



## MCA-Vanuatu Steering Committee Meeting Minutes

Type of Meeting: Special Steering Committee  
13<sup>th</sup> September 2007  
8.30am

MCA Vanuatu Conference Room

### **Board Members:**

#### ***Present:***

Chairman	Director-General Prime Ministers Office
Member	Director General Ministry of Lands
Member	Principal Statistician
Member	Director of Finance
Member	Acting Director Department of Public Works
Member	Director of Department of Strategic Management
Member	Representative Director General, MIPU
Member	Representative, Director, DESP
Member	Director General, Ministry of Foreign Affairs
Member	Head of Development Cooperation
Member	Acting Representative, Vanuatu Non Government Organizations
Member	General Manager, Chamber of Commerce

#### ***MCA Vanuatu Program Management:***

Program Director  
Environment & Social Impact Officer  
Economics Analyst  
Infrastructure Analyst  
Admin Support Staff

#### ***MCC Representative:***

MCC Country Resident Director

#### ***Absent:***

Vice-Chairman            Director General of Ministry of Finance & Economic Management

***Quorum present?        Yes***

The meeting was quorate.

***Person Acting as Chairman:*** Director General, Office of the Prime Minister

***Person Acting as Secretary:*** Program Director, MCA Vanuatu

### **Proceedings:**

The meeting called to order at 8.30am by Chairman

**Welcome and Introduction by Chairman**

### **Agenda Approval**

No members of the Steering Committee attending the meeting or those who did not attend objected to the calling of the meeting or declined discussing the agenda.

The Steering Committee members unanimously approved the agenda outlined.

- 1) Bid Evaluation Panel
- 2) Legal Counsel

The Chairman requested the Program Director to present to the Committee the agenda items:

## **I. Discussion and Action Items**

### **A: Bid Evaluation Panel**

The Program Director made reference to an email he sent to all SC Members that grouped people under Environmental/Social, Structural engineer, civil engineer, project management, construction engineer and manager, financial. He said after several discussions with MCC there was a consensus that a six member panel is necessary. The names were sourced from known experts and after consulting the Procurement Agent and MCC.

#### **Names of CVs received by Program Management:**

1. Fred LOOIJSCHELDER: Civil Engineer
2. Geoffrey Feast: Architect/ Project Management
3. Kenneth MUNRO: Civil Engineer
4. Peter James COOPER: Construction Engineer
5. Natin Kumar PATEL: Mechanical Engineer
6. John COWAN: Construction Engineer
7. Gavril TRAND: Civil Engineer
8. Edward PEACHLY: Architect
9. Nik Sonji: Financial
10. Pita Moala: : Structural Engineer
11. Allen Faerua: Civil Engineer
12. Ernest Bani: Environmentalist
13. Cathrine Malosu: Environmentalist
14. Andre Iatipu (Principal Engineer of PWD) is a structural engineer failed to submit a CV.

The procurement method used is the Single Source Selection' as advised by the Procurement Agent. Budget allocated for this activity in the Financial Plan is USD30,000.

In discussions, SC Member asked whether this is the best approach towards procuring the services of the panelists. The Program Director responded by saying, the Procurement Agent advised that in his procurement working life he has not experienced a situation where EOIs or applications are invited for such an activity. Single source selection is being recommended by them.

One member questioned whether ranking and scoring of these experts CV is the way to go. How such a recommendation was arrived at. The recommendation was made by the MCA Vanuatu Engineer (who received and compiled the list) and the Program Director. The SC requested that MCA Vanuatu document the procedure and justification towards arriving at the recommendation.

The discussion concluded with the SC's approval in principle of the MCA Vanuatu's recommendation subject to MCA Vanuatu document the process of selection and circulating it to members through email for final comments. If SC members accept the process adopted to selecting the panelists, then this can be forwarded to MCC for no objection.

**B: Legal Counsel Panel**

The position was advertised and three local practicing legal firms and one individual expressed interests in submitting their CVs for our consideration. This Legal Counsel is required immediately to assist MCA Vanuatu review draft Implementing Entity Agreements and other documentations as and when required.

The SC is requested to select a panel to sit and evaluate the applications following the Government process and procedure of selection used to select the MCA Vanuatu team members.

The four applicants' CVs were provided to the SC for review. These were:

- Edward Nalyal & Partners (a practicing legal firm)
- Bill Bani & Associates (practicing legal firm)
- Betty Toa (an individual lawyer working as Budget Manager in Department of Finance)
- Silas Hakwa & Associates (practicing legal firm)

The Steering Committee approved that the following constitute the selection panel to evaluate the applications on the basis of the attached selection criteria and forward their recommendations to the SC for final decision and appointment.

- Program Director, MCA Vanuatu
- Director, Strategic Management
- State Law office representative

**C: Other Matters**

The Program Director told the SC meeting that one activity identified by MCC through its Aide Memoire that it wants improvement is in the area of communication and consultation. He wants to inform the SC that on 12 September, it held a successful stakeholder meeting at Chantillys in regards to stevedoring and customs clearance agents. A report of that meeting was forwarded to MCC and circulated to SC members for information.

A consultation visit is being organized by the MCA Vanuatu ESA Officer to visit Malakula and Pentecost, specially to conduct awareness campaigns about the program and establish land, social/cultural and environment committees and contact points for each subproject on the two islands. The ESA Officer intends to make us of the opportunity to carry out a PEA assessment.

Director of Finance asked a question on what the intentions of the trip to Sydney for, and stated that if it was for negotiations for extra funding to finance any budget overruns for the Design & Build contract, then he would disagree given that this is a bilateral matter between Australia and Vanuatu and must be a matter for Vanuatu's Foreign Affairs. The Program Director explained that the meeting was purposely for a pre-bid meeting for the Supervisory services TA to PWD. The meeting has been discussed with MCC during the past Design and Build pre-bid meeting and they have agreed for such a meeting to be held there. It is not a meeting to negotiate with any funding with AUSAID. He also stated that he did not wish to speculate that the bidders financial offer would come higher than what budgeted. It is best that this matter is not discussed even at the SC level; as such leakage of information would assure the bidders that there is possibility of obtaining more funds outside the compact allocation, as this would encourage the bidders to present a higher financial offer.

The MCA Vanuatu Steering Committee meeting officially closed at 10.17am

**Certified by:** \_\_\_\_\_ /S/  
**Secretary, MCA-Vanuatu**

**Acknowledged by:** \_\_\_\_\_ /S/  
**Chair of the Steering Committee**