



MILLENNIUM CHALLENGE ACCOUNT NEPAL (MCA-NEPAL)

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Synopsis of Minutes of 43rd Meeting of the Board of Directors of Millennium Challenge Account Nepal (MCA-Nepal)

Nature: Regular Meeting

MCA-N/BOD-M-43/16-08-2024

Date: Friday, 16 August, 2024 (2081/04/32 BS)
Time: 3.30 PM
Place: Meeting at Conference Room of the Secretary, Ministry of Finance
Notice Served: Friday, 09 August, 2024 (2081/04/25 BS)

1. Board Meeting Attended By Members

- **Dr. Ram Prasad Ghimire**, Chairperson
And, Secretary, Government of Nepal, Ministry of Finance
Singhadurbar, Kathmandu
- **Kul Man Ghising**, Member
And, Managing Director, Nepal Electricity Authority
- **Chiranjeevi Chataut**, Member
And, Joint Secretary, Ministry of Energy, Water Resources and Irrigation
Singhadurbar, Kathmandu
- **Bhimarjun Adhikari**, Member
And, Joint Secretary, Ministry of Physical Infrastructure and Transport
Singhadurbar, Kathmandu

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- **Kumar Pandey**, Member, Representing the Private Sector
And, Chairman of the Board, National Hydro Power Company (NHPC)
- **Khadga Bahadur Bisht**, Member Secretary
And, Executive Director, MCA-Nepal

2. Invitees

- **Dhani Ram Sharma**, Invitee
And, Joint Secretary, Government of Nepal, Ministry of Finance, International Economic Cooperation and Coordination Division (IECCD)
- **Diane Francisco**, Invitee
And, Resident Country Director MCC in Nepal Millennium Challenge Corporation, US Embassy, Kathmandu
- **Bibek Chapagain**,
Development Specialist, Millennium Challenge Corporation (MCC), US Embassy, Kathmandu

3. Others Attending

- **Rajib Dahal**, Chief Legal Officer, MCA-Nepal
- **Satyam Pathak**, Legal Advisor, MCA-Nepal

4. PRELIMINARY

4.1. The meeting of the Board of Directors was constituted by conduct of Meeting by Circulation of Agendas on Friday, 16 August, 2024 (2081/04/32 BS) after the notice was served in writing on Friday, 09 August, 2024 (2081/04/25 BS).

4.2. This Notice was issued pursuant to Section 5(3) of the Millennium Challenge Account Nepal Development Board Formation Order, 2074 (2018).

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- 4.3. The Board Members declared that there is no Conflict of Interest (CoI) on any of the Agendas presented by MCA-Nepal, and all the members of the board provided their consent to initiate the discussion on the agenda.
- 4.4. The Executive Director provided a progress updates on recently concluded contracts on *Sub-station activities, Contract for Embedded Advisors for ERC, Contract on MPP Thematic Area 3: Capacity Building*. The Board was also apprised on the bid evaluation status on 18 Kms. With respect to Cross-border transmission line 18km Transmission Line Bid, it was apprised that MCA-Nepal is expecting to sign the contract within August, 2024 as all three bids were within the approved/estimated budget.
- 4.5. With respect to the 297 km Transmission Line Bid, it is expected to be launched in September / October 2024. With respect to *MPP Thematic Area I Consultancy Contract*, and *MPP Thematic Area I works Contract*, the bids have been released soliciting offers from the prospective bidders.

5. AGENDA ITEMS AND BOARD'S DECISIONS/RESOLUTIONS

5.1. Agenda One: Approval of Contract Amendments

- 5.1.1. Accountable Entity Procurement Policy & Guidelines, MCC-DCO-2008.37.8, Effective January 1, 2024 (herein after "AE PPG") required to be followed by MCA-Nepal as a condition of the Compact states that MCA-Nepal shall periodically prepare a Procurement Plan for acquiring goods, works, and consultant and non-consultant services needed to implement the Compact and it also provides the matrix of approval authorities and threshold in monetary value of the contracts for which board approval is required. Compliance, satisfactory to MCC, with the board approval shall be a condition precedent to MCC disbursements or payments.

- 5.1.2. Under the Amendments of Contract, the first agenda presented was for Approval of Amendment of Lease Agreement for Office Premise for MCA-Nepal. This Agenda is brought for the decision of the Board of Directors under *AEPPG ATTACHMENT A. PPG APPROVAL MATRIX* where under "*Contract Administration, Amendments and Change Order*"

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5.1.3. The initial duration of the Lease Agreement was from 16 April 2018 until 15 April, 2025 taking into account the possibility of parliamentary ratification of the Compact to be around 2019/2020, therefore, by considering 5 years implementation period after EIF, from 2020-2025. However, due to delayed ratification of the Compact and the consequent delay in EIF means the duration of the Lease Agreement needs to be extended until Compact Closure period (including 120 days after Compact End Date).

5.1.4. Under the Amendments of Contract, the second agenda presented was for the Approval of Amendment of Health/Medical Insurance Contract for MCA-Nepal Staff for the extension of duration of the Agreement.

5.1.5. RESOLVED THAT the Board of Directors has considered the provisions of Accountable Entity Procurement Policy & Guidelines, MCC-DCO-2008.37.8, Effective January 1, 2024 (herein after “AE PPG”) as required by AE PPG, it approves the Contract amendments relating to extension of lease agreement, and Health/Medical Insurance Contract for MCA-Nepal Staff.

5.2. Agenda Two: Approval of job description and delegation of certain powers to the Executive Director of MCA-Nepal

5.2.1. MCA-Nepal Board had approved MCA-Nepal organization structure. The 42nd Board Meeting had provided *in principle* approval to the additional positions that require to be added on the current organisational formations and to reorganize the existing positions, which would increase the MCA-Nepal staff. The Board had further discussed about the delegation of authorities to Executive Director. Therefore, to effect such delegation of authorities, the Board had instructed MCA-Nepal to submit necessary amendments in MCA-Nepal Employees Administration Bylaws, 2075(2018).

5.2.2. MCA-Nepal Board of Directors reviewed and approved the Qualification Criteria of additional positions, changes in the existing positions, and Job Description, and requested the selection committee to expedite the recruitment process and submit selection document for the approval in the next board meeting.

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6. RECORDING OF THE DISCUSSIONS AND DECISIONS

6.1. RESOLVED THAT the Board of Directors directs the Executive Director to record these minutes with the minute book of Millennium Challenge Account Nepal and to submit the synopsis of such minutes for publication on the website of Millennium Challenge Account Nepal within two (2) weeks from the date of signing of these Minutes.

7. CLOSE

There being no further business, the members of Board of Directors did not have to consider any other agendas. The meeting closed at 5.00 PM.

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