

**MINUTES OF THE EIGHTH MEETING OF MCA – T GOVERNING BOARD HELD
ON THE 5TH MARCH, 2009:**

VENUE: TREASURY NEW CONFERENCE ROOM AT 3.00 PM

ATTENDANCE:

1.1 Present

<u>S/N</u>	<u>NAME</u>	<u>TITLE</u>
1.	Mr. R.M. Khijjah	Permanent Secretary to the Treasury – Chairperson
2.	Mr. Elvis Musiba	Director, Tanzania Private Sector Foundation (TPSF)-Member
3.	Mr. Tim Piper	Country Director-MEDA- Member
4.	Mrs. Amina Khamis Shaaban	Designated Alternate Member to the Principal Secretary, Ministry of Finance and Economic Affairs- Zanzibar
5.	Mr. Mwalim Ali Mwalim	Principal Secretary, Ministry of Water, Construction, Energy and Lands – Member
6.	Dr. Ramadhan S. Mlinga	Chief Executive Officer, PPRA-Member
7.	Mr. Kajiru Aggrey	Designated Alternate Member to the Permanent Secretary, Ministry of Infrastructure Development
8.	Mr. Steven Mariki	Acting Country Representative, WWF-Member
9.	Mr. Wilson Mukama	Permanent Secretary, Ministry of Water and Irrigation, Member
10.	Ms. Salima Salim Abdallah	Designated Alternate Member to Executive Committee Member, Community Development and Environmental Conservation in Zanzibar (CODECOZ)-Member
11.	Mr. Marwa Petro	Represented Permanent Secretary, Ministry of Energy and Minerals, Representative
12.	Mr. Karl Fickenscher	MCC Resident Country Director, Nonvoting Member
13.	Mr. Bernard S. Mchomvu	MCA-T CEO - Nonvoting Member and Secretary
14.	Dr. Medard M.C.Kalemani	Secretariat

1.2 Apology

No apologies.

1.3 In Attendance

S/N	NAME	TITLE
1.	Mr. Pascal B. Assey	MCA-T – Invited
2.	Mr. Ahmed A. Rashid	MCA-T - Invited
3.	Eng. Isaac Chanji	MCA-T -invited
4.	Ms. Namsifu N. Mndeme	MCA-T -invited
5.	Mr. Kachwamba Mzamiru	MCA-T - invited
6.	Ms. Marieth S. Ngaida	MCA-T - invited
7.	Eng. William K. Christian	MCA-T - invited
8.	Eng. Salum S. Sasillo	MCA-T -invited
9.	Ms. Witness Shoo	MCA-T invited
10.	Ms. Margaret S. Mussai	MCA-T invited
11.	Ms. Cheda Luhindi	MCA-T invited

Before commencement of the meeting, the Chairman invited all participants to the meeting.

ITEM 1: OPENING AND ADOPTION OF THE AGENDA:

The Chairman confirmed that a quorum of voting members was present as required by the MCA-T Bylaws and called the meeting to order at 15:00 hours by welcoming all members to the Eighth Governing Board meeting.

After opening the meeting, the Chairman asked voting members to confirm new members of the Board. The MCA-T CEO asked the Board to recognize the appointment of Mr. Wilson Mukama as a new Board member by virtual of his position as a newly appointed Permanent Secretary of the Ministry of Water and Irrigation. He also requested the Board to confirm Mr. Stephen Mariki, the acting Country Representative of WWF, who by virtual of such position became the designated alternate for Dr. Mwageni at this Eighth Governing Board meeting. He then introduced Mr. Kajiru Aggrey and Ms. Salima Salim Abdallah as designated alternates to Board Members Mr. Omar A. Chambo and Ms. Mwanakhamis Soud respectively. It was further mentioned that Mr. Marwa Petro who represented Mr. Arthur G.K Mwakapugi, Permanent Secretary of Ministry of Energy and Minerals, could only listen and discuss matters but not vote since he was not designated as an alternate member.

The Chairman then invited the MCA-T Chief Executive Officer to present the Agenda.

The Chief Executive Officer presented the Agenda items as follows:-

1. Opening and adoption of the Agenda
2. Confirmation of Minutes of the 7th Governing Board Meeting held on 5th December, 2008
3. .Matters arising from the 7th Governing Board Meeting held on 5th December, 2008; **AGENDA ITEM 3 (MATRIX).**
4. Discussion and Approval of Compact Initial Disbursement Request package, as described by **PAPER NO. MCA-T/GB-08/2009/1**, which is comprised of:-
 - a. Narrative Report (**ANNEX A**);
 - b. Disbursement Requests (**ANNEX B**);
 - c. Quarterly Financial Reports (**ANNEX B**);
 - d. Detailed Financial Plan **ANNEX B**;

- e. Procurement Performance Report **ANNEX C**;
 - f. Indicator Tracking Tables (**ANNEX D**);
 - g. Conditions Precedent Report (**ANNEX E**); and
 - h. Work Plans **ANNEX F**
5. Discussion and Approval of Detailed Financial Plans (**DFP**) and Disbursement Requests for CIF and 609g for the April-June Quarter, 2009 **PAPER NO. MCA-T/GB-08/200/2**
6. Compact Procurement Plan **PAPER NO. MCA-T/GB-08/2009/3.**
7. Discussion and Approval of the Draft Memorandum Of Understanding (MOU) between WWF and MCA-T for mitigation of negative Environmental consequences of the activity **PAPER NO. MCA-T/GB-08/2009/4.**
8. Discussion and approval of the Draft Contracts for Downstream assignments **PAPER NO. MCA-T/GB-08/2009/5** for the following roads:-
- (a)between MCA-T and **M/S EGIS BCEOM International** for review and updating of the Detailed Design, Cost Estimates, Environmental and Social Impact Assessment (ESIA), Resettlement Action Plan (RAP) and preparation of Tender Documents for Upgrading of the Songea – Namtumbo road (61km) to Bitumen Standard **PAPER NO. MCA-T/GB-08/2009/5 A.**
 - (b)between MCA-T and **M/S Africon Limited** for review and updating of the Detailed Design, Cost Estimates, Environmental and Social Impact Assessment (ESIA), Resettlement Action Plan (RAP) and preparation of Tender Documents for Upgrading of the Tunduma – Laela road (128km) to Bitumen Standard **PAPER NO. MCA-T/GB-08/2009/5 B.**
 - (c) between MCA-T and **M/S Africon Limited in Association with Inter-Consult Ltd of Tanzania** for review and updating of the Detailed Design, Cost Estimates, Environmental and Social Impact Assessment (ESIA), Resettlement Action Plan (RAP) and preparation of Tender Documents for Upgrading of the Laela- Sumbawanga road (96.5km) to Bitumen Standard **PAPER NO. MCA-T/GB-08/2009/5 C.**
 - (c) between MCA-T and **M/S UWP Consulting (pty) Ltd** in Association with UWP Consulting (T) Limited for review and updating of the Detailed Design, Cost Estimates, Environmental and Social Impact Assessment (ESIA), Resettlement Action Plan (RAP) and preparation of Tender Documents for Upgrading of the Peramiho-Mbinga road (78km) to Bitumen Standard **PAPER NO. MCA-T/GB-08/2009/5 D.**

9. Discussion and Approval of Compact Audit Plan **PAPER NO. MCA-T/GB-08/2009/6.**

10. Any Other Business; and

11. Closure

The Board adopted the agenda without further modification.

ITEM 2: CONFIRMATION OF MINUTES OF THE SEVENTH GOVERNING BOARD MEETING HELD ON 5 DECEMBER 2008.

The minutes were confirmed by the Board without any modification and signed by the Chairman.

ITEM 3: MATTERS ARISING FROM THE SEVENTH GOVERNING BOARD MEETING:

1.The Board directed Mr. Aggrey Kajiru to provide the Chairman with the designation letter from Mr. Omar Chambo accompanied by his CV for the record. The CEO informed the Board that Mr. Omar A. Chambo had formally appointed **Eng. Aggrey Kajiru** as his alternate to represent him in the Governing Board meetings and transactions.

2.The CEO reported to the Board that the process to issue one General Government Notice (GN) per statute specific to the Compact was being worked on by the Ministry of Finance and Economic Affairs. The CEO reported that the process to issue the GN is yet to be finalized. He further said that this was a crucial issue which needed Board's attention and a specific resolution as it had taken a long period without any resolution despite the issue being clear in both the Compact and the PIA documents. He gave an example of a request to issue a GN to **SNC Lavalin Inc** which has taken some five months but to-date the issue remains unresolved. He further informed the Board that to solve the problem of long delays not compatible with Compact conditions, the General GN had been recommended by a joint technical team comprised of experts from Treasury, Attorney Generals, TRA, MCC representatives and MCA-T. He said that this issue needs to be implemented now without losing more time. Members then discussed the whole issue at length and through the Chairman, a technical team comprised of representatives from the Ministry of Finance and Economic Affairs, Office of the Attorney General, TRA and MCA-Tanzania were directed to discuss both the legal and technical complications and ultimately come out with the best and practical way out in consultation with representatives from MCC.

(3) The Board approved the MCA-T Compact Initial Disbursement Request package **PAPER NO. MCA-T/GB-07/2008/1** and directed that the same be forwarded to MCC for approval. The CEO reported that the Compact Initial Disbursement Request Package was submitted to MCC but MCC responded with a significant number of substantial comments and did not provide its “no objection.” Instead of resubmitting the prior Compact Initial Disbursement package and then also submitting a second Compact Quarterly Disbursement Request package for the April – June quarter, it was decided to combine the two requests into a single new package, with the view to be able to have a better projection covering the whole Compact period, and thus submit the new package as a substantive Agenda paper for an extended initial quarter from now to June 2009.

(4) The Board considered and approved the sixth quarter 609g Disbursement Request package, including the Detailed Financial Plan (DFP) together with the third quarter CIF Disbursement Request package including the corresponding Detailed Financial Plan **PAPER NO. MCA-T/GB-07/2008/2** and directed the same be forwarded to MCC for formal no objection. The CEO told the Board that the Sixth quarter 609g Disbursement Request package; and the third quarter CIF Disbursement Request package were forwarded to MCC and approval obtained.

(5) (i) The Board approved and directed that the updated Fiscal Accountability Plan(FAP) **PAPER NO.MCA-T/GB-07/2008/3** which demands that it be updated every six months based on the changing business environment be forwarded to MCC for a formal no objection. The CEO informed the Board that the FAP was forwarded to MCC and the needed approval was granted.

(ii) the Board approved the revised cell phone monthly allowances for MCA-T Staff and directed cell phone allowances for drivers and secretaries be adjusted from USD 30 to USD 50. The CEO told the Board that the adjustment to cell phones rates for all staff including drivers and secretaries were done accordingly.

(6). The Board approved the Compact Procurement Plan **PAPER NO. MCA-T/GB-07/2008/4** and directed that in future, the Plan be presented in a simplified reporting system to make it more understandable to Board Members. The Board directed the same be forwarded to MCC for formal no Objection. The CEO said:-

(a)The Procurement Plan has been formatted to link DFP and Chart of Accounts. Simplifying this format will need to change both DFP and Chart of Account that would cause difficulties in linking Procurement plans with DFPs and Chart of Accounts.

(b) This was part of the Compact Initial disbursement request which had substantive comments from MCC. The matter was now an item for the February through June 2009 extended quarter to be discussed during the current Board Meeting.

(7) (a) The Board Discussed and approved the 609g and CIF Procurement Performance Report, which forms a constituent part of the quarterly disbursement request packages, as detailed in **PAPER NO.MCA-T/GB-07/2008/5** and directed

the same be forwarded to MCC for formal no objection. The CEO informed the Board that the 609g/CIF PPR was forwarded to MCC as part of the quarterly disbursement request packages for 609g and CIF and the needed approval was granted.

(b) The CEO for MCA-T was delegated the authority to make any technical adjustments and/or corrections to the Procurement Performance Report as may be necessary to obtain MCC's no objection. It was reported that the CEO for MCA-T in consultation with MCC's experts has been making technical adjustments.

(8). The Board Discussed and approved Monitoring and Evaluation (M&E) Plan for Tanzania Compact which contained an updated Indicator Tracking Table (ITT) PAPER NO. MCA-T/GB-07/2008/6 and directed the same be forwarded to MCC for formal no objection. The Board also delegated the CEO to make any technical adjustments and corrections to the M&E Plan and the ITT as may be necessary to obtain MCC's no objection. The CEO reported that the M&E Plan was forwarded to MCC after certain technical adjustments. The same required certain information prior to MCC's approval. The Plan will keep on being updated as more data becomes available

(9) The Board discussed and approved MCA-T Work Plans for Energy, Transport and Water Projects PAPER NO. MCA-T/GB-07/2008/7 and directed the CEO of MCA-T to make any adjustments or updates corrections to the Work Plans as approved and as may be necessary to obtain MCC's formal no objection to reflect the reality as things on the ground change. The CEO said these were part of the Compact DFP document which was yet to be approved. All the same Work Plans will never be static.

ITEM 4: DISCUSSION AND APPROVAL OF MCA-T COMPACT INITIAL DISBURSEMENT REQUESTS PACKAGE- PAPER NO. MCA-T/GB-08/2009/1

DISCUSSION: The CEO informed the Board that the Compact Initial Disbursement request package was a crucial package for the Compact funding, which MCA-Tanzania is required to submit to MCC. The Disbursement Request identifies needed resources for program implementation during the upcoming extended quarter. He said the paper was comprised of a Narrative Report (ANNEX A), Disbursement Request, Quarterly Financial Report and Detailed Financial Plan)(all in ANNEX B), Compact Procurement Plan (ANNEX C), Indicator Tracking Table (ANNEX D) Conditions Precedent (ANNEX E) and Work Plans (ANNEX F). The CEO asked the Board to discuss and approve the package. He further explained that the current request covered the extended period from submission through June 2009.

(i) **The DFP:** He said that DFP is the main budget document for the Compact Funding which reflects the funding that MCA-T expects to commit and the cash projections necessary for the effective implementation of the Compact activities in accordance with the agreed Work Plans in the covered period. He told the Board

that funds are committed when contracts are signed with vendors or service providers. Cash projections are linked to the mostly likely timeframe when the actual payments would be made. As such, DFP has two main schedules; the **commitment schedule** which projects a total of **US\$ 18,433,448** to be obligated during the extended initial quarter through June; and the **cash schedule** that projects a total cash disbursement amounting **US\$ 2,257,978** as shown in the narrative report as follows;

	USD Commitments	USD Cash Projection
Transport	927,400	267,800
Energy	13,707,620	821,059
Water	2,000,000	0
Programme Management	1,794,928	1,165,619
M&E	3,500	3,500
Total	18,433,448	2,257,978

He said that the Narrative Report is being presented to the Board as a required constituent part of the Compact disbursement request package. As such, it is one of the documents required for the MCC’s approval for the Initial Disbursement. The same needs Board’s clearance for submission to MCC for a formal no objection.

(ii) Procurement Plan; he said the Procurement Plans are updated semi-annually. He requested the Board to approve the submitted Compact Procurement Plan for the period covering March through August 2009. He said the Plan reflects an estimated value of contracts amounting to **US\$ 544,004,236**, for which the procurement was expected to commence during the plan period. The CEO further explained that this figure does not represent the total amount of funds to be committed during the period; it is only the estimated total amount for all contracts which will start the procurement process at some time during the next six months.

(iii) Indicator Tracking Table (ITT). The CEO told the Board that ITT was part of the M&E plan and it is designed to help MCA-T and MCC to track interim progress towards the Compact goals. It is part of the Disbursement Request reporting package that MCA-T is required to submit to MCC on quarterly basis. He asked the Board to approve the ITT for submission to MCC for their “no objection.”

(iv) Conditions Precedent (CP Report); The CEO told the Board that Conditions Precedent (CPs) are sets of mutually agreed upon conditions with which MCA-Tanzania is required to comply to the satisfaction of MCC prior to certain disbursements. These CPs are set forth in the Compact and in the Program Implementation Agreement (PIA). Therefore, the purpose of the report was to give the Board the progress status covering conditions that have been satisfied, deferred, and/or not yet due and to request for the approval of the status report. He elaborated further that failure to meet any given condition would result in adverse consequences in terms of MCC’s willingness to disburse funds. He drew the attention of Board members to specific CPs that required urgent Government

attention. These were contained in a Matrix attached to **PAPER NO.MCA-T/GB-07/2008/1A.**

(v) Work Plans: The purpose of the Plans was to communicate to the Board, the various implementation tasks in a sequenced manner showing the specific tasks to be performed including needed inputs to be in place to accomplish each. As such, Work Plans work as deliverable guides for the various parties involved in program implementation.

The CEO then asked the Board to consider and approve the various documents set forth above which, when combined, all together form a complete package of the documents required for approval for the Initial Disbursement Request. The package would then be forwarded to MCC for a formal “no objection” and **approval.**

RESOLUTIONS: The Board considered and **APPROVED** the CP Report, Compact Initial Disbursement Request, the Compact Narrative Report and Detailed Financial Plan and the other documents set forth above. The Board directed that the package be forwarded to MCC for a formal “no objection”.

The Board **FURTHER RESOLVED**, to delegate to the CEO authority to make any technical adjustments and corrections to the various documents above as approved as may be necessary to obtain MCC’s “no objection.”

ITEM 5. DISUSSION AND APPROVAL OF QUARTERLY DISBURSEMENT REQUEST PACKAGES FOR CIF and the 609(g) AGREEMENT FOR THE PERIOD FROM APRIL THROUGH JUNE 2009 QUARTER - PAPER NO. MCA-T/GB-08/2009/2:

DISCUSSION: The Board was asked to approve the Quarterly Disbursement Request packages for the pre-Compact 609g Agreement and the Compact Implementation Funds (CIF) Letter Agreement covering the period from April through June, 2009. The CEO said that during its meeting held in December 5th, 2008, the Board approved the Quarterly Disbursement Request packages for the period from January to March 2009, and this submission was accepted by MCC with only insignificant technical adjustments. The CEO said, the new revised Detailed Plans for 609(g) and CIF funds are based on the new information reported in the paper and hence our request for further funding for the April to June 2009 quarter. He further said that this was the 7th quarter for 609(g) and 4th quarter for CIF funding. On the other hand, the submission also included of the relevant Procurement Performance Report. He then requested the Board to authorize the Chairman of the Governing Board to sign letters of Agreement for both the 609 and CIF.

The CEO further informed the Board that between the time of approval of the Revised Detailed Financial Plan that ends in March 31, 2009 and now there have been changes to the approved plan. Therefore, needed adjustments have necessitated the production of a Revised Detailed Financial Plan for 609(g) which

now needs Board's approval. While expected **commitments during the quarter amounts to US\$ 16,066**, the **uncommitted funds amounts to US\$ 1,662,355** at the end of June 2009. All revisions done during this quarter were within the Programme Administration covering administrative cost assistance for payments that will no longer be made. He requested the Board to approve the Revised Budget for the quarter ending June, 2009 as detailed in PAPER No. MCA-T/GB-08/2009/2.

RESOLUTIONS: The Board considered and **APPROVED** the Seventh quarter 609(g) Disbursement Request package together with the fourth quarter CIF Disbursement Request package , and directed the same to be forwarded to MCC for **“a formal no objection.”**

The Board also delegated the authority to CEO MCA-T to make any technical adjustments and corrections to the aforementioned approvals as may be necessary to obtain MCC's **“no objection.”**

During the discussion and approval of the quarterly disbursement request packages described above, several Governing Board members commented on the need or desire for the creation of a technical committee that could sort through the voluminous papers and documents required by MCC. The purpose of such a committee would be to provide the Governing Board as a whole with summaries of the documents and proposed recommendations for proposed action.

The Board therefore **RESOLVED**, that MCA-T Management should draft and present for consideration at a future Governing Board meeting one or more proposals for the establishment of such a technical committee or committees.

ITEM 6. DISCUSSION AND APPROVAL OF CUMULATIVE PROCUREMENT PERFORMANCE REPORT PAPER NO. MCA-T/GB-08/2009/3:

DISCUSSION: The CEO told the Board that the presented cumulative Procurement Performance Report (PPR) summarizes the milestones achieved by MCA-Tanzania in the procurement process using 609(g) and CIF funds. MCA-Tanzania is required to submit Procurement Performance Reports using the specified format, together with regular quarterly reporting submitted as part of the Disbursement Request package. He said that PPR helps MCA-Tanzania to identify instances of non-compliance with MCC Procurement Guidelines and take timely corrective measures. The CEO requested the Board to approve the Procurement Performance Report as detailed in PAPER NO. MCA-T/GB-08/2009/3 which forms an integral part of the Quarterly Disbursement Request package to be submitted to MCC for a formal **“no objection.”**

RESOLUTIONS: The Board considered and **APPROVED** the 609g and CIF Procurement Performance Report as detailed in PAPER NO. MCA-T/GB-08/2009/3 and **DIRECTED** the same to be forwarded to MCC for a formal **“no objection.”**

The Board **FURTHER RESOLVED**, that the CEO for MCA-Tanzania was delegated the authority to make any technical adjustments and corrections to the Procurement Performance Report as approved as may be necessary to obtain MCC's "no objection."

ITEM 7: PAPER NO. MCA-T/GB-08/2009/4, DISCUSSION AND APPROVAL OF MOMORANDUM OF UNDERSTANDING (MOU) BETWEEN MILLENNIUM CHALLENGE ACCOUNT-TANZANIA AND WORLD WIDE FUND FOR NATURE (WWF) FOR PROVISION OF TECHINCAL ASSISSTANCE TO MITIGATE NEGATIVE ENVIERONMENTAL IMPACTS TO COMMUNITIES INVOLVED IN SONGEA- NAMTUMBO-TUNDURU ROAD.

DISCUSSION: The CEO MCA-T told the Board that as explained to the Board during the Seventh Governing Board Meeting, MCA-T will have to engage many kinds of contractors or firms to undertake specific assignments during the implementation of the Compact. He said that construction of roads would always cause some adverse impacts to both the environment and communities in project areas. Given this reality, MCA-Tanzania in collaboration with MCC, is desirous to ensure that communities affected by the activities of the Mainland Trunk Roads Project are effectively involved in the efforts designed to protect their interests including the environment, re-locations and the formulation of mitigation measures to address any negative effects of the road construction activity.

Both MCC and MCA-Tanzania are also aware of the success of an ongoing program conducted by the World Wide Fund for Nature (WWF), financed by USAID/Tanzania, for support to Wildlife Management Areas (WMAs) throughout the country. Bearing this in mind, MCA-Tanzania sought and obtained MCC approval for a sole source award to WWF by MCA-Tanzania, to continue their work alongside roads in the Mtwara corridor to be built under the Compact. Therefore, MCA-Tanzania has concluded a draft MOU with WWF and USAID/Tanzania. In short, among other things, the MOU aims at helping in achieving USAID/Tanzania's overall WMA support Program objectives as well as MCA-Tanzania's goals for community involvement. He said the draft MOU had been prepared by MCA-Tanzania working closely with MCC counterparts and all parties have agreed on the terms therein contained. He further informed the Board that while finalizing the process to submit the MOU to the Board, a draft Contract between MCA-Tanzania and WWF was also ready, albeit the draft contract had yet to be circulated to Members.

Given the current development and appreciating that it is now the Contract that the Board will have to approve, he asked the Board to resolve that the Contract be circulated with the view to get it approved through a written resolution.

RESOLUTIONS: The Board considered and **noted** the MOU as detailed in **PAPER NO. MCA-T/GB-08/2009/4**, and **DIRECTED** that the MOU and corresponding

Contract be circulated to Board Members for a written consent and thereafter to be sent to MCC for a “**formal no objection**”.

ITEM 8: PAPER NO. MCA-T/GB-08/2009/5, DISCUSSION AND APPROVAL OF PROCUREMENT OF CONSULTANCY SERVICES FOR THE DOWNSTREAM ASSIGNMENTS FOR THE REVIEWED ROADS UNDER THE COMPACT

DISCUSSION: The CEO MCA-T told the Board that as explained to the GB during previous Board meetings, the Consulting services for downstream assignments were among the key and important contracts that MCA-Tanzania would have to conclude for an effective implementation of the Road projects. It is along these lines that MCA-Tanzania, in collaboration with MCC has finalized the preparation of four draft contracts for consulting Services for the transport sector. The Contracts aim is to have the respective contractors review and update respective Detailed Designs, Cost Estimates, Environmental and Social Impact Assessments (ESIA), and Resettlement Action Plans (RAP).

The CEO also noted that a similar “downstream assignment” contract to the RAPs for the Upgrading of the Tanga-Horohoro road has been executed between TANROADS and UWP Consulting (pty) Ltd of South Africa (*The Consulting Firm*).

He also told the Board that in addition to the good progress recorded on the Tanga-Horohoro road, MCA-T in collaboration with MCC experts have now completed four draft contracts for downstream assignments for the following lots:

Songea- Namtumbo road (61km) to Bitumen Standard;

MCA-T has concluded negotiations with **M/S EGIS BCEOM International** from France to carry out a review and updating of the Detailed Designs, Cost Estimates, Environmental and Social Impact Assessment (ESIA), Resettlement Action Plan (RAP), and the Preparation of Tender Documents for the Songea-Namtumbo road (61km) to Bitumen Standard. The duration of the contract is **four (4)** months from the date of signing with a lump sum fixed price of **USD 398, 230.00** (the “**contract price**”). The detailed terms and conditions of the assignments are contained in the Draft Contract Marked as PAPER NO. MCA-T/GB-08/2009/5 A.

Laela –Sumbawanga road (96.5km) to Bitumen Standard:

The CEO told the Board that negotiations with **Africon Ltd of South Africa in Association with Inter-Consult Ltd** of Tanzania have been finalized. The assignment under this contract is similar to the Songea-Namtumbo Road and shall have a total fixed price of **USD 344,461.00** and **Tsh 134, 730, 596.00** (the “**contract price**”) for a period of **four (4)** months from the date of signing. Detailed information on terms and conditions are contained in the draft contract marked as PAPER **NO.MCAT-GB-08/2009/5 B**

Peramiho –Mbinga Jct- Mbinga road (78km) to Bitumen Standard:

M/S UWP Consulting (pty) Ltd of South Africa in Association with UWP Consulting (T) Ltd has concluded negotiations with MCA-T to undertake similar downstream activities. The contract period is four (4) months from the date of signing and shall have a fixed lump sum price of USD 380,600.00 (contract price). Detailed information on terms and conditions are contained in the draft contract marked as PAPER NO. MCA-T/GB-08/2009/5 C.

Tunduma –Laela road (128km) to Bitumen Standard:

The CEO informed the Board that MCA-T had also concluded negotiations with Africon Ltd of South Africa to carry out similar assignments. The contract period is six (6) months from the date of signing for a fixed lump sum price of USD 379, 240.00 and Tsh 245, 596, 624.00 (the “contract price”). The detailed information is contained in PAPER NO MCA-T/GB-08/2009/5 D.

In conclusion the **CEO** told the Board that the Draft Contracts had been prepared by MCA-T working closely with MCC counterparts and have the agreement of the respective consulting firms. He requested the Board to approve all the Draft Contracts as detailed in the respective cover notes attached to each Draft Contract.

RESOLUTIONS:

The Board considered and **APPROVED** the draft contracts as presented and **DIRECTED** that the same be sent to MCC for “**a formal no objection**”.

The Board **FURTHER RESOLVED**, that the CEO for MCA-Tanzania was delegated the authority to make any technical adjustments and corrections to any or all of the draft contracts as approved as may be necessary to obtain MCC’s “**no objection.**”

ITEM 9.DISCUSSION AND APPROVAL OF COMPACT AUDIT PLAN -PAPER NO. MCA-T/GB-08/2009/6;

DISCUSSION: The Chief Executive Officer presented the Compact Audit Plan (CAP) as detailed in **PAPER NO. MCA-T/GB-08/2009/6**. He clarified that the CAP had been prepared and submitted to the Board pursuant to section 3.4 of the Programme Implementation Agreement (PIA) which requires MCA-Tanzania to submit to MCC, current and updated implementation plan documents which are in form and substance satisfactory to MCC. He further explained that the Audit Plan covers transactions for 609(g), CIF and Compact for the period of September 2007 to the time of audit including review of Program Management. He said the Plan was formerly approved by the Board during its seventh meeting and got MCC’s formal no objection. The Board was asked to **take note**.

RESOLUTION: The Board **TOOK NOTE** of the Compact Audit Plan as presented.

ITEM 10. ANY OTHER BUSINESS:

The CEO requested the Board Members to appreciate the need and through a circular resolution to agree to consider and approve a Medical Policy for MCA-T staff. He said the Policy had been developed considering relevant Health applicable laws, rules and regulations of the United Republic of Tanzania. The Board supported the idea of having such a Policy to provide operational guidance to both MCA-T staff and their prescribed dependants.

RESOLUTION: The Board **TOOK NOTE** and **DIRECTED** that the Policy be sent to Board Members for approval through a written consent.

ITEM 11: CLOSING:

The Chairperson thanked the Governing Board Members and all the invited participants for their active and constructive participation and adjourned the meeting at 18.20 pm. The next Regular Board Meeting was scheduled to be held on the **28th May, 2009** at the same time and venue.

Mwalim Ali Mwalim
Ag.Chairperson of the Governing Board
MCA-Tanzania

Bernard S. Mchomvu
Chief Executive Officer
MCA-Tanzania

5th June, 2009