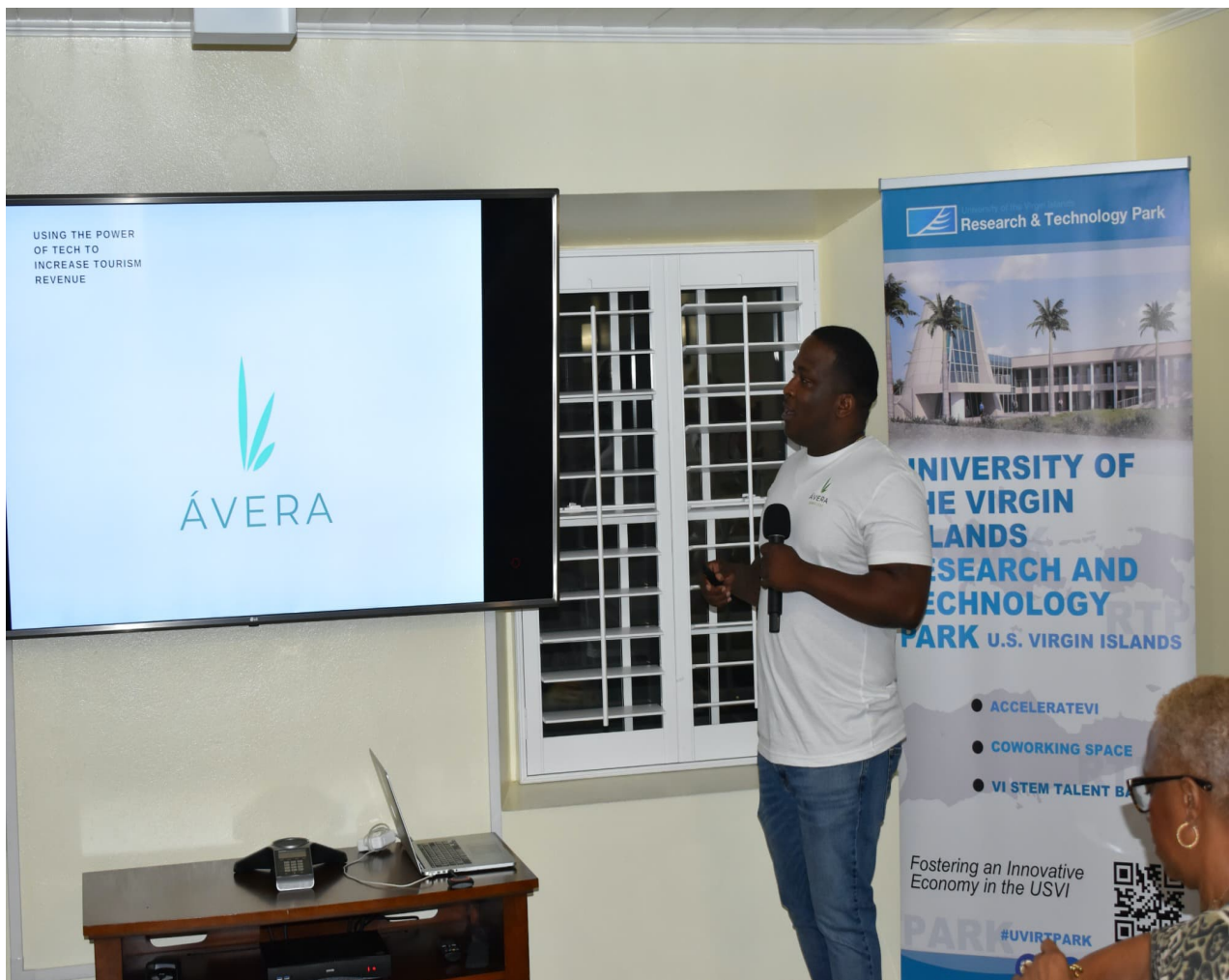


The Virgin Islands Consortium

Avera is No-Show at Hearing Seeking to Examine Gov't Contracts, Including \$1 Million No-Bid Deal

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Ernice Gilbert **August 04, 2020**



Michael K. Pemberton talks Avera in October 2019, when it was an app to facilitate marijuana transactions in the USVI By. VI CONSORTIUM

Senator Novelle Francis [last week](#) called a Committee of the Whole hearing set for Wednesday to dig deeper into a no-bid contract for the important work of coronavirus contact tracing that fledgling startup Avera — which has no experience to perform the work and whose owners include Governor Albert Bryan's daughter, Aliyah Bryan — was nonetheless chosen by the Dept. of Health for the \$1 million job within 72 hours. The Committee of the Whole will also include a host of government departments and agencies, among them the Office of Disaster Recovery, Dept. of Health, and Property

and Procurement, according to Mr. Francis. Representatives of the Strategy Group, known as TSG, which is owned by Governor Albert Bryan's 2018 campaign manager and friend, John Engerman, have also been invited to testify, Mr. Francis said. TSG has been awarded an abundance of contracts from the government of the Virgin Islands.

But Avera — the company at the [center of the scandal](#) that led to the hearing — will not be present, according to a [letter](#) the company addressed to the Senate president.

Avera co-founder and CEO Michael Pemberton said company representatives, including himself, will not be present at the hearing because of proprietary information contained in its proposal to the Dept. of Health, and because it currently doesn't have a contract with D.O.H.

"Due to the fact that the proposal submitted to the Department of Health contains proprietary information not for public discussion and there is no contract between Avera and the V.I. Department of Health, or any other government agency, Avera respectfully declines your invitation to appear," Mr. Pemberton wrote.

He added, "If there is a specific inquiry that you wish Avera to speak to, we will be glad to provide the answers in writing."

The decision to refuse to appear at the Committee of the Whole hearing represents an about-turn for Mr. Pemberton. Following the [hearing last month](#) where lawmakers assailed D.O.H. testifiers for the manner in which the \$1 million deal was handled, Mr. Pemberton took to social media and tagged Senator Janelle Sarauw in a post. In his statement, he called on the Senate to hold an investigative hearing and said he would be "happy to attend alongside a lawyer."

He told Ms. Sarauw that he was "deeply dissatisfied that you, along with Senator Violet and his wife, have chosen to publicly attack a company that was formed by a group of millennial Virgin Islanders seeking to make a difference in their community." Mr. Pemberton told Ms. Sarauw that she had not done her due diligence and that her information was off. It was not clear what information Mr. Pemberton was referring to, as the senators were provided responses directly from the Dept. of Health.

Since the hearing and the scandal that ensued, D.O.H. clarified that while Avera was chosen for the contract, a deal had not yet been signed. Additionally, Governor Bryan, [after lashing out](#) at senators and the media in a harangue on his administration's no-pressure "Press Box" program, spoke with a different tone the following Monday and said he would [recuse himself](#) from signing any contract that was being awarded to a company his daughter has an ownership stake in. The governor said he would leave it up to Lieutenant Governor Tregenza Roach to decide the outcome.

For his part, in a release issued a day after Mr. Bryan placed the onus on Mr. Roach, the lieutenant governor [sought an abandonment of the \\$1 million contract](#) and called on the local government to utilize resources already available to it — including the University of the Virgin Islands and the Bureau of Information Technology.

"I will not execute a contract with a private vendor in that regard, unless I am convinced that resources already at our command, including valuable work already done by the Department of Health, cannot adequately address this need," the lieutenant governor

said.

“The very definition of information technology by which our Bureau should be guided encompasses the area of software development used to manage the exact type of data that I believe contact tracing requires. In addition, our University with its varied research arms should already be poised to advise and direct this effort,” Mr. Roach said.

He added, “If we have at our disposal a million dollars to use for these purposes, these monies should be directed to assist and support our already existing government departments and our University which is already struggling with financial concerns resulting from the global pandemic.

“I write this with the firm belief that the Bureau and the University must by their nature possess the skills and talents which are necessary to guide and work with the Department of Health in this critical moment. If working together they (DOH, BIT, UVI) cannot do this, and cannot do so urgently, then we are literally up the proverbial creek without a paddle.”

The hearing is set for Wednesday at 10:00 a.m.