



## SUMMARY OF 35<sup>TH</sup> MEETING OF THE BOARD OF DIRECTORS OF THE MILLENNIUM DEVELOPMENT AUTHORITY

**MARCH 25, 2022**

**2:00 P.M., VIA TELECONFERENCE ON ZOOM, ACCRA**

The following is the summary of the 35<sup>th</sup> Meeting of the Board of Directors of the Millennium Development Authority (“MiDA”) held via teleconference on Zoom in Accra on the above-mentioned date and time and for which Notice was duly given in writing on March 2, 2022. The Meeting was rescheduled from its original date of Wednesday March 9, 2022.

The Meeting was convened pursuant to (i) the Millennium Challenge Compact between the United States of America, acting through the Millennium Challenge Corporation (“MCC”), and the Government of the Republic of Ghana (the “Government”), executed on August 5, 2014 (the “Compact”); and (ii) the Program Implementation Agreement, by and between the United States of America, acting through MCC, and the Republic of Ghana, dated August 5, 2014 (the “PIA”). Capitalized terms used but not defined herein shall have the meanings given such terms in the Compact.

### **1. BOARD MEMBERS PRESENT AT THE MEETING:**

#### **VOTING MEMBERS**

- Prof. Yaa Ntiama-Baidu, Chairperson of the Board, Government of Ghana Principal Representative
- Hon. Godfred Yeboah Dame, Attorney-General & Minister for Justice
- Mr. Lawrence Apaalse, Chief Director, Ministry of Energy and Representative of the Minister for Energy
- Mr. Patrick Yaw Nimo, Chief Director, Ministry of Trade & Industry and Representative of the Minister for Trade & Industry
- Dr. Sam Kobina DeSouza, Representative of Private Enterprise Federation (PEF)
- Dr. Humphrey Ayim-Darke, Representative of Association of Ghana Industries (AGI)
- Ing. Stephen Duodu, Representative of Energy Foundation (EF)

#### **IN ATTENDANCE**

- Ms. Khalia Mounsey, MCC Deputy Resident Country Director (DRCD)
- Mr. Julius Kpekpena, Chief Operating Officer, MiDA (COO) & Representative of the Chief Executive Officer, MiDA
- Mr. John Boakye, Chief Financial Officer, MiDA (CFO)
- Mr. Matthew Armah, Program Management Controller & Acting Procurement Director, MiDA (PMC)
- Mr. Angelo Habib, Internal Audit Director, MiDA (IAD)
- Mr. Mawunyo Rubson, Senior Project Manager, Kasoa BSP (SPM KBSP)
- Ms. Yvonne Fiadjoe, General Counsel and Board Secretary, MiDA
- Mrs. Naa Aduley Ploutos-Clotey, Legal Officer, MiDA

## **2. APPROVAL OF MINUTES OF THE 43RD SPECIAL BOARD MEETING HELD ON FEBRUARY 17, 2022**

The Board reviewed and approved the Minutes and Resolutions of the Forty Third Special Board Meeting held on February 17, 2022.

## **3. MATTERS ARISING FROM PREVIOUS MINUTES**

### **a. Audit Report on COVID-19 Mitigation Costs under the Contract for the Supply and Installation of Primary Substations for Kanda and Legon**

Following deliberations, the Board took note of the IAD's recommendation and further directed the IAD to provide the requisite updates, findings and recommendations to the Board for all COVID-19 Health and Safety Mitigation costs. The Board also approved the modification to the Contract for the Supply and Installation of the Primary Substations for Kanda and Legon to cover COVID-19 Health and Safety Mitigation costs.

### **b. Modification to the Kasoa BSP (KBSP) Contract and Kasoa BSP Employer's Claim**

The Senior Project Manager for the KBSP explained the current request. Following deliberations, the Board approved modifications to the Contract for the Supply and Installation of the Kasoa Bulk Supply Point (BSP) – Design Build, to cover the construction of external drains and landscaping in front of the BSP as a Section of the Works and extended the Time for Completion for this Section by Eight (8) months, giving a new Completion Date of 31 May 2022. Bearing in mind some key considerations, the Board also approved modifications to the Contract for the construction of the 300-meter Community road behind the Substation.

## **4. APPROVAL OF COMPACT DISBURSEMENT REQUEST NO. 24**

Following discussion on how to ensure that no MCC Funding remains unspent, the Board approved the Compact DR Number 24 as presented to the Board, indicating Commitments and Spending Authority for the period April 1, 2022 to June 6, 2022.

## **5. APPROVAL OF COMPACT PROCUREMENT PLAN NO. 8, QR 2**

The Board approved the Updates to the Compact Procurement Plan No.8 QR 2, which covers procurements up to 6<sup>th</sup> June 2022.

## **6. PROGRESS UPDATE OF MIDA MILESTONE TARGETS AND PROJECT WORK PLANS INCLUDING RISK MAP OF PROJECTS**

The Board deferred the discussion on the Progress Update of MiDA Milestone Targets and Project Work Plans, Including Risk Map of Projects, to the next Board Meeting.

## **7. AIR FREIGHT FOR ACCESS PROJECT METERS**

The Board approved the air freighting of fifty percent (50%) of the Energy Meters and associated Meter Enclosures for the Access HVDS Project.

## **8. CLAIM FROM EXTERNAL LEGAL COUNSEL**

The Board deferred the discussion on the Claim from the External Legal Counsel.

## **9. UPDATE ON COURT CASES**

The Board Secretary provided an update and the Board took note that the Court dismissed Zenith Bank's Motion on Notice for Leave to vary MiDA's Entry of Judgment and MiDA was awarded Five percent (5%) interest on the principal sum and awarded costs. The Board further took note that the KOANS Building Solution Limited v. MiDA Case was adjourned to April 14, 2022 and the Akosah Case was adjourned to May 3, 2022 for judgment.

## **10. ANY OTHER BUSINESS**

### **a. Approval of Payment of Outstanding Amount to PAPs in the Case of ACP Estates Limited v. Nii Dodoo Amponsah & 3 ors.'**

The Board deferred the discussion on this matter.

### **b. End-Of-Compact Archival and Storage Services**

The Board approved an increase in the archival and storage budget to enable Management to engage the services of Messrs. Global Records Management Ltd. for the provision of an end-of-Compact archival and storage service of essential Compact 2 Documents, for a period of five (5) years, with effect from March 2022 to February 2027.

### **c. Update on Procurement for the 16 Unit 3-Bed Block of Flats (Kanda Housing Project)**

The Board took note of the update on the Procurement for the construction of the 16 Unit 3-Bed Block of Flats and the steps being taken to complete the Kanda Housing Project and urged Management to adhere to the proposed timeline.

### **d. Other Business**

The Representative of the Minister for Energy informed the Board that the Minister for Energy (MoEn) has approved MiDA's Application for a transformer and other accessories. The Ministry will supply the items to support the Street lighting Sub-Project, part of the EEDSM Project.

The COO informed the Board that the inauguration of the Utility GIS Project for ECG is scheduled for Wednesday 30 March 2022 at 10 a.m. at the ECG Project Office near Kwame Nkrumah Circle.