



MILLENNIUM CHALLENGE ACCOUNT NEPAL DEVELOPMENT BOARD (MCA-NEPAL)

MILLENNIUM CHALLENGE ACCOUNT NEPAL (“MCA-Nepal”)

Synopsis Minutes of 23rd Meeting of the Board of Directors of Millennium Challenge Account Nepal

Nature: Regular Meeting

MCA-N/BOD-M-23/09-07-2021

Date: 9 July, 2021 (2078/03/25 BS)

Notice Served: 2 July 2021 (2078/03/18 BS)

1. NOTICE SERVED (VOTING MEMBERS)

1.1. Members

- **Sishir Kumar Dhungana**, Chairperson
And, Secretary, Government of Nepal, Ministry of Finance
- **Madhu Prasad Bhetuwal**, Member
And, Joint Secretary, Ministry of Energy, Water Resources and Irrigation
- **Keshab Kumar Sharma**, Member
And, Joint Secretary at Ministry of Physical Infrastructure and Transport
- **Hitendra Dev Shakya**, Member
And, Managing Director, Nepal Electricity Authority
Durbarmarg, Kathmandu
- **Kumar Pandey**, Member representing the Private Sector
And, Chairman, National Hydro Power Company
Binayak Nagar, Kathmandu, Nepal
- **Gopal Khanal**, Member representing Civil Society
And, Journalist, Kathmandu
- **Khadga Bahadur Bisht**, Member Secretary
And Executive Director, MCA-Nepal

1.2. NOTICE SERVED TO NON-VOTING MEMBERS (INVITEES)

- **Dhani Ram Sharma**, Invitee
And, Joint Secretary, Government of Nepal, Ministry of Finance, International

*The Government of Nepal has established MCA-Nepal on 18th April 2018
under Development Board Act, 2013 as the accountable entity to implement the Compact with Millennium Challenge Corporation, USA.*



MILLENNIUM CHALLENGE ACCOUNT NEPAL DEVELOPMENT BOARD (MCA-NEPAL)

Economic Cooperation and Coordination Division (IECCD)

- **Troy E Kofroth**, Invitee (Absent in the meeting)
And, Resident Country Director Nepal – Millennium Challenge Corporation
- **Sanjay Poudyal**, Invitee
And, Deputy Resident Country Director – Nepal, Millennium Challenge Corporation

1.3. OTHER PRESENTS

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

2. PRELIMINARY

- 2.1. The meeting of the Board of Directors was duly constituted on 9 July, 2021 (2078/03/25 BS) at 2.00 PM, after the notice was served in writing on 02 July 2021 (2078/03/18 BS)
- 2.2. The Chairperson welcomed all the members of the Board of Directors and other invitees attending the meeting.
- 2.3. The quorum was present in accordance with Millennium Challenge Account Nepal Development Board Formation Order, 2074 (2018).
- 2.4. Mr. Khadga Bahadur Bisht, Executive Director, Millennium Challenge Account Nepal updated on current activities of MCA-Nepal and presented the agendas to MCA-Nepal Board of Directors.

3. UPDATE ABOUT CURRENT ACTIVITIES OF MILLENNIUM CHALLENGE ACCOUNT NEPAL

- 3.1. Mr. Khadga Bahadur Bisht, Executive Director briefed the MCA-Nepal Board of Directors on status of the current activities of MCA-Nepal.
- 3.2. The Executive Director presented to the Board of Directors the following updates:
 - 3.2.1. That the Environmental Impact Assessment (EIA) document has been approved by Ministry of Forests and Environment (MoFE),

The Government of Nepal has established MCA-Nepal on 18th April 2018 under Development Board Act, 2013 as the accountable entity to implement the Compact with Millennium Challenge Corporation, USA.



MILLENNIUM CHALLENGE ACCOUNT NEPAL DEVELOPMENT BOARD (MCA-NEPAL)

3.2.2. That the Land Acquisition activity for Ratmate substation is near completion.

3.3. The Executive Director thanked the Ministry of Finance, other government agencies and MCC for their timely support and assistance.

4. AGENDA ITEMS

4.1. The Board of Directors (“Board”) of the Millennium Challenge Account-Nepal (“MCA-Nepal”) hereby approves the following resolutions (“Resolutions”) in accordance with the –Millennium Challenge Account - Nepal Internal Conduct Bylaws, 2075 (2019)

(A) Agenda One: Approval of MCA-Nepal Procurement Plan version 5.1

(B) Agenda Two: Approval of MCA-Nepal 12-month budget in correlation with GoN budget cycle Mid-July 2021 to Mid-July 2022 (For FY 2078/79 BS)

(C) Agenda Three: Small Contract Extensions (only time extension no financial implication).

(D) Agenda Four: Approval for Closure of Bank Account Opened by OMCN (Office of Millennium Challenge Account Nepal)

(E) Agenda Five: Internship Program under MCA-Nepal

5. DECISIONS/RESOLUTIONS

5.1. Agenda One: Approval to the amended MCA-Nepal Procurement Plan version 5.1

5.1.1. The procurement plan is based on the procurement plan currently in place for the Millennium Challenge Account Nepal (“MCA-Nepal”). MCA-Nepal must submit any amendment to the procurement plan to MCA-Nepal Board of Directors for approval, and also needs to get approval for new Procurement Plan for each year.

5.1.2. MCC Program Procurement Guidelines (MCC PPG) states that MCA-Nepal shall periodically prepare a Procurement Plan for acquiring goods, works, consultant and non-consultant services needed to implement the Compact. Compliance, satisfactory to MCC, with the approved Procurement Plan shall be a condition precedent to MCC disbursements or payments.

5.1.3. The approved Procurement Plans require periodic revisions and amendments due to ongoing procurement for various projects. Therefore, Procurement Plan Version 5.1 is submitted for Board’s approval.

The Government of Nepal has established MCA-Nepal on 18th April 2018 under Development Board Act, 2013 as the accountable entity to implement the Compact with Millennium Challenge Corporation, USA.



MILLENNIUM CHALLENGE ACCOUNT NEPAL DEVELOPMENT BOARD (MCA-NEPAL)

5.1.4. After considering the future activities of MCA-Nepal, the Board of Directors approved the amended Procurement Plan Version 5.1 alongwith Contract Amendments.

5.2. Agenda Two: Approval of MCA-Nepal 12-month budget in correlation with GoN budget cycle Mid-July 2021 to Mid-July 2022 (For FY 2078/79 BS)

5.2.1. MCA-Nepal has presented the 12-month budget in correlation with GoN budget cycle Mid-July 2021 to Mid-July 2022.

5.2.2. MCA-Nepal is governed by Millennium Challenge Account Nepal Development Board Formation Order, 2074 (Formation Order, 2074). The Formation Order, 2074 provides work, duties and rights of the Board. In accordance with Section 4(b) the Formation Order, 2074 the Board is required to approve the annual program level budget of MCA-Nepal.

5.2.3. The Board of Directors approved MCA-Nepal 12-month budget in correlation with GoN budget cycle Mid-July 2021 to Mid-July 2022 and provides authorization to Executive Director of MCA-Nepal to expend it on the approved budget items and activities.

5.3. Agenda Three: Small Contract Extensions (only time extension, no financial implication)

5.3.1. Due to the outbreak of COVID-19 pandemic, the works/services under the Contracts could not be performed within the original contract duration. The respective Contract has provisions of extension of time. Additionally, these small value contracts are stand-by contracts to create a pool of advisors, service providers and vendors. Their services will be obtained by issuing a Task Order (Purchase Order) when MCA-Nepal needs their goods or services.

5.3.2. The Board upon considering the details of the respective Contracts and need for extension of time authorized MCA-Nepal Executive Director to extend the duration of the Contracts as per the provisions of respective contract.

5.4. Agenda Three: Approval for Closure of Bank Account Opened by OMCN (Office of Millennium Challenge Account Nepal)

5.4.1. There was an institution to develop MCC compact called Office of the Millennium Challenge Nepal (OMCN) which had opened a separate bank account on its name. The bank account is not in use for a long time as OMCN has been dissolved after completion of its tasks. The bank account opened by OMCN cannot be used for MCA-Nepal payment and receipts.

The Government of Nepal has established MCA-Nepal on 18th April 2018 under Development Board Act, 2013 as the accountable entity to implement the Compact with Millennium Challenge Corporation, USA.



MILLENNIUM CHALLENGE ACCOUNT NEPAL DEVELOPMENT BOARD (MCA-NEPAL)

5.4.2. The Board of Directors approved the closure of the OMCN bank account.

5.5. Internship Program Under MCA-Nepal

5.5.1. The Board of Directors authorized Executive Director to make necessary amendments to MCA-Nepal HR Manual in consultation with the Board and MCC to include Internship Program after assessing the requirements of interns in MCA-Nepal.

6. RECORDING OF THE DISCUSSIONS AND DECISIONS

6.1. RESOLVED THAT the Board of Directors direct 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 this meeting.

7. CLOSE

No other agendas were circulated and discussed by Board Members. There being no additional agendas, the meeting was closed at 3.30 PM.

This minute is prepared and signed on 23/07/2021.

Minutes Prepared by:

Rajib Dahal,
Chief Legal Officer