

**NATIONAL PAEDIATRIC HOSPITAL DEVELOPMENT BOARD  
("NPHDB" or the "Board")**

**Minutes of the NPHDB Board Meeting held on 2 August 2017 from 16.00 to 18.30  
Herberton Boardroom, St. James Walk, Rialto, Dublin 8**

**Attendance (Board)**

Tom Costello (Chair)  
Tim Bouchier-Hayes  
Lorcan Birthistle  
Anne Butler  
John Cole  
Prof. Hilary Hoey  
Brian Fitzgerald  
Karl Kent  
John Martin  
Marguerite Sayers  
~~Liam Woods~~ *TZ*

**Apologies**

Paul Quinn

*Liam Woods*

*TZ*

**Attendance (Other)**

Norman Craig, Commercial Advisor  
Dr Emma Curtis, Medical Director  
Phelim Devine, Design Director  
Jim Farragher, Finance Officer  
Richard Fitzpatrick, Director Project Controls  
Dearbhla Kelly, Board Secretary  
Fiona Mahon, Board Secretary  
Sean O'Dwyer, BDP  
John Pollock, Project Director  
Michael Greene, Construction Director  
Neil Vaughan, Project Controls Manager

*Angela Fitzgerald (on behalf of Liam Woods),*

*TZ*

Agenda No.	Specific Issues	Decisions	Action By
<b>1 GOVERNANCE</b>			
1.1	<b>Quorum &amp; Chairman</b>	<ul style="list-style-type: none"> <li>It was noted that a quorum, being 5 Board Members, was present and the meeting proceeded to business.</li> </ul>	n/a
1.2	<b>Declarations of Interest or Conflicts</b>	<ul style="list-style-type: none"> <li>Following enquiry, it was noted that there were no new declarations of interest or conflicts to be declared.</li> </ul>	n/a
<b>2 PREVIOUS MINUTES</b>			
2.1	<b>Minutes of Previous Board Meeting</b>	<ul style="list-style-type: none"> <li>The Minutes of the previous meeting held on 5 July 2017 were reviewed and minute number 2.1 was updated to read April 2017 and were then approved and the Chairman was authorised to sign them.</li> </ul>	Approved
2.2	<b>Review of Matters arising</b>	<ul style="list-style-type: none"> <li>The Chairman reviewed the current actions on the action list.</li> <li>Updates were provided and noted on the Action List. The following actions were reviewed in additional detail.</li> <li>Action 48: it was noted that the structure had been</li> </ul>	Noted  Noted  Update to Action 48

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		<p>circulated and there were now 8 sub-committees of the Board and 2 working groups. Therefore, the action was noted as complete and was closed.</p> <ul style="list-style-type: none"> <li>• Action 49: The Board noted that the review of each committee’s terms of reference (“<b>TORs</b>”) was still in progress. A schedule with an update on the status of each committees TOR’s was reviewed and discussed. The TOR’s for the Planning and Access committee, which had been circulated in final draft for review, on the recommendation of the committee, were approved.</li> <li>• Action No 51: The Board was advised that the concourse design was almost finalised and the proposed presentation would therefore take place at the September Board meeting.</li> <li>• Action No 52: The Board was advised that the Construction committee are putting together a formal plan of how to liaise with the contractors during the construction phase of the project and propose to have a formal joint meeting every 2-3 months and an informal meeting for 1 hour every 2 weeks. It was agreed to combine Actions 52 and 54 as they were related.</li> <li>• Action No 53: A presentation was provided to the Board at the meeting on the BIM Model. The Action was confirmed to</li> </ul>	<p>Update to Action 48</p> <p>Noted</p> <p>Update to Action 52</p> <p>Update to Action 53</p>

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		<p>be closed.</p> <ul style="list-style-type: none"> <li>• Action 55: An update had been requested and would be provided at the September Board meeting.</li> </ul>	Update to Action 55
<b>3 BOARD BRIEFING</b>			
3.1	<b>Presentation on BIM Model</b>	<ul style="list-style-type: none"> <li>• Sean O'Dwyer from BDP gave a presentation to the Board on the Building Information Model ("<b>BIM</b>"), which he described as a federated BIM model. He explained the process and the advantages of using the model which included: <ul style="list-style-type: none"> <li>- Identifying potential issues early on in the project</li> <li>- Identifying potential savings</li> <li>- An excellent information exchange for all persons involved in the project.</li> </ul> </li> <li>• The Board discussed the usefulness of the 3D model and the Chairman requested that the executive would arrange for all Board members to be provided with access to the virtual reality model with allocated time slots to be arranged and provided to each Board member in advance of the September meeting.</li> <li>• The Chairman queried how the BIM model monitored</li> </ul>	<p>Noted</p> <p>Action 56</p>

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		<p>progress of the project and was informed that the Model did not automatically do this but required continual review by competent persons who would ensure that the project was proceeding as planned.</p>	Noted
<b>4</b>	<b>SI REMIT</b>		
4.1	<b>Monthly Project Update</b>	<ul style="list-style-type: none"> <li>The Board noted the July 2017 Project Update, which had been circulated in advance. The Project Director provided further detail to the Board on the following specific matters:</li> </ul>	Noted
4.2.1	<b>Commercial Update</b>	<ul style="list-style-type: none"> <li>The Commercial Advisor provided an update to the Board during which he explained that there were a number of matters which had been discussed at the Finance Committee meeting which required the Boards attention.</li> <li>He provided a summary of the current status of the signing of the contracts and alignment of the program and outlined the risks, from both a construction program and financial perspective</li> <li>The Commercial Advisor explained there were three areas in which additional costs could potentially be incurred (i) project programme (ii) design team fees, previously discussed; and (iii) Fire Cert implications.</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p>

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		<p>An updated tender report has been requested from the Design Team and will be discussed with the HSE once this report is available.</p> <ul style="list-style-type: none"> <li>• The Board also noted that some of the increased costs, such as the installation of a sprinkler system would represent a design change and would be noted as such in the budget review. The Board discussed the quantum involved and noted that, once the updated Tender Report is available a review of the Project Contingency and the overall project budget would be required.</li> <li>• The Board was made aware that the matter had been discussed at the recent Finance Committee and that, Head of Estates at the HSE was a member of that committee and was fully aware of both the challenges and their potential financial impact on the budget.</li> <li>• It was considered that the project was currently within its approved scope and program for Phase A of the project and that Phase B represented a natural checkpoint for the budget review. The Board also agreed that it was clear that in any event an update to the approved Definitive Business Case and budget review would be required in advance of the HSE/DOH granting approval for Phase B.</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

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		<ul style="list-style-type: none"> <li>• The Board spent considerable time discussing the matter and following this discussion, unanimously agreed to proceed with Phase A and the signing of the construction contracts.</li> <li>• It was also agreed at the Finance Committee to proceed with the award of the construction contract and while there were some cost differences they were not considered material. It was also noted that CHG was also aware of the matter.</li> </ul>	Noted
4.2.2	<b>Design/Planning Update</b>	<ul style="list-style-type: none"> <li>• The Design Director provided an update to the Board.</li> <li>• It was reported that a credible plan and business case had been agreed between Tallaght ICT team and the HSE in respect of the server at Tallaght.</li> <li>• The Board were advised that the completion dates for the Tallaght Satellite Centre was now expected to be late Q1 2020 and the Connolly Satellite Centre was expected to complete in Q2 of 2019. Commencement of construction was due to begin towards end September on both sites.</li> <li>• It was confirmed that Letters of Acceptance ("LOAs") for the Satellite Centres are currently being drafted and would be issued shortly with 20-day mobilisation following issue of the LOAs. It was noted that the Director of Project Controls was</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p>

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		<p>driving this matter and that BAM were ready to mobilise in a matter of days. A sod-turning event was being planned to mark commencement.</p> <ul style="list-style-type: none"> <li>• It was confirmed that the Fire Cert for the NCH had been appealed and consultation is ongoing with the Design team to agree a strategy to deal with the Fire Cert conditions. An Board Pleanála (“<b>ABP</b>”) has issued a response from Dublin Fire Brigade to the appeal for NPHDB comment. It was reported to the Board that ABP are likely to appoint external fire consultants to assist them in the matter. It was reported that the outcome to the appeal was expected in December 2017.</li> <li>• An amendment to ABP has issued for the basement floors following feedback from ABP. It is anticipated that a further planning amendment to the remainder of the NCH building will be required at the end of the year. It was anticipated that it would take up to 18 weeks to get approval if deemed material or 2-4 months if ABP consider it non-material.</li> <li>• All of the clinical floor plans have been reviewed for the building and the QA review is the only item outstanding. The final package should be complete by September and will be presented to the Children’s Hospital Board in October.</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p>



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		<ul style="list-style-type: none"> <li>• The milestone programme for completion of the design to Guaranteed Maximum Price ("<b>GMP</b>") had been agreed and would complete 9 months from site start date. It is expected that BAM and the Design Team are scheduled to complete in the next two weeks.</li> <li>• It was reported that BDP were finalising the concourse design, which will be presented Board in September 2017. Value engineering has had some impact on materials and quality but this will be reviewed prior to finalisation.</li> <li>• The Board discussed the responses to the request for submissions for Art commissions for the hospital and noted that there had been 117 submissions in total. Three artists will be chosen to complete a minimum of seven commissioned pieces for various locations around the hospital. The Board discussed the budget and fundraising for Art, noting that this was under the remit of the CHG Board which had yet to be legally constituted. It was agreed that the matter would be discussed with the CHG.</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Action No. 57</p>
4.2.4	<b>Procurement</b>	<ul style="list-style-type: none"> <li>• The Director of Project Controls provided an overview of the status of the NCH and Satellite centre works contracts.</li> <li>• An update was provided on the Lift Works Revised tender. The Board noted that three tender submissions had been</li> </ul>	<p>Noted</p> <p>Approved</p>

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		<p>received and following their evaluation, Schindler Limited had been identified as the most economically advantageous tender. On the recommendation of the Procurement committee, the Board approved the appointment of Schindler Limited and issue of the notification letters.</p> <ul style="list-style-type: none"> <li>• It was noted that the NCH Work Contract documentation is being finalised and will be signed before the end of the week.</li> <li>• The Board received an update on the procurement of suppliers for NPH Printing and Stationary Services, Herberton FM Services, IT Disaster Recovery Services Contracts, these were approved.</li> <li>• Following the update, the Chairman requested that specific dates and timelines relating to the procurement of provisional sum items and equipping for the NCH and satellite centres should be included on future reports.</li> </ul>	<p>Noted</p> <p>Approved</p> <p>Action No 58</p>
4.2.5	<b>Construction</b>	<ul style="list-style-type: none"> <li>• The Construction Director provided an update on progress of the main construction.</li> <li>• The Board received an update on the impact of the construction works on the rear of the houses on O'Reilly Avenue and the outcome of the legal action taken by</li> </ul>	<p>Noted</p> <p>Noted</p>

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		<p>residents.</p> <ul style="list-style-type: none"> <li>• The Board noted that work on the LOI activities had been delayed due to the lack of an approved Construction Management Plan, which was a planning condition which required approval in writing by DCC. It is expected within 2 weeks.</li> <li>• Minutes from the Construction committee Meetings held on 27 June and 25 July were noted.</li> </ul>	Noted
4.3	<b>Financial Results for June 2017</b>	<ul style="list-style-type: none"> <li>• The Board noted the financial results for June 2017.</li> <li>• The 2017 Annual Report was circulated for review.</li> <li>• Actual Costs for the month were €2.1m under budget, but following review, it was noted that the variances were a result of timing of expenditure and program execution. It was also noted that the decant, design team fees relating to the satellites, construction management and legal costs were higher than budget in the month.</li> <li>• The Board reviewed June 2017 payments, which totalled €4.8m.</li> <li>• The details of the Purchase Orders for June 2017 were also</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

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		noted.	
4.4	Finance Committee	<ul style="list-style-type: none"> <li>• The acting chair of the Finance Committee provided a summary of discussions that took place at the meeting on 29 August 2017.</li> <li>• A detailed note from Linesight had been requested on the scope and funding for the Ronald McDonald basement.</li> <li>• It was noted that the change order process was working well.</li> <li>• The daily rates, discounts and engagement with the independent expert and standing conciliator have been benchmarked with current market rates and agreed on that basis.</li> <li>• Mr Bouchier-Hayes left the meeting for the duration of the next item.</li> <li>• The Board was advised that a claim for additional fees from McCann Fitzgerald had been made for work undertaken on contracts. It had also been advised that an addition claim had was expected in addition to fees for the recent O'Reilly Avenue high court action. A review of the merit of the additional claim had been requested and would be prepared</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted Action No 59</p>

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		<p>by the executive. The Board also requested that the minute on this matter be redacted when circulated to Mr Bouchier-Hayes in both the Board and Finance Committee Minutes.</p> <ul style="list-style-type: none"> <li>• Mr Bouchier-Hayes re-joined the meeting.</li> <li>• The Finance Committee minutes dated 26 July 2017 were noted.</li> </ul>	Noted
4.5	<b>Audit and Risk Committee Update</b>	<ul style="list-style-type: none"> <li>• The chair of the Audit and Risk Committee provided a summary of discussions that took place at the committee meeting held on 31 July 2017.</li> <li>• The Board Skills Review and Self Evaluation questionnaire had been reviewed and a link would be circulated to all board members for online completion. It was noted that all responses would be confidential to the Company Secretary and a report would be provided to the next Board meeting.</li> <li>• TORs were reviewed by the committee and once updated would be recommended to the Board for approval.</li> <li>• A review of the application of the new 2016 Code of Practice for the governance of state bodies had been undertaken and progress on the agreed actions reported and discussed with the committee.</li> </ul>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

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		<ul style="list-style-type: none"> <li>A secure system for Board paper circulation, Minutepad had been selected and would be rolled out in due course.</li> </ul>	Noted
5.	<b>Minutes</b>	<ul style="list-style-type: none"> <li>Minutes from the Urban Regeneration Meeting held on 11 July 2017 were noted.</li> <li>Minutes of the HTEG meeting held on 3 July 2017 were noted.</li> </ul>	Noted  Noted
6	<b>Correspondence</b>	<ul style="list-style-type: none"> <li>The Board noted the correspondence received since the last meeting.</li> </ul>	Noted
7	<b>Any other business</b>	<ul style="list-style-type: none"> <li>The Board noted that Ms Mahon Board Secretary was leaving Eversheds and thanked her for services to the Board Ms Kelly from Eversheds will be replacing Ms Mahon.</li> </ul>	Noted

**Next meeting: 6 September 2017 in the Boardroom, Herberton, St. James Walk, Rialto, Dublin 8 at 16.00hrs.**



Tom Costello  
Chair