



## SUMMARY OF 34<sup>TH</sup> MEETING OF THE BOARD OF DIRECTORS OF THE MILLENNIUM DEVELOPMENT AUTHORITY

DECEMBER 16, 2021

10:00 A.M., VIA TELECONFERENCE ON ZOOM, ACCRA

The following is the summary of the 34<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 December 9, 2021.

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 Ntiamoah-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)
- Mr. Humphrey Ayim-Darke, Representative of Association of Ghana Industries (AGI)
- Ing. Stephen Duodo, Representative of Energy Foundation (EF)
- Mr. Martin Eson-Benjamin, Chief Executive Officer, MiDA(CEO)
- Mr. Steve Marma, MCC Resident Country Director (RCD)

#### IN ATTENDANCE

- Ms. Khalia Mounsey, MCC Deputy Resident Country Director (DRCD)
- Mr. Julius Kwame Kpekpena, Chief Operating Officer, MiDA (COO)
- Mr. John Boakye, Chief Financial Officer, MiDA (CFO)
- Mr. Matthew Armah, Program Management Controller & Acting Procurement Director, MiDA (PMC)
- Mr. Eric Asare, Senior Project Manager, PSS & ICC, MiDA (PSS & ICC SPM)
- Ms. Yvonne Fiadjoe, General Counsel and Board Secretary, MiDA
- Mrs. Naa Aduley Ploutos-Clotey, Legal Officer, MiDA

### 2. APPROVAL OF MINUTES OF THE 33RD BOARD MEETING HELD ON SEPTEMBER 15, 2021

The Board reviewed and approved the Minutes and Resolutions of the Thirty Third Board Meeting,

held on September 15, 2021 (“*Thirty Third Meeting Minutes*”) with some modifications.

### **3. APPROVAL OF COMPACT DISBURSEMENT REQUEST NO. 23**

The CFO reported on the performance of commitments and disbursements for the Quarter 22 Disbursement Request (DR) and the cumulative disbursements on Compact Funds. Following some questions, the Board approved the Compact DR Number 23 indicating Commitments and Spending Authority for the period January 1, 2022 to March 31, 2022.

### **4. APPROVAL OF COMPACT PROCUREMENT PLAN NO. 8, QR 1**

The PMC noted that the preparation of the Compact Procurement Plan is a mandatory requirement under the provisions of the MCC Program Procurement Guidelines (PPG) The Board approved the Updates to Compact Procurement Plan No.8 QR 1, which covers procurements up to 6th June, 2022.

### **5. GHANA CARES “OBAATAN PA” PROGRAMME**

The CEO explained the concept of the Programme and MiDA’s selection as a potential Government of Ghana (GoG) Entity to assist with the implementation of the initiative. Following deliberations, the Board adopted the formal request from the GoG, through the Ministry of Finance (MoF), inviting MiDA, as an Agency of Government, to work with the MoF to implement the Ghana CARES “Obaatan Pa” Programme. The Board welcomed the initiative and directed MiDA’s Management to support the implementation of the Programme, in light of the impending closure of the Ghana MCC funded Power Compact.

### **6. APPROVAL OF FINAL EVALUATION FOR CONTRACT FOR SUPPLY AND INSTALLATION OF PRIMARY SUBSTATIONS INTERCONNECTING CIRCUITS FOR KANDA AND LEGON**

The PSS & PSS-ICC SPM noted that the PSS-ICC Contract is an “Employer Designed” or admeasurement Contract under which the Works are executed on the basis of agreed rates and prices in a Bill of Quantities. Payment is made for only the quantity of work that is actually executed and approved by the Engineer. After deliberations, the Board approved the final evaluation of the Works in the Contract for the Supply and Installation of Primary Substations Interconnecting Circuits for Kanda and UGMS. The Board further approved an extension of One (1) month to the Contract Completion Date.

### **7. APPROVAL OF CONSTRUCTION OF COMMUNITY ROADS AROUND THE KASOA BSP; AND FENCING AROUND TRANSMISSION TOWERS AND 161KV CABLE GALLERY**

The COO explained the need for the construction of the Access Roads within the vicinity of the BSP and the need for additional fencing. After extensive deliberations on the reasons for deadlock on the negotiations regarding the price proposal given by the Contractor, the Board approved the modification of the Contract for the cost of the Fencing and a seven (7) month extension to the Contract for the completion of the Works pertaining to the fencing only. The Board directed Management to submit by the next Board Meeting, additional documentation from the Engineer, explaining his position regarding the huge disparity between the Engineer’s Estimate and the Contractor’s Quotation for the construction of the Community Roads.

### **8. APPROVAL OF CONSTRUCTION OF LEGON PSS ROAD AND COVID-19 MITIGATION COSTS**

The PSS & ICCs SPM explained the purpose of the modification to the Contract. After deliberations, the Board approved the modification of the Contract for the Supply and Installation of Primary

Substations for Kanda and Legon, to include the construction of a 90-meter Legon PSS Road and an Emergency Gate to the Legon PSS Site, with modifications to the internal roads. The Board also approved a three (3) month extension to the Contract Completion date. The Board requested the Internal Audit Director to submit a Report to the Board on the Claim for COVID-19 Health and Safety Mitigation Costs.

#### **9. PROGRESS UPDATE OF MiDA MILESTONE TARGETS AND PROJECT WORK PLANS**

The PMC reported that all Projects are making significant progress and would be completed on time. The COO added that currently three (3) Projects are facing a completion risk. Following further deliberations about a definite strategy to ensure completion of these three (3) Projects, the Board took note of the three (3) Progress Update Reports by Management, consisting of the Progress Portfolio Report, the Portfolio Health Dashboard Report and the Project Level Risk Report.

#### **10. UPDATE ON COURT CASES**

Following the Board Secretary's update, the Board took note of the status of the Compact II Cases and in particular that attempts to settle the matter of the interest owed by Zenith Bank have been unsuccessful and the Case was adjourned to January 13, 2021. Additionally, that MiDA has also been sued by a Project Affected Person in the Case of KOANS Building Solution Limited v. MiDA. Lastly, the Akosah Case has also been adjourned to January 27, 2022 for judgment.

#### **11. COMMUNICATIONS: 2021 IN RETROSPECT**

The Board took note of the various Communication Activities during the year, 2021.

#### **12. ANY OTHER BUSINESS**

The CEO invited Board Members to an evening get-together on 23 December, 2021 and informed the Board with deep regret of the death of Mr. Raymond Bruku, MiDA's IT Officer, an invaluable member of the MiDA team through a tragic motor accident. He also informed the Board that MiDA sent a Congratulatory Note to the Representative of AGI on his elevation to the position of President of the AGI. He encourage Members to support him since he has been an active Member of the Board. Lastly he informed the Board that the MiDA Offices would not be closed over the Christmas and New Year holiday period, except on Statutory Holidays. The Chairperson reacted to all the issues raised by the CEO and thanked all Members for making time for this last Meeting of the year.