
**National Roads Authority
Minutes of the One-Hundred & Seventy-second Meeting
of the Board of Directors
held in
NRA Conference Room,
370 North Sound Road, George Town, Grand Cayman
Wednesday, 22 July 2015 at 9:30 a.m.**

In attendance were:

Gary Clarke	Acting Chairman
Stanley Panton	Director
Kenross Connolly	Director
John Edward Ebanks	Director
David Arch	Director
Dane Walton	Director
Edward Howard	Deputy Managing Director – NRA
David Fawcitt	Director Designate of Chief Officer, Ministry PLAH&I

Julie Campbell	HR Manager (Acting Executive Sec.)– NRA
----------------	---

Apologies:

Paul Parchment	Managing Director - NRA
Sheree Ebanks	Deputy Chairman
Donovan Ebanks	Chairman

1. Call to Order

The Chairman called the meeting to order at 9:00 am

2. Minutes of Previous Meetings

- a. 24th June 2015 – confirmed
- b. 8th July 2015 – reviewed and changes noted

3. Administration

3.ii. Fleet Acquisition Proposals – update (Fleet Controller)

Director Panton advised the board just prior to the meeting he had received an email from the Works Manager stating that the process was 'ongoing'.

The Chairman advised he wanted a definite answer regarding the status of the acquisition. The MD received an update from the Works Manager advising proposals under the DTC & PO process regarding the acquisition of these pieces of equipment had been sent out the day before, that being 11 November 2014. There was still no update on the CTC component part of the acquisition. The Chairman advised the MD to follow up with Director Clarke regarding the process and reiterated that the MD has overall responsibility for the process.

Director Clarke of the Fleet sub-committee advised the board the CTC process was sent to the CTC board for approval, and the RFQ's were scheduled to begin coming in on 26 November 2014.

The Board requested a process and schedule be developed for all three elements with time line for results.

After review of the results RFQ and Purchase Order Vendors spreadsheet that was circulated by the MD; the Chairman suggested the addition of columns that would indicated (a) the comparison to the budget, (b) letter of credit and (c) possession. The Chairman also questioned single source vendors and advised he would prefer to go to multiple vendors. Director Panton of the sub-committee informed the board that the reason for single vendors was due to the NRA's retention of parts for particular equipment which was supplied by that vendor. This kept the cost down for replacement of parts which the NRA had in stock.

The Chairman advised the sub-committee to meet and review the document. Director Clarke advised there was still no reply from CTC regarding the documents presented to them for approval.

To date the NRA has received two vehicles which have been assigned. For acquisition of vehicles going through the CTC process, Deputy MD advised the CTC bid opening is scheduled for 16 January 2015.

The Chairman requested that once all vehicles were obtained, he would like to have the vehicles and their operators meet with the fleet sub-committee with the purpose of discussing the expectations of the board for the vehicle operators.

The MD circulated documents relating to tendering documents that went out in December and informed the Board that the heavy duty trucks need to be retendered as only one company returned a bid on crew cab trucks.

The Board directed the MD to revise the spreadsheet to indicate the process up to delivery of the equipment.

The MD advised that the specifications were changed and the re-tendering process was scheduled to begin the 11th or 12th February 2015, and referred to the schedule sent to the board.

The MD advised the re-tendering process had begun and it was to be published the week of 23 – 27 February 2015.

The DMD advised the documents were submitted to CTC and CTC had written back and advised NRA to revise the tender document and re-tender. The revision was done and submitted to CTC for review and there should be a response from CTC on the 11th or 12th March 2015. DMD further stated that due to a scoring error on the tender for the wheel loader the CTC required re-tender for that item. Re-tender was done voluntarily for the crew cab trucks as no bids were received.

The MD updated Board Members on the equipment already received. The Board members expressed their concern about the upkeep of the equipment and the sub-committee requested a copy of the vehicle policy.

The MD noted that tenders for the trucks went out on the Fri prior to the meeting, 20 March 2015. He went on to discuss the update of the equipment received and the equipment still outstanding.

The MD advised there were no new updates, the bid were out for tender. Director Panton queried why the tender advertisement in the Caymanian Compass was contrary to what the sub-committee agreed on. He further enquired as to why the changes were made, who made the changes and why the sub-committee was not advised of the changes. Director Panton further insisted he wanted to know who was in charge of submitting the tender and who made the decision to make the changes.

The MD advised he had not been privy to changes and was under the impression the sub-committee was aware of the change. He offered that the CTC may have made recommendations and the changes were made accordingly. The DMD who sits on the CTC board advised Board Members that the CTC board does not offer recommendations; rather they accept the information submitted to them.

Director Clarke advised the MD to obtain the justification as to why the change had been done and who had made the changes.

The Works Manager was invited into the meeting to address the Board's concerns regarding the changes referred to in the previous board meeting. The Works Manager circulated a copy of the email which was sent to the sub-committee detailing the differences in the terminology which had varied at various points of the process. The vehicles' description changed according to their specifications and therefore the change in the advertisement published.

The Board was satisfied that the units being sought were appropriate for the respective purposes.

The DMD advised the board there had been a mix up of applications at CTC and the NRA documents had been inadvertently placed on hold; he advised there was a bid opening this week when NRA documents would be reviewed.

Director Clarke provided an update regarding the results from the tendering process. The Loader had been awarded to Atlantic Supply; however with regards to the trucks, just prior to submission to the CTC for review, they were notified by the winning bidder that due to the popularity of the vehicle their supplier could not confirm a delivery date, therefore voiding the delivery date proposed on their bid. The Vendor had proposed they, the Vendor, could look at an alternative distributor and advise on delivery date and costing. The Chairman advised the sub-committee they could not accept a proposal that was open ended and caution them to be mindful of discussions held with a Vendor who had openly removed themselves from the process, notwithstanding that the next bid was some \$100,000 more.

During the discussions Director Clarke made mention the cost of the trucks was some \$35,000 more than budgeted; however they was a saving of \$67,000 from the Loader which would offset this cost. Director Panton asked why there was a difference when the Board was advised at a previous meeting there would be a savings. Director Clarke advised the matter needed to be looked into further.

The Fleet Coordinator was invited to give an update on the proposed plan of action from CTC. He advised CTC had advised they go back to the vendor to ascertain what they are able to propose with regards to delivery date. The Board cautioned the Fleet Controller to ensure it was good value for our money and we hold hard on the price originally quoted, and the original specifications should be reiterated.

Director Panton enquired as to the cost overrun. Fleet Controller explained when they first looked at replacing the vehicles they were looking at a specific type of vehicle; therefore the original quote reflected that type of vehicle. The variation came about when it was decided to give specifications of the vehicles and not the type of vehicle.

The MD explained that the Fleet Replacement Policy was now part of the OPS Manual, which would allow protocol to be followed in the future. When questioned if the CTC was the last stage of the process, the MD confirmed this would be the last tender for the first phase of the vehicle acquisition process.

The Acting Chairman requested the Fleet Controller provide a report for the sub-committee on the overall results of the process thus far. Director Panton advised that he include any extra vehicles that were purchased, that were not on the original list as well an update on the current status of the vehicles on hand.

The Board requested the Fleet Controller send the MD and updated appraisal on the vehicles and send an update on the auction to the sub-committee.

Director Panton advised the board of the 'Switch & Go' system which could have potential savings. He described the system to the board and advised the Fleet Coordinator to investigate it while taking to the vendor. The Acting Chairman

asked that Director Panton meet with the Fleet Controller to discuss the possibility of getting the cost and effectiveness of the system.

The Chairman expressed his discontentment regarding the length of time taken to procure the vehicles that were approved at the beginning of the fiscal year and asked what steps were being taken to rectify the current situation with the recent bids. The MD advised they were currently working with the vendor to sort out the situation.

The Fleet Controller identified the vehicles that were still outstanding and advised he was in contact with the winning vendor regarding the CTC approval of the conditional award to same. He further advised the vendor had advised a 3 (three) month timeline for NRA to receive the vehicles. The Board agreed the Fleet Controller draft a letter to the vendor advising them the NRA would accept their bid with a delivery date of 30 September 2015; however the letter must stress the urgency of receiving the vehicles on or before the date and if they are unable to do so, to advise the NRA so other options can be pursued. The Chairman instructed the Fleet Controller to send a copy of the draft letter to Directors Clarke and Panton who are part of the sub-committee.

The Fleet Controller further advised Board Members that the water tanks had an approximate time of 1 (one) month, while there was an approximate time of 2 (two) months for the wheel loader.

Acting Chairman advised Board Members the sub-committee met the previous week and the matter regarding the outstanding trucks had been resolved. The Acting MD advised he had spoken to the vendor regarding the delivery date and it was anticipated a delivery date of late September early October for 5 (five) of the 6 (six) vehicles.

4. Operations

4.i. Smith Road upgrade – status report (E. Jackson, Sr. Engineer & Project Manager)

Ministry Director Designate updated Board members that the Minister had spoken to the land owners and the project would be published in the gazette on 11 March 2015. The preliminary design was received from APEC and was sent back with remarks.

The MD advised they were supposed to start works the first part of April; however they were still sorting contracts as NRA proposed contracting several contractors to get the work done. The DMD advised he had met with the Board of the Primary school and there were discussions regarding proposed entrances as well as the school discussed the possible assistance they may require from NRA, i.e. drainage. The DMD confirmed to date there had not been an official request to that regard.

Confirmation was received from the MD with regards to the receipt of the revised drawings from APEC. He further advised bids for concrete and accommodation works were now being itemized and the compensation claims were with Lands & Survey; however they had not to date received a response from them. The MD

stated CUC had been contacted regarding the movement of the pole; however there was some controversy surrounding the cost of moving poles and who should bear that cost.

The Board agreed that until funds were made available from the Ministry this project would be on hold.

The MD advised they were meeting with Water Authority and CUC to 'walk through' the proposed plans.

The MD advised that they would be addressing the utilities within the next 10 days as contact had been made with both CUC and the Water Authority. Discussions were also held with regards to the partial closure of Smith Road and an update on Red Gate Rd was given by the MD. The Board requested the Senior Engineer provide them with a schedule of the works programme by Friday 29 May 2015.

The MD advised he sent the schedule via email on 29 May and gave an update on the finances to date regarding the Smith & Humber upgrade. He advised the remediation works for the Prep School was not included and further advised the final plan had not yet been fully endorsed.

The Chairman inquired of the MD in terms of finances, procurements and base works, what was the current position of the organization as the goal was to start in July when school gave holidays and have that section of the road operational prior school opening in September. The MD advised they were set to start in July; however were still working on certain issues such as water meters, drilling of wells and the movement of poles by CUC.

Discussions were held regarding hours of works operation and suggestions included nights and weekend. The MD advised he was currently sorting out the plan of operation as was in contact with vendors regarding their proposed times of operation. He also advised the Board the Senior Engineer would be the Project Manager and would receive assistance from others such as the Works Manager.

Board Members agreed as there were several major projects currently happening, they were requesting the Senior Engineer to attend all meetings to update the board.

Board Members congratulated the Senior Engineer on the work performed on Godfrey Nixon Way and asked what challenges if any he had with the preparations for Smith Road.

Senior Engineer advised to Board Members up until the previous week he had made preparations to start works at the hospital 4-way junction and therefore base work had been focused there. He further advised that in accordance with the Water Authority he was in the process of meeting with landowners on site regarding the relocation of their water meters. Director Connolly inquired if there was a standard letter or if one could be drafted to address this matter. Senior Engineer advised they were using the standard form supplied by the Water Authority to address landowners and in all instances when meeting with the

landowners they were marking out boundary lines and indicating the new meter locations.

The Senior Engineer also advised members of the issue with CUC regarding site lines and their inability to remove poles due to obstructions such as two homes on Melrose and Anthony Dr. and he enquired from the board if there was an update regarding the acquisitions on same.

Board Members stressed the importance of works starting at the eastern end of Smith Road, with Director Panton stressing night works, Director Ebanks stressing the importance of keeping the media abreast of the works with constant updates and Director Clarke emphasizing a schedule for the works interjected into the current works schedule and timelines monitored.

The Chairman confirmed the following actions to be taken by the Acting MD:

1. Schedule a meeting with Water Authority
2. Schedule a meeting with CUC for Friday 10 July 2015
3. Request an update from the Ministry regarding land acquisitions, this correspondence should be copied to him, as well as contact should be made to Lands & Survey to acquire a drawing of the property to be acquired.
4. Senior Engineer should schedule crews to begin works around the school as soon as they finished up works at Godfrey Nixon Way and Red Gate Rd.

The Acting MD informed Board Members that he and the Chairman had met with CUC and Water Authority and both meetings were productive with both agreeing to assist the NRA with proposed timelines. While there were still a few issues to be sorted out with CUC, which included land acquisitions and costs, CUC had agreed to go ahead with works until these were sorted. The Water Authority confirmed they would begin moving the meters from the junction of Smith Road and Bobby Thompson Way this week. Plans were also in place to start works around the school area.

Director Panton suggested that while no major works could be done on Smith Road until water meters and poles were relocated; crews could work at clearing the vegetation that would be cleared during the project. While this process may look ad hoc, it would move the project along.

Acting Chairman enquired of the Ministry Designate Mr. Fawcitt the status of the four key property acquisitions. He in return advised the board 2 (two) of the 4 (four) possible claims had come in; however the claims had been considered out of proportion. Acting Chairman stated that possession of one of the key properties was essential for preliminary CUC works and it was agreed Lands & Survey would concentrate all efforts on negotiations with this owner's representative as a top priority.

4.ii. Remediation of Roundabouts – Red Bay and Chrissie Tomlinson

The MD reported that he received the drawings the day before and was in the process of reviewing them.

Cost estimates were revealed by the MD regarding the roundabouts and he advised they were able to do both roundabouts with the savings from this year.

He further advised they were satisfied with the designs which would be included in next fiscal year; however needed confirmation regarding funding; particularly what was included in EA36.

Director Panton advised he had met with the DMD regarding the road segment from the Red Bay to the Chrissie Tomlinson roundabout. Questions had arisen regarding the number of lanes and the size of the median in that area. With the advent of the gas station, some measure would need to be put in place to restrict traffic from crossing the existing grassed median.

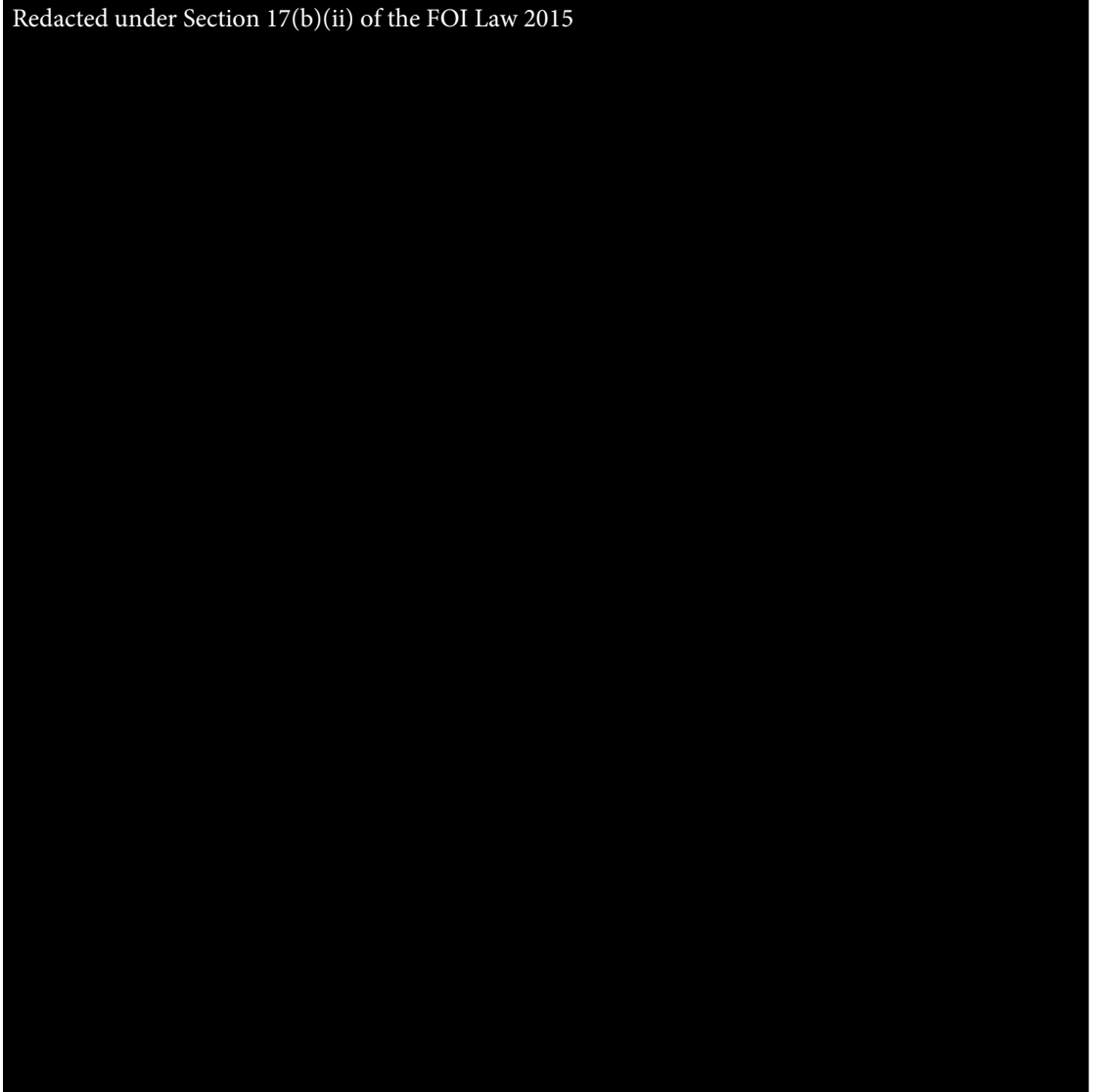
The DMD is to advise on options.

The Chairman advised these projects were currently on hold.

5. Planning

5.i. Linford Pierson Hwy widening – legal advise

Redacted under Section 17(b)(ii) of the FOI Law 2015



5.ii. CNB/Mango Tree connection

The Board reviewed drawings presented by the MD and instructed the DMD to develop a concept for the Board to review at the 12th May board meeting. The Chairman advised the DMD to consider the safety issues at the CNB roundabout and also include the NAPA roundabout.

The DMD presented the Board with two scenarios and the board discussed each and which would be more feasible. The DMD explained a more perfect scenario would require the acquisition of more land. The board requested a design which would move the round-a-bout a little south.

The DMD advised he was not able to work on the drawings and would work on it in the coming weeks. The Board agreed that Director Panton should meet with the DMD to share suggestions that he wished to see considered.

The updated drawings were presented to the Board by the MD and Director Panton explained the reasoning behind the proposed scenario. After discussions Board Members agreed Director Panton meet with the DMD to discuss the revised proposal so that the drawing could be sent for costing and land acquisition costs.

The MD advised that due to other pressing issues they were unable to work on this and therefore to date nothing had been done.

The Chairman asked that an update be given at the 22nd July meeting.

The Acting MD presented the board with updated drawings for the board to discuss and make recommendations. Director Panton advised the board had given the go ahead during a previous meeting to go forward and get the pertinent sections gazetted. Acting Chairman instructed the Acting MD to discuss the proposal with the Ministry prior to proceeding with utilizing the section of the law to identify the NRA's intentions for the proposed road gazettal.

5.iii. Prospect Point to South Sound Rd. Improvements

Director Panton spoke on the reason for bringing this matter to the Board's attention. He outlined measures which he believes would alleviate congestion of morning traffic going into South Sound and ensure a better flow of morning traffic going into town at the DMS roundabout. The Chairman directed the DMD to develop a design which is to be submitted to the Board in a month's time.

The MD presented drawing and advised Board members that these were just preliminary drawing as they were seeking input and just started looking at options. During the discussion the Board asked the DMD if he could review options for solutions to the traffic issues at:

the intersection at Shamrock Road and the westbound access to the E-W arterial in the vicinity of the Red Bay School; and

Savannah Primary School to mitigate speeding in the 'school zone'.

There was no significant update; however Director Dunn suggested while looking at possible solutions, they look at the possibility of taking a few feet from the centre median.

Nothing more to report.

The Chairman requested Acting MD to produce scenarios regarding possible improvements to the sections bearing in mind the objective is to enhance the capacity through the area, especially through South Sound and improve traffic going into George Town. This should be made available to the board at the second meeting in August.

5.iv. Shamrock Dr./Red Bay round about connector

The Chairman requested Acting MD to present possible solutions at the first meeting in August.

5.v. Crewe Road widening

Director Panton advised the idea was to have three lanes on Crewe Road where the middle lane would be a turning lane. The Chairman advised they would wait on developing this until other projects were completed.

Due to time constraints, no update was presented.

Director Panton requested that in the interim the MD look into opening up a soft shoulder between Palm Dale and Silver Oaks, as this would assist in current pedestrian safety issues and for our employees when they are cutting the vegetation.

A map was presented to the board by the Acting MD regarding the proposed works and the board advised him to move forward with opening the soft shoulder; however proper precautions should be in place to protect boundary markers.

The Acting MD advised there were equipment issues last week; however the work was continuing this week base works and chip and spray being the next stage. Director Panton ask the drawing indicating further improvements to the Crewe Road area be presented at the next board meeting.

6. Other Business

6.i. Compensation claim – S. 23(1) of the FO I Law

Crown Counsel Lewis attended the meeting to provide recommendations on the above. Ministry Designate Mr. Fawcitt (on behalf of Lands & Survey Dept, who were unable to attend) provided board members with an update as the original matter was brought before the previous board. Mr. Fawcitt explained, the NRA, on legal advice, had appealed the Roads Assessment Committee's (RAC) original decision regarding the compensation to be awarded to the claimant, on a point of law. The Grand Court overturned the RAC's decision and referred the case back to the RAC, where it is waiting to be scheduled for a rehearing. In the meantime the claimant has proposed an out of court settlement offer.

Having heard the details of the case, Director Arch excused himself citing he had been part of the RAC when the decision was made.

Mr. Fawcitt further explained he was formally presenting the offer to the Board as well as recommendations from Counsel on how to proceed.. After deliberations Board Members instructed Counsel that at this time they would be rejecting the Claimant's offer until such time that a counter offer can be made. The Board further instructed Mr. Fawcitt to obtain a value for the land that was taken, this would assist the board when considering a counter offer.

6.ii. Beach Bay – BP 40

Request was submitted by the Ministry Designate Mr. Fawcitt who advised the owner of Block 38E S.23(1) was requesting the de-gazetting of a portion of the old BP40 to enable him to build the revised aligned road on his portion of land. The Board approved the request, Mr Fawcitt to action.

6.iii. East-West Arterial

Ministry Designate Mr. Fawcitt advised Board Members that it was the Ministry's intention to present to the board in the near future the plans for the East-West Arterial road development and therefore was requesting the item be placed back on the agenda.


6.iv. Access issue – Esterley Tibbetts Hwy – (Clipper Bay)


Director Connolly requested an update of the above as there had been no update in a while and he noticed that more of the area at the top of the road had been cleared. Acting MD advised there had been an agreement reached by the Ministry and the Developer. Director Connolly requested the process be monitored.

7. Date of next meeting

August meetings were set for 5th and 19th August and will be held in the NRA offices.

The meeting adjourned at 12:00pm.

Signature  *FOR CHAIRMAN*
Chairman of the Board
Confirmation of minutes:
Date:

Signature 
HR Manager (Acting Exec. Secretary)
Seconded: Confirmation of minutes
Date:



Govt. Admin Bldg. Box 107
133 Elgin Avenue
Grand Cayman KY1-9000
CAYMAN ISLANDS

Tel: (345) 244-2454
Fax: (345) 949-2922
e-mail: rhonda.webster@gov.ky

CAYMAN ISLANDS
GOVERNMENT

**Minister
of
Planning, Lands, Agriculture, Housing and Infrastructure
(PLAHI)**

22nd July 2015

Mr. John Edward Ebanks, Sr., Cert. Hon
P.O. Box 11027
Grand Cayman KY1-1007

Dear Mr. Ebanks

I hereby acknowledge receipt of your letter dated 25th June, 2015 and confirm that we accept your resignation from the National Roads Authority Board effective immediately.

I would like to take this opportunity to thank you for your dedication to the Board and for all the years you served as a Director.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Tibbetts".

D. KURT TIBBETTS, OBE, JP

