Noel Garcia, that either the management agreement or the details are secret, private confidential or restricted in any way. In our view, that is an entirely reasonable reading of those statements, which makes your position all the more perplexing.

Furthermore, we considered UDECOTT's Financial Highlights (<http://udecott.com/about-us/financial-highlights/>) At the penultimate para on this webpage -

*"...In 2008, UDeCOTT became the owner of the first and only five-star hotel in Trinidad and Tobago. Revenue from the successful operation of this hotel experienced a significant level of growth from TT\$168 million in 2008 to TT\$282 million in 2013, a 67% increase as at December 31, 2013..."*

The reasonable inferences from that published statement are relevant to our requests. Even if one makes the very conservative assumption of the first five years (2008 to 2012) being static at the stated initial figure of \$168m and the subsequent four years (2013 to 2016) also being static at the higher figure of \$282m, the total revenue from this single hotel is an estimated \$1,968m.

*(2008 to 2012) 5 X \$168M = \$840M*  
*(2013 to 2016) 4 X \$282M = \$1,140M*  
***TOTAL \$1,968M.***

Our position is that the requirements of public accountability speak directly to the commercial arrangement which have generated an estimated revenue of virtually \$2Bn in Public Money at the Hyatt Regency Hotel in Port of Spain. Those financial highlights were compiled by and came from an official source. As such it is this source information that we are seeking.

In closing, DT would cite the opening statement of UDECOTT Chairman Noel Garcia to the JSC on May 2<sup>nd</sup> 2016 –

*"...UDEcOTT has focused on integrating transparency, accountability and value for money in its policies and procedures in order to generate social and economic benefits for its stakeholders..."*

We trust that our reply will assist in resolving any remaining ambiguity in relation to our requests for information and we now await your response.

Thank you for your attention in this matter and we look forward to your response. As always in service of the Public Interest

Regards



Rishi Maharaj  
Chief Executive Officer  
Disclosure Today