



REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON OCTOBER 29, 2019

PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member, Majority Floor Leader
Roiland H. Villasencio,	SP Member, 1 st Asst. Majority Floor Leader
Tomas R. Serafica,	SP Member, Presiding Officer "Pro-Tempore"
Nolito M. Quilang,	SP Member, 2 nd Asst. Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Jasper M. Lucero,	SP Member
Peter M. Rodriguez,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Lalaine A. Marcos,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc

ON LEAVE:

Jasper C. Yerro,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc
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RESOLUTION NO. 2019-117

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ, OR THE ACTING CITY
MAYOR, TO REPRESENT THE CITY IN THE
APPLICATION FOR A PROJECT DEVELOPMENT AND
MONITORING FACILITY (PDMF) MANAGED BY THE
PUBLIC-PRIVATE PARTNERSHIP (PPP) CENTER
RELATIVE TO PROJECT PREPARATION AND
TRANSACTION ADVISORY SERVICES FOR THE
IMPLEMENTATION OF PROJECTS THROUGH A
PUBLIC-PRIVATE PARTNERSHIP AGREEMENT IN
THE CITY AND TO DO ALL ACTS NECESSARY FOR
THE SAME.**

WHEREAS, an Indorsement was forwarded to this august Body from the Office of the City Mayor dated October 28, 2019, requesting for the issuance of a Resolution granting the City Mayor to represent the City in the application for PDMF support relative to project preparation and transaction advisory services, further requesting that the same be treated as EXTREMELY URGENT, a copy of the project details are hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, the City Mayor Richard I. Gomez has expressed to the PPP Center an interest on the application of the Project Development Monitoring Facility (PDMF) for the procurement of Project Preparation and Transaction Advisory Consultant as the City pursues its implementation of Projects through a public-private partnership agreement;

WHEREAS, Section 20, Article II of the 1987 Constitution provides that the "State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments";

WHEREAS, similarly, the Local Government Code of 1991 also acknowledges the indispensable role of the private sector in national and local governance by authorizing the local governments to partner with the private sector in pursuing infrastructure and development projects for the benefit of the people;

WHEREAS, the PPP Center facilitates the implementation of the country's Public-Private Partnership (PPP) program and serves as the central coordinating and monitoring agency for all PPP projects in the country;

WHEREAS, the PPP Center champions the country's Public-Private Partnership (PPP) programs by enabling implementing agencies in all aspects of project preparation, managing of the Project Development and Monitoring Facility (PDMF), providing projects advisory and facilitation services, monitoring and empowering agencies through various capacity building activities;

WHEREAS, the City Government of Ormoc and the PPP Center signed a Memorandum of Agreement (MOA) last September 03, 2019 and pursuant thereto, the City Government has identified the Lake Danao Water Supply Project to be undertaken via public-private partnership (PPP) modality and to apply the same for support via the PDMF;

WHEREAS, the PDMF is a revolving fund managed by the PPP Center intended to assist National Government Agencies and Local Government Units in the undertaking of their PPP Projects;

WHEREAS, the PPP Center has provided a work plan last September 23, 2019 for the application of the Project for PDMF support;

WHEREAS, the PPP Center has forwarded to the City a recommended PDMF Support Scope for Lake Danao Water Supply Project dated October 24, 2019 providing a background, assessment of the existing water supply system in Ormoc City, proposed project concept and the subsequent PDMF support to be provided, a copy of said document is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, the Project shall be identified as the Lake Danao Bulk Water Supply Project wherein the PPP Center has already set forth the indicative implementation schedule should the same push through;

WHEREAS, the City Government of Ormoc has already filled-up the necessary application form relative to the aforementioned project, a copy of the said Application Form is hereto attached as Annex "C" and made an integral part hereof;

WHEREAS, for and in consideration of the development of the water supply in Ormoc City, the pursuit of the said Project will promote economic growth in the City and is aligned with the City's mandate to promote the health and well-being of every Ormocanon, prevent and control diseases among population at risks, protect individuals, families and communities exposed to hazards at risk;

WHEREAS, this Sanggunian finds that the issuance of the authority will advance the general welfare and promote the interest of its inhabitants, particularly in the provision of safe drinking water and a reliable water system and is therefore, desirous as it will be extremely favorable and advantageous to the same and therefore, is most deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on motion of SP Member Benjamin S. Pongos Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Tomas R. Serafica, Vincent L. Rama, Gregorio G. Yrastorza III and Esteban V. Laurente; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ, OR THE ACTING CITY MAYOR, TO REPRESENT THE CITY IN THE APPLICATION FOR A PROJECT DEVELOPMENT AND MONITORING FACILITY (PDMF) MANAGED BY THE PUBLIC-PRIVATE PARTNERSHIP (PPP) CENTER RELATIVE TO PROJECT PREPARATION AND TRANSACTION ADVISORY SERVICES FOR THE IMPLEMENTATION OF PROJECTS THROUGH A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT IN THE CITY AND TO DO ALL ACTS NECESSARY FOR THE SAME;

ADOPTED, October, 29, 2019.

RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez, the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the City Planning and Development Coordinator; the PPP Center; the City Local Government Operations Officer-DILG; and other offices concerned for their information and guidance;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer

"A"

 REPUBLIC OF THE PHILIPPINES PUBLIC-PRIVATE PARTNERSHIP CENTER	Control No: PDMF Form 1-2017-	
	Revision No: 0	Issue Date: Nov. 9, 2017
General Information on the Project		

1. Name

Lake Danao Bulk Water Supply Project

2. Brief Description

The Ormoc City Waterworks and Sewerage Administration ("ORWASA") is already servicing the water supply needs of the City at different levels. Currently, there a reported 25,044 connections, of which 96% are residential and 4% are commercial. Moreover, out of the 110 barangays, 82 barangays have Level III service and 28 barangays have Level II.¹ ORWASA currently sources its water supply from three major sources: (1) deepwells, spring sources, and surface water. ORWASA's current water sources can discharge an estimated 42,892 cubic meters (cm) /day.² As of 2015, the City has an estimated population of 215,031 who have an estimated water demand of around 45,000 cm/day. In 2032, this is estimated to reach up to 314,412 with an estimated water demand of around 90,000 cm/day. Accordingly, it can be noted that the current water discharge capacity of ORWASA is not yet enough to meet the demand. Moreover, it was reported by the City that areas outside of the city proper are not enjoying 24/7 water supply. Thus, ORWASA plans to completely overhaul, expand and rehabilitate the existing water system at the city proper and surrounding barangays. The new system will cover the entire City of Ormoc, operating 24/7 of continuous water service without interruptions.

The Proposed PPP Project

The proposed PPP Project will cover the design, financing, construction, operations and maintenance of a bulk water supply project. The bulk water supply system will be sourced from the surface water of the Lake Danao. ORWASA will continue to operate the water distribution system in Ormoc while the PPP operator will sell its bulk water to ORWASA to augment its current water supply.

Expected Outouts from PDMF Support

The application for PDMF support will cover the: (1) Preparation of Due Diligence Report for the Proposed project, (2) Support in securing necessary Approvals and (3) Bid management support (including assistance during Project Award up to financial close).

¹ Presentation Proposed Lake Danao Water Supply Project: dated October 9, 2019

² Presentation Proposed Lake Danao Water Supply Project: dated October 9, 2019

3. Project Background

Project Studies Conducted

There was a previous business case study prepared by EDCOP in 2018 which was commissioned by the National Economic Development Authority through its Philippine Water Supply and Sanitation Master Plan (FWSSMP) Project. The Study indicated that the ORWASA water sources may be augmented through additional bulk water supply source coming from Lake Danao. To implement the proposed bulk water supply project, the following alternatives were suggested by EDCOP:

1. Scheme 1A: Bulk Water Supply Scheme with Reverse Osmosis("RO")³ Treatment Process
2. Scheme 1B: Bulk Water Supply Scheme with Conventional Treatment Process
3. Scheme 2A: Bulk Water Supply Scheme and Hydropower with RO Treatment Process
4. Scheme 2B: Bulk Water Supply Scheme and Hydropower with Conventional Treatment Process

The proposed bulk water supply project is expected to cost around around Php 2 Billion pesos.

Potential Institutional and Legal Issues

The development of Omoc's own PPP code needs to be established prior to the commencement of the PDMF support. The legality of using surface water for the bulk water supply should be studied further. Moreover, since Lake Danao is a protected area, the study should consider compliance to Republic Act No. 11038 or the "Expanded National Integrated Protected Areas System Act of 2018" as well as relevant laws and guidelines.

Date Prepared: _____

³ Reverse Osmosis - a process by which a solvent passes through a porous membrane in the direction opposite to that for natural osmosis when subjected to a hydrostatic pressure greater than the osmotic pressure.



REPUBLIC OF THE PHILIPPINES
PUBLIC-PRIVATE PARTNERSHIP
CENTER

"B"

SUBJECT : Recommended Project Development Monitoring Facility ("PDMF")
Support Scope for Lake Danao Water Supply Project

DATE : October 24, 2019

Background

1. The City Government of Ormoc (the "City Government") and the PPP Center of the Philippines (the "PPP Center") signed a Memorandum of Agreement ("MOA") on September 3, 2019.
2. As an offshoot of the MOA, the City Government has identified the Lake Danao Water Supply Project to be undertaken via public-private partnership ("PPP") modality and to apply the same for support via the PDMF, a revolving fund managed by the PPP Center intended to assist National Government Agencies and Local Government Units in the undertaking of their PPP projects.
3. On September 23, 2019,¹ the PPP Center provided a work plan for the application of the Project for PDMF support. Among the items identified in the work plan is a proposed study mission to Ormoc to conduct due diligence in relation to the proposed application of the City Government to the PDMF for project support.
4. The City Government has also already created a Technical Working Group and drafted its own PPP Ordinance within September 2019. The PPP Ordinance is to be finalized and adopted within October 2019.

Assessment of Existing Water Supply System in Ormoc

5. The PPP Center conducted a study mission to Ormoc on October 8-10, 2019 to gather data as regards to the Lake Danao Water Project and level off with the City on the way forward.
6. The Ormoc City Waterworks and Sewerage Administration ("ORWASA"), under the City Government, is already servicing the water supply needs of the City at different levels. Currently, there are reported 25,044 connections, of which 96% are residential and 4% are commercial. Moreover, out of the 110 barangays, 82 barangays have Level III service and 28 barangays have Level I.²
7. ORWASA currently sources its water supply from three major sources: (1) deep wells, spring sources, and surface water. ORWASA's current water sources can discharge an estimated 42,892 cubic meters (cm) /day.³

¹ Transmitted to Ormoc City via e-mail communication dated September 23, 2019
² Presentation Proposed Lake Danao Water Supply Project dated October 9, 2019
³ Presentation Proposed Lake Danao Water Supply Project dated October 9, 2019



REPUBLIC OF THE PHILIPPINES
PUBLIC-PRIVATE PARTNERSHIP
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8. As of 2015, Ormoc City has an estimated population of 215,031 who have an estimated water demand of around 45,000 cm/day. In 2032, this is estimated to reach up to 314,412 with an estimated water demand of around 90,000 cm/day. Accordingly, it can be noted that the current water discharge capacity of ORWASA is not yet enough to meet the demand. Moreover, it was reported during the study mission that areas outside of the city proper are not enjoying 24/7 water supply.
9. Thus, ORWASA plans to completely overhaul, expand and rehabilitate the existing water system at the city proper and surrounding barangays. The new system will cover the entire City of Ormoc, operating 24/7 of continuous water service without interruptions.

Proposed Project Concept

10. There was a previous business case study prepared by Engineering and Development Corporation of the Philippines ("EDCOP") in 2018 which was commissioned by the National Economic Development Authority through its Philippine Water Supply and Sanitation Master Plan ("PWSSMP") Project. The Study indicated that the ORWASA water sources may be augmented through additional bulk water supply source coming from Lake Danao. To implement the proposed bulk water supply project, the following alternatives were suggested by EDCOP:
 - a. Scheme 1A: Bulk Water Supply Scheme with RO Treatment Process
 - b. Scheme 1B: Bulk Water Supply Scheme with Conventional Treatment Process
 - c. Scheme 2A: Bulk Water Supply Scheme and Hydropower with RO Treatment Process
 - d. Scheme 2B: Bulk Water Supply Scheme and Hydropower with Conventional Treatment Process

The proposed bulk water supply project is expected to cost around Php 2 Billion pesos.

11. The following are two project scopes that may be considered by the City in reference to its Water Supply Project:

- Approach 1: Design, Finance, Construct, Operations and Maintenance of a Bulk Water Supply Project

Considering the target of the City Government of reaching contract award by 2020, the City may choose to implement a PPP project taking off from the proposal under the EDCOP study. This proposed PPP Project will cover the design, financing, construction, operations and maintenance of a bulk water supply project. Thereafter, it will provide bulk water supply to ORWASA which will continue the operations of the distribution of water in the City. This approach will require relatively less time in undertaking the project study

because the City Government may heavily rely on the 2018 EDCOP Study. This way forward will address the objective of augmenting the current water supply in the City and will allow the city to be able to deliver 24/7 water service in all its service areas; however, the implementation of a bulk water supply project will not be able to provide a Level III water system to the entire city.

• Approach 2: Design, Finance, Construct, Operations and Maintenance of a Comprehensive Water Supply System for the entire City

Under this scope, the Private Sector Operator will design, finance, construct, operate and maintain a comprehensive water supply system which will include: (1) sourcing of bulk water supply from Lake Danao and other possible sources, (2) upgrading of the 28 service areas with Level II systems to Level III system, (3) operation of the whole water supply system. This proposed project may require more time to implement since it will require expansion of certain technical and financial components of the 2018 EDCOP Study. The City Government, through ORWASA, will primarily serve as overall contract management and regulatory functions.

12. Both Projects are intended to be implemented using a Joint Venture modality pursuant to the City's own PPP Code which will be finalized within October 2019.

PDMF Support

13. The Proposed PDMF support will cover the financing of a Transaction advisor who will conduct the following:

- (1) Project Study – depending on the scope which will be chosen by the City, the project study may entail either a due diligence report (under scope 1) or a pre-feasibility study (under scope 2);
- (2) Assistance in securing Project Approvals – will include the preparation of all necessary documents in securing Project Approval in accordance to the City's own PPP code; and,
- (3) Bid Management Support – will include the preparation of all tender documents, conduct of prequalification and pre-bid conferences, market sounding, evaluation of all bids and support up to award to private sector partner.

14. Below is the proposed project timeline:

Milestone	Proposed Scope 1	Proposed Scope 2
Submission to PDMF Committee	1 st week of November 2019	1 st week of November 2019
PDMF Committee Approval	December 2019	December 2019
Signing of the Technical Assistance Agreement	December 2019	December 2019

Procurement of PDMF Consultant	January 2020	January 2020
Kick-off PDMF Consultant Services	February 2020	February 2020
Preparation of Project Study	February -- March 2020	February – May 2020
Project Approval	April 2020	June 2020
Advertisement	May 2020	July 2020
Pre-Bid Conference	May 2020	July 2020
Bid Submission Date ⁴	September 2020	November 2020
Bid Evaluation	October 2020	December 2020
Issuance of Notice to Award	October 2020	December 2020
Contract Signing	November 2020	January 2021

15. For your consideration and decision. Thank you.

PROJECT DEVELOPMENT SERVICE
PPP Center of the Philippines

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⁴ Assumes one-stage bidding (i.e. pre-qualification, technical and financial bid submission will be done simultaneously)

"C"

 REPUBLIC OF THE PHILIPPINES PUBLIC-PRIVATE PARTNERSHIP CENTER	Control No: PDMF Form 2A-2017-	
	Revision No: 0	Issue Date: Nov. 9, 2017
Rationale of the Project		

1. Sector

Water

2. National Context

- Ormoc City is a first class municipality with an estimated population of around 216,000 based on 2015 census.
- ORWASA's current water sources can discharge an estimated 42,892 cubic meters (cm) /day. This is insufficient to meet the estimated water demand of around 45,000 cm/day. In the long run, the water demand is expected to increase to 90,000 cm/day. Moreover, there are twenty-six (26) available pumping stations with low overhead water reservoir which has limited system pressure that in turn yields to low water supply which is insufficient to meet the needs of the constituents of the City of Ormoc. Thus, most consumers are unsatisfied with the current service due to inadequate water supply and turbid water coming during rainy days.
- Thus, ORWASA plans to completely overhaul, expand and rehabilitate the existing water system at the city proper and surrounding barangays. The new system will cover the entire City of Ormoc, operating 24/7 of continuous water service without interruptions. The new system will also cater to the long-term water needs of the City.
- This Project is in line with the national objective of economic growth through providing better access to clean water, sanitation services and water management.

Date Prepared: _____

  REPUBLIC OF THE PHILIPPINES PUBLIC-PRIVATE PARTNERSHIP CENTER	Control No: PDMF Form 2B-2017-	
	Revision No: 0	Issue Date: Nov. 9, 2017
Rationale of the Project		

1. Sector

Water

2. Sectoral Context

The development of the water supply Project will promote economic growth in the City of Ormoc. Moreover, it is aligned with the City's mandate to promote the Health and well-being of every Ormocanon, prevent and control diseases among population at risks, protect individuals, families and communities exposed to hazards and risk.

3. National Context*

The provision of safe drinking water and reliable water system facilities is a precondition for health and for success in the fight against poverty, hunger, child deaths and gender inequality. The project is aligned with the 2017-2022 Philippine Development Plan which encourages and guides investments in water supply, sewerage, and sanitation.

*Not applicable for unsolicited proposals

Date Prepared: _____

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  REPUBLIC OF THE PHILIPPINES PUBLIC-PRIVATE PARTNERSHIP CENTER	Control No: PDMF Form 3A-2017-	
	Revision No: 01	Issue Date: May 9, 2018
Indicative Implementation Schedule		

Project Development

MILESTONE*	TARGET DATE
Submission to PDMF Committee	1 st week of November 2019
PDMF Committee Approval	December 2019
Signing of the Technical Assistance Agreement	December 2019
Procurement of PDMF Consultant	January 2020
Kick-off PDMF Consultant Services	February 2020
Preparation of Project Study	February – March 2020

**Indicative Estimates Only*

Date Prepared: _____

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  REPUBLIC OF THE PHILIPPINES PUBLIC-PRIVATE PARTNERSHIP CENTER	Control No: PDMF Form 3B-2017-	
	Revision No: 01	Issue Date: May 9, 2018
Indicative Implementation Schedule		

Approval and Bidding Phase

Milestone*	Date
Project Approval	April 2020
Advertisement	May 2020
Pre-Bid Conference	May 2020
Bid Submission Date ¹	September 2020
Bid Evaluation	October 2020
Issuance of Notice to Award	October 2020
Contract Signing	November 2020

*Indicative Estimates Only. Actual timelines may vary depending on a variety of factors

Date Prepared: _____

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¹ Assumes one-stage bidding (i.e. pre-qualification, technical and financial bid submission will be done simultaneously)

  REPUBLIC OF THE PHILIPPINES PUBLIC-PRIVATE PARTNERSHIP CENTER	Control No: PDMF Form 3C-2017-	
	Revision No: 01	Issue Date: May 9, 2018
Indicative Implementation Schedule		

Not applicable

Project Implementation

MILESTONE	INDICATIVE DATE

Date Prepared: October 28, 2019

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Support Requirements

1. Major Outputs

- Due Diligence Report for the Proposed Project
- Drafting of necessary forms for Project Approval*
- Support in securing the necessary Project Approval*
- Drafting of Transaction Documents* (which include the following: Advertisement, Request for Qualification documents, Request for Proposal documents, Information Memorandum, Bid Bulletins, etc.)
- Bid Management support (including conduct of pre-qualification and pre-bid conferences, as applicable and conduct of one-on-one meetings with bidders)
- Evaluation of Bid Proposals
- Support during Financial Close

**depending on requirements on Ormoc's PPP Ordinance*

2. Experts Required, Qualification, and Tasks

- | | | |
|---|---|---|
| 1 | PPP Specialist/
Team Leader | 10 years of demonstrated experience in providing PPP transaction advisory services/development of large infrastructure projects on PPP basis including extensive experience in project structuring, risk analysis, allocation and management; project agreements; and bid process management. Prepared five (5) PPP projects. |
| 2 | Project Finance
Specialist | 10 years of demonstrated experience in financial modeling/structuring of large infrastructure projects on PPP, value for money analysis, project costing and revenue forecast, development of financing plans, tendering arrangements, global insurance and guarantee products. Prepared five (5) PPP projects. |
| 3 | Project Legal
Specialist | 10 years of demonstrated experience in drafting contractual agreements and other related documents/agreements, procurement, PPP policy and institutional assessment, and resolving all legal issues until contract award. Prepared five (5) PPP projects. |
| 4 | Water Supply
Engineer | Qualified engineer in relevant discipline with five (5) years of demonstrated experience in design, construction, operation and management of a bulk water facility and/or a water distribution facility, including design of conveyance facilities. |
| 5 | Geological/
Geotechnical
Engineer | Qualified engineer in relevant discipline with five (5) years of demonstrated experience in analyzing different soil structure, foundations including the impact of seismic data in designing dams. |
| 7 | Economic
Specialist | Five (5) years of demonstrated experience in economic assessment, sector assessments, demand-supply for public services, opportunity cost implications, etc. of three (3) projects (public-funded). |



REPUBLIC OF THE PHILIPPINES
PUBLIC-PRIVATE PARTNERSHIP
CENTER

Control No: PDMF Form 4-2017-

Revision No: 0

Issue Date: Nov. 9, 2017

Support Requirements

- | | | |
|---|--|---|
| 8 | Social Development and Gender Specialist | Five (5) years of demonstrated experience in assessment of social impacts, gender analysis and mitigation measures for three (3) projects (public and private funded) in accordance with the specific requirements in the Philippines. Should have thorough knowledge of the Philippine labor laws and other related laws/provisions. |
| 9 | Environmental Specialist | Five (5) years of demonstrated experience in environmental impact assessment and mitigation measures for three (3) projects (public and private funded) in accordance with the specific environmental and safeguard requirements of existing Philippine laws. |

Date Prepared: _____

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REPUBLIC OF THE PHILIPPINES
PUBLIC-PRIVATE PARTNERSHIP
CENTER

Control No: PDMF Form 5A-2017-

Revision No: 0

Issue Date: Nov. 9, 2017

Available Documents on the Project

- Business Case Study: Bulk Water Supply System for Ormoc City dated 2018 and prepared by EDCOP as part of the PWSSP

Date Prepared: _____

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REPUBLIC OF THE PHILIPPINES
PUBLIC-PRIVATE PARTNERSHIP
CENTER

Control No: PDMF Form 5B-2017-

Revision No: 01

Issue Date: May 9, 2018

Available Documents on the Project

- All documents enumerated in PDMF Form 5A
- TOR for the PDMF TA (refer to PDMF form 4)

Date Prepared: _____

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PDMF5B-2017-0000



REPUBLIC OF THE PHILIPPINES
PUBLIC-PRIVATE PARTNERSHIP
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Control No: PDMF Form 6-2017-

Revision No: 0

Issue Date: Nov. 9, 2017

Legal Authority to Undertake PPP

The City of Ormoc enjoys local autonomy and fiscal autonomy and exercises decentralized, devolved, and delegated powers for the general welfare of the people and to ensure that PPPs are undertaken to the benefit the people and the communities the LGU serves and represents.

Section 20, Article II of the 1987 Constitution provides that the "State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments". Similarly, the 1991 Local Government Code also acknowledges the indispensable role of the private sector in national and local governance by authorizing the local governments to partner with the private sector in pursuing infrastructure and development projects for the benefit of the people.

According to the Department of Justice (DOJ) Opinion No. 18, S. 2012, "xxx local governments may enact their own Public-Private Partnership (PPP) Code or omnibus ordinance outlining, among others, all applicable modalities. xxx A local government, through an enabling ordinance, is free to act to address local concerns, even without an enabling ordinance, provided no statute will be infringed".

In view of the foregoing, the City of Ormoc is enacting its own PPP code via its own ordinance.

Date Prepared: _____



REPUBLIC OF THE PHILIPPINES
PUBLIC-PRIVATE PARTNERSHIP
CENTER

Control No: PDMF Form 6-2017-

Revision No: 0

Issue Date: Nov. 9, 2017

Legal Authority to Undertake PPP

The City of Ormoc enjoys local autonomy and fiscal autonomy and exercises decentralized, devolved, and delegated powers for the general welfare of the people and to ensure that PPPs are undertaken to the benefit the people and the communities the LGU serves and represents.

Section 20, Article II of the 1987 Constitution provides that the "State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments". Similarly, the 1991 Local Government Code also acknowledges the indispensable role of the private sector in national and local governance by authorizing the local governments to partner with the private sector in pursuing infrastructure and development projects for the benefit of the people.

According to the Department of Justice (DOJ) Opinion No. 18, S. 2012, "xxx local governments may enact their own Public-Private Partnership (PPP) Code or omnibus ordinance outlining, among others, all applicable modalities. xxx A local government, through an enabling ordinance, is free to act to address local concerns, even without an enabling ordinance, provided no statute will be infringed".

In view of the foregoing, the City of Ormoc is enacting its own PPP code via its own ordinance.

Date Prepared: _____

  REPUBLIC OF THE PHILIPPINES PUBLIC-PRIVATE PARTNERSHIP CENTER	Control No: PDMF Form 7-2017-	
	Revision No: 01	Issue Date: May 9, 2018
Probity Issues		

Not applicable

- *Present circumstances exhibited by the project to be determined as "complex".¹*
- *Discuss risks allocated to the Government as identified in the Risk Allocation Matrix of the Project (if available) that can be properly mitigated and managed by availing Probity Advisory services*

Date Prepared: October 28, 2019

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¹Criteria set under "Policy Circular on the Appointment of Probity Advisors for PPP Procurement", as may be amended

[TIEZA Letter Head]

[Date]

FERDINAND A. PECSON

Executive Director

PPP Center of the Philippines

One Cyberpod Eton Centris, Quezon City

Subject: Lake Danao Water Supply Project

Dear **Executive Director Pecson**:

Thank you for the PPP Center's project development support to the City of Ormoc in our PPP undertakings.

In reference to the subject Project, we would like to submit an application to avail of support from the Project Development and Monitoring Facility managed by the PPP Center for project preparation and transaction advisory services. Attached with this letter are our filled up forms and other requirements.

For any concerns, please coordinate with [•] at [•].

Thank you.

Very truly yours,

[Signatory/Head of Agency]