

Proposed PPP Code and JV Ordinance

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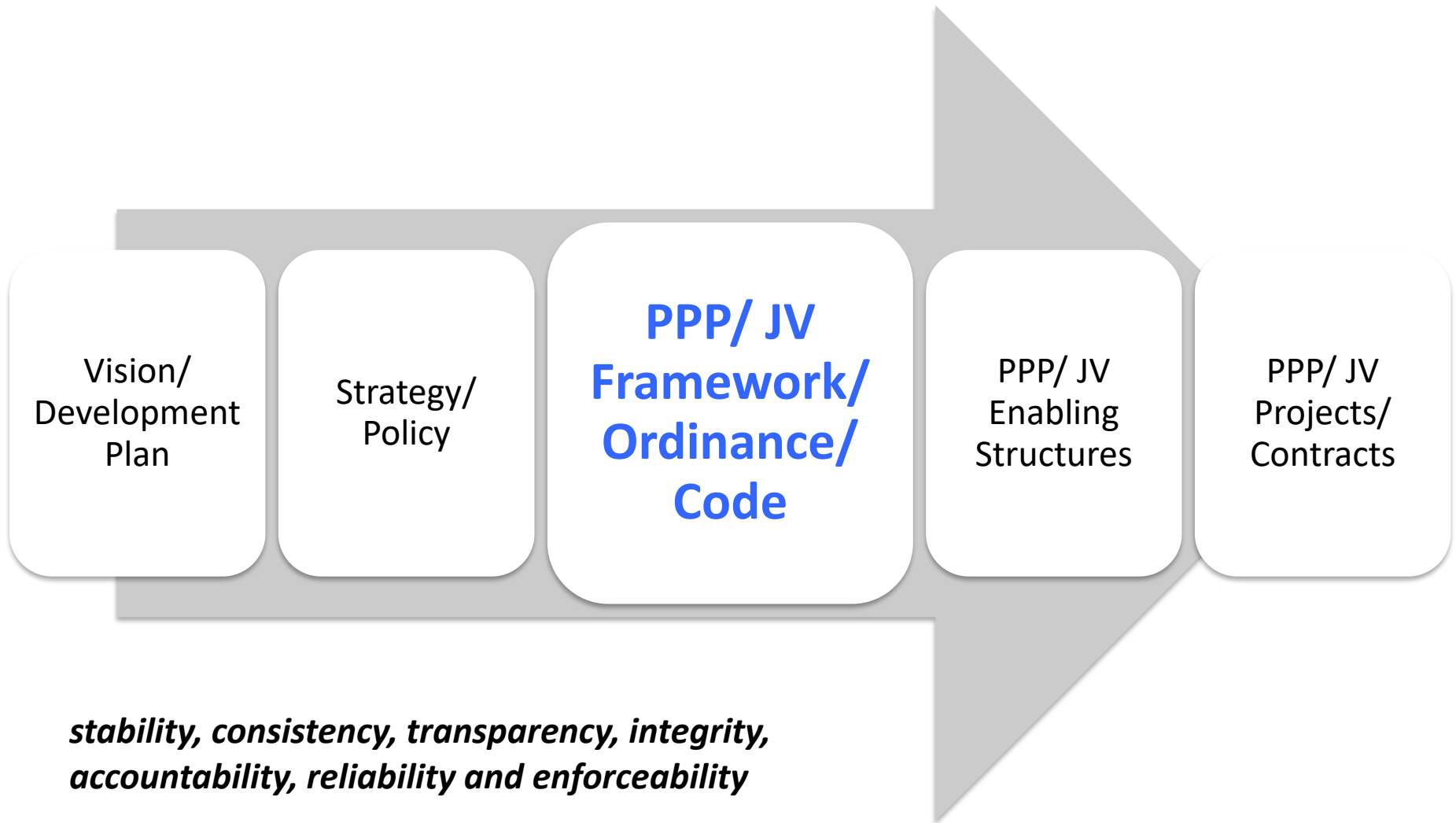
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Need for a Framework



Outline: Proposed PPP Code

1) Basic Principles and Definitions

1. Short Title
2. Declaration of Policy (Vision/ Mission)
3. Operative Principles
4. Rationale for PPP (Value Drivers)
5. Definition of Terms
6. Rules of Interpretation
7. Authorities

2) PPP Projects and PPP Modalities

8. PPP Projects
9. List of Priority Projects
10. PPP Modalities
11. General Requirements
12. Government-to-Government Joint PPP Undertakings

Outline: Proposed PPP Code

3) PPP Procedures and PPP Contract

- 13. PPP Procedures
- 14. PPP Selection Committee
- 15. Competitive Selection
- 16. Limited Negotiations
- 17. Competitive Challenge
- 18. Schedules and Timelines
- 19. PPP Contract

4) Regulation and Contract Management

- 20. PPP Regulatory Authority's Mandate
- 21. Composition of PPP-RA
- 22. Contract Management Manual
- 23. Contents of Contract Management Manual
- 24. Post-Award Conference
- 25. Personnel and Training Requirements
- 26. Partnership Management

Outline: Proposed PPP Code

5) Regulation and Contract Management

- 27. Performance or Service Delivery
- 28. Contract Administration
- 29. Closeout Procedures
- 30. Post-Contract Review
- 31. Document Control

6) Accountability, Information, Education and Monitoring

- 32. Code of Conduct
- 33. Disciplinary Action
- 34. Liability
- 35. Social Accountability
- 36. Transparency and Right to Information
- 37. Capability-Building Program
- 38. Monitoring and Governance Audit Program
- 39. Technical and Financial Assistance

Outline: Proposed PPP Code

7) Final Provisions

- 40. Appropriations
- 41. Alternative Dispute Resolution
- 42. Implementing Rules
- 43. Application of Other PPP Laws and Regulations
- 44. Separability Clause
- 45. Repealing Clause
- 46. Effectivity Clause

Others

- 1. Confirmation of Prior Steps
- 2. Recognition of Supervised LGUs Authority
- 3. Adoption of Supervising PPP Code/ Ordinance

Outline: Proposed JV Ordinance

1. Preambulatory Clauses (Summary of Authorities and Principles)
2. Title
3. Declaration of Policy (Public Good; LGU Vision and Mission)
4. Operative Principles (Constitutional and Statutory Foundations)
5. Rationale (Value Drivers)
6. Rules of Interpretation

Outline: Proposed JV Ordinance

7. Definition of Terms
8. JV Arrangement (Definition of JV; Term; Disposition and G-to-G)
9. Contributions and Shareholdings
10. JV Agreement (Terms and Provisions; Role of LCE and VLCE; Binding to Successor)
11. JV Projects (Inclusive List; Development Plan; Procurement and Audit)
12. JV Vehicle (2 Options)

Outline: Proposed JV Ordinance

13. JV Procedural Requirements (JV-SC; Public Consultation)
14. Competitive Procedures (Competitive Selection, Limited Negotiations and Competitive Challenge)
15. JV Regulatory Authority (Composition; Mandate)
16. Accountability Mechanisms (Code of Conduct; Social Accountability)

Outline: Proposed JV Ordinance

17. Alternative Dispute Resolution

18. Implementing Rules

19. Application of Other PPP Laws and
Regulations

20. Separability Clause

21. Repealing Clause

22. Effectivity

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THANK YOU.