

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

**Minutes of the NPHDB Board Meeting held on Wednesday, 14 April 2021  
from 14.30 to 19.00  
Via electronic means**

**Attendance (Board)**

Tim Bouchier-Hayes (Interim Chairperson)  
John Cole  
Karl Kent  
Anne Butler  
Michael Shelly  
John McGowan  
Liam Woods  
Brian Keogh  
Michael Barry

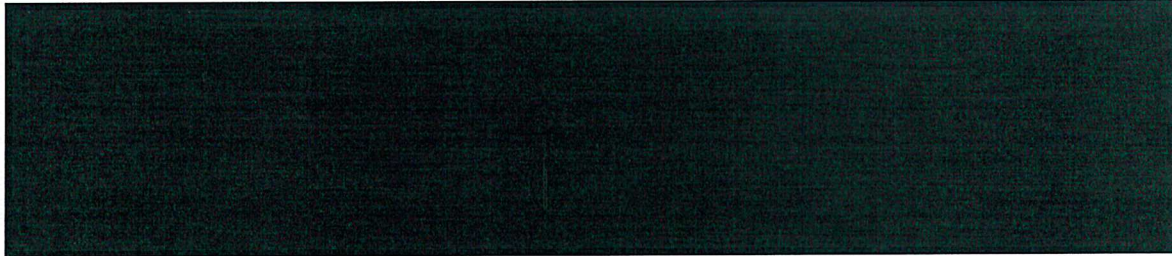
**Attendance (Other)**

David Gunning, Chief Officer  
Phelim Devine\*, Project Director  
Tom Concannon\*, Construction Director  
Tom Morris, Commercial Director  
Richard Fitzpatrick\*, Director of Project Controls  
Jim Farragher\*, Finance Officer  
Elaine O'Rourke, Executive Support  
[REDACTED] (BDP)  
[REDACTED] (BDP)  
[REDACTED] (BDP)  
[REDACTED] (OMCA)  
[REDACTED] (ARUP)  
[REDACTED] (ARUP)  
[REDACTED] (OCSC)  
[REDACTED] (Linesight)  
[REDACTED] (Linesight)  
Ray Hunt, On behalf of HMP Secretarial Limited – Board Secretary  
Anthony Irvine, On behalf of HMP Secretarial Limited – Board Secretary

*\*For part of the meeting*

<b>1.0</b>	<b>Quorum &amp; Chairperson</b>
	<p>The Chairperson noted that a quorum, being five Board Members, was present and the meeting proceeded to business.</p> <p>It was noted that all Board members and attendees at the meeting were participating electronically in order to comply with guidelines in response to the COVID-19 pandemic, associated travel restrictions and work from home recommendations.</p>
<b>2.0</b>	<b>Declarations of Interest or Conflicts of Interest</b>
	<p>In accordance with Section 19 of Statutory Instrument 246/2017, the Board members confirmed that there were no new declarations of interest or conflicts of interest to be disclosed.</p>
<b>3.0</b>	<b>Previous Minutes</b>
	<p>The Board reviewed the minutes of the Board Meeting held on 10 March 2021 (the "<b>Minutes</b>"). <b>IT WAS RESOLVED THAT</b> the Minutes were approved for signature by the Interim Chairperson.</p>
<b>3.1</b>	<b>Action Items Arising From Minutes</b>
	<p>It was noted that all actions arising had been closed, and/or would be discussed in the course of the meeting.</p>
<b>4.0</b>	<b>Chief Officer Report</b>
	<p>The Chief Officer Report was taken as read and the priority items discussed in detail by reference to Frame Claim; Payment Reconciliation; Health &amp; Safety; Main Contractor Programme Compliance; Claims Update; and Communications Strategy.</p> <p>The Board was advised of the completion of the concrete pouring on Level 7 and noted it as a significant achievement by the Main Contractor.</p> <p>It was noted that the latest Programme submitted by the Main Contractor had now been determined to be compliant by the ER. It was confirmed to the Board that further to the ER determination, payments to the Main Contractor previously withheld in accordance with the contract while this process was ongoing, had been paid.</p> <div data-bbox="253 1486 1414 1654" style="background-color: black; height: 80px; width: 100%;"></div> <div data-bbox="253 1665 1414 1864" style="background-color: black; height: 95px; width: 100%;"></div> <p>An update was provided to the Board in relation to the number of claims made by the Main Contractor. The quantum of these, and work ongoing in defending them, was noted.</p> <p>The Board was advised of activity on the Tallaght site since the previous meeting,</p>

including ongoing work in relation to installation of permanent power supply. It was confirmed that, overall, progress was proceeding satisfactorily vs schedule and was on track to complete in September 2021.



The Board was briefed on the Payment Reconciliation Process. A status update was provided on the adjusted contract sum versus the hours allocated to the Main Contractor, and discussed by the Board. The Board noted that the report would be updated on a monthly basis.

**5.0 NPH Design Team Presentation**

The NPH Design Team joined the meeting, and presented to the Board in relation to the design of the Project.

The Board were provided with an update in relation to ongoing discussions with the Main Contractor, and Sub-Contractors.

A variety of images were presented to the Board dating from 2019 to 2021 to illustrate level of progress and completeness of the Project from a structural engineering perspective during the period.

The Design Team confirmed to the Board that the main package of drawings (IFC) and design information was completed and provided to the Main Contractor in mid-2020. It was highlighted that constant vigilance and on-site staffing were essential to maintaining quality. It was further noted key activities at the current stage relate to ensuring the quality of the MEP installations on site.

The Design Team discussed the issue of commissioning, which is due to begin in one year's time. The importance of forward planning and resourcing this was discussed to ensure that the Design Team are appropriately qualified to monitor progress once this stage commences.


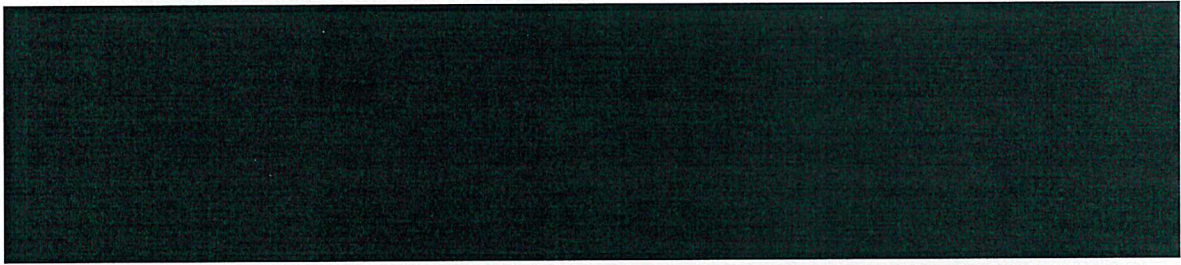
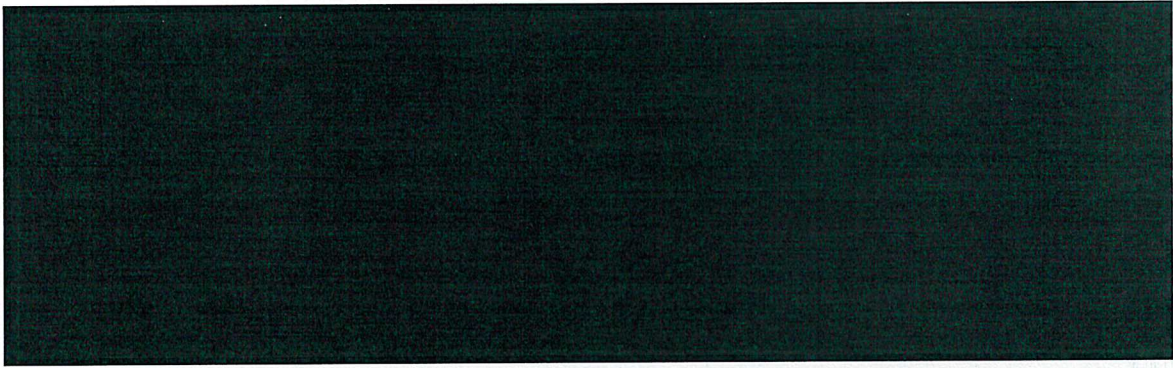
The Board were updated in reference to the façade risk. It was noted that there remains the risk of onsite co-ordination issues arising, however this risk should be limited due to the tasks to be completed.

The Board queried if senior members of the Design Team are on site. It was noted resident architects were on site, and that prior to COVID-19, senior designers along with support engineers were also present on site however due to Covid-19 restrictions they have not yet been able to return to site. It was confirmed that plans were in place to have such personnel back on-site once COVID-19 restrictions permits.

The importance of constant reference to the Contract was highlighted to the Board in the review and response to all design queries received, which necessitates ongoing office based review and input from the most senior personnel in the Design Team.



	<p>[REDACTED]</p> <p>The Board noted the confirmation that design of the fire zones had been completed two years prior.</p> <p>The Design Team highlighted to the Board that design responsibilities for a large number of items are that of the Main Contractor and/or Sub-Contractors rather than the Design Team, and outlined the role of the Design Team in the review of such designs. However the Design Team advised that they were often being called upon to go above and beyond their role in this process, in the overall interest of the Project.</p> <p>The Design Team presented on a number of claims and the themes in regards to those claims. Confirmation was provided by the Design Team that they were vigorously reviewing and defending claims submitted.</p> <p>[REDACTED]</p> <p>The Main Contractor's updated Programme was discussed. The Board expressed its concerns in relation to resourcing on site, and strongly encouraged careful and detailed monitoring of Programme compliance by reference to the achievement of milestones.</p> <p>The Board expressed its thanks to the Design Team for their attendance, and their ongoing work on the Project, and the Design Team then left the meeting.</p>
<b>6.0</b>	<b>Finance</b>
<b>6.1</b>	<b>Financial Results March 2021</b>
	<p>The Board received a commentary of expenditure, payments, POs and Year to Date HSE cash receipts.</p> <p>The Board noted that on increase construction costs that were offset by a reduction in claims costs, and Design Team project costs.</p> <p>The Board noted the Financial Results for March 2021.</p>
<b>7.0</b>	<b>Items for Approval</b>
<b>(i)</b>	<p><b>CMS Contract</b></p> <p>The Board noted that the current contract with Linesight under which Linesight provide construction management personnel to the NPHDB is due to expire in June 2021. The Board noted that the extension of this contract had been considered and recommended by the FARC.</p> <p><b>IT WAS RESOLVED</b> to approve the CMS Contract extension.</p>
<b>(ii)</b>	<p><b>Re-Appointment of Standing Conciliator in relation to Tallaght Site</b></p> <p>An overview was provided to the Board in relation to strategy on conciliation with Main Contractor, and discussed.</p> <p><b>IT WAS RESOLVED</b> to approve the re-appointment of the Standing Conciliator in relation to the Tallaght site to February 2022.</p>

<b>8.0</b>	<b>Governance Matters</b>
<b>8.1</b>	<b>Finance, Audit and Risk Sub-Committee ("FARC")</b>
	<p>The Board noted minutes of the previous FARC meeting of 10 March 2021 and noted the items discussed as set out.</p> <p>It was confirmed that the FARC had convened in advance of the Board meeting and an overview of items discussed was provided to the Board, by reference to the earlier items considered and approved.</p>
<b>8.2</b>	<b>CQV Sub-Committee</b>
	<p>The Board noted the update in relation to the CQV Sub-Committee. Current membership of the Committee, and the possibility of adding another member, was discussed.</p>
<b>8.3</b>	<b>Design Sub-Committee</b>
	<p>The Board noted the update in relation to the Design Sub-Committee.</p>
<b>8.4</b>	<b>Dispute Resolution Sub-Committee</b>
	<p>The Board noted the minutes of the Dispute Resolution Sub-Committee meeting of 08 March 2021 and noted the items discussed as set out.</p>
<b>8.5</b>	
	
<b>8.6</b>	<b>Legal</b>
	
<b>9.0</b>	<b>Correspondence Review</b>
	<p>The Board noted the correspondence received from the Main Contractor as discussed. The Board agreed that the Interim Chairman and Chief Officer should continue to respond as appropriate.</p>
<b>10.0</b>	<b>Any Other Business</b>

<b>10.1</b>	<b>New Chair Appointment</b>
	<p>The Board noted the current status of the process in relation to the appointment of a new Chairperson, and the potential timeline implications of this.</p> <p>There being no other business, the meeting concluded.</p>

**Next Meeting:**

It was agreed by the Board that the next Board meeting be convened via electronic means on 22 April 2021 at 15.00hrs.

  
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Chairperson