



**LGU-PPP:
Competitive
Challenge Process
for JVs and Leases**

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26+ PPP Modalities



1. Build-Transfer
2. Build-Lease-Transfer
3. Build-Operate-Transfer
4. Build-Own-Operate
5. Build-Transfer-Operate
6. Contract-Add-Operate
7. Develop-Operate-Transfer
8. Rehabilitate-Operate-Transfer
9. Rehabilitate-Own-Operate
10. Rehabilitate-Lease-Transfer
11. Rehabilitate-Transfer
12. Rehabilitate-Transfer-Operate
13. Concession Arrangement
14. Joint Venture ←
15. Lease or Affermage ←
16. Lease-to-Own
17. Real Property Swap
18. Management Contract
19. Management Contract (No Public Funds)
20. Service Contract
21. Service Contract (No Public Funds)
22. Divestment or Disposition
23. Corporatization
24. Subsidiary with Private Equity
25. Onerous Donation
26. Gratuitous Donation
27. Others



PPP RESOURCE EXCHANGE

“Active”

“Passive”

Modality	Government		Private Sector	
Build-Operate-Transfer				
Joint Venture		 		
Concession			 	
Management Contract		 		
Public Land Lease			 	
Policy-setting		Building		
Financing		Operating		

Governing Laws/ Rules



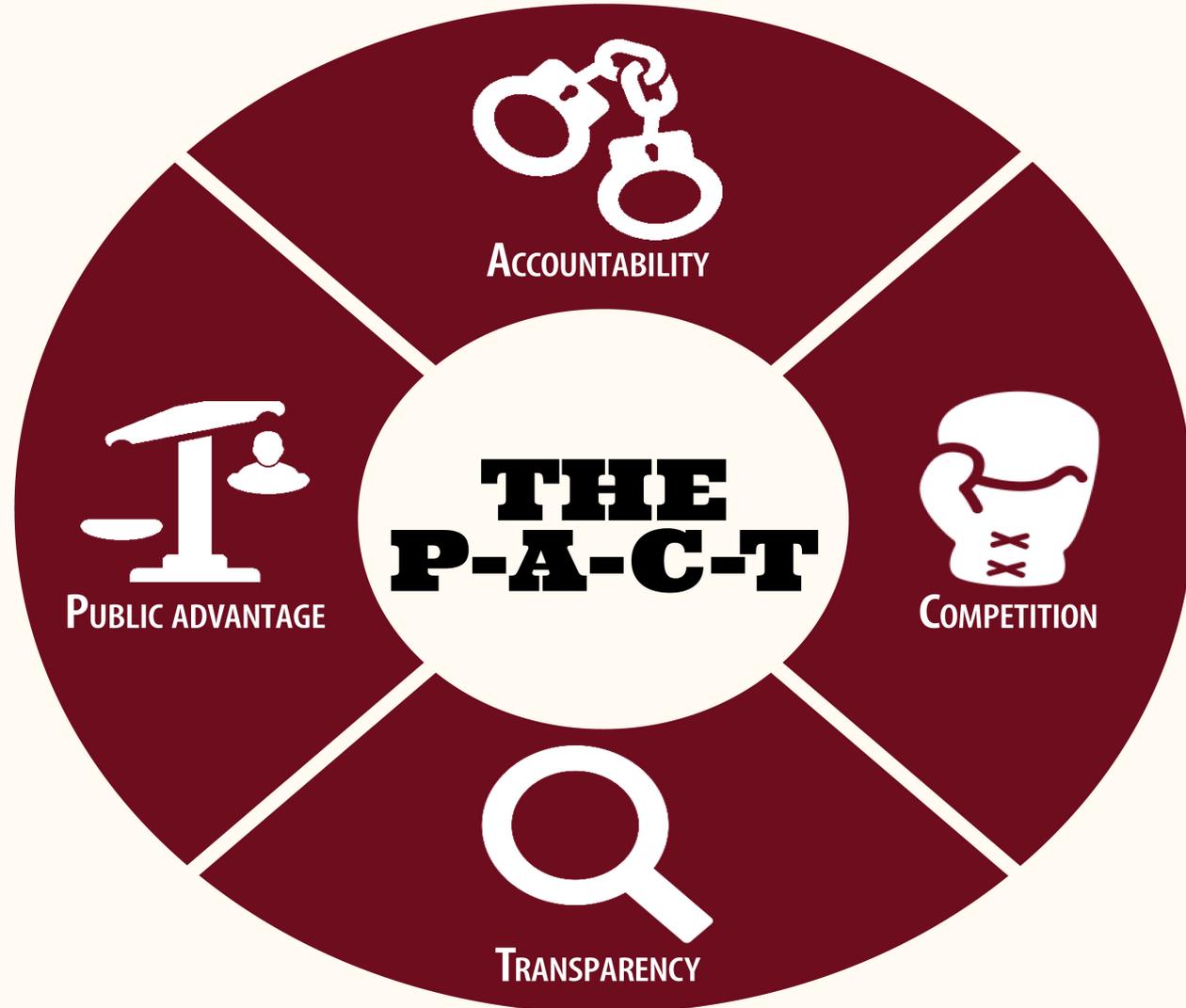
PPP Modality	Governing Law
BOT Law Variants (9+)	BOT Law
Concession	Special Laws/ Special Guidelines/ Local Ordinance
Joint Ventures	2023 NEDA JV Guidelines/ Special Guidelines/ Local Ordinance
Management and Service Contract*	GPRA/ Local Ordinance
RT, RLT, RTO	[BOT Law]/ Local Ordinance
Lease/ Lease-to-Own/ Realty Swap/ Affermage/ Donations	Civil Code/ Special Guidelines/ Local Ordinance
Divestment/ Disposition	COA Circular No. 89-296/ COA Decision 2009-064
Corporatization	Corporation Code



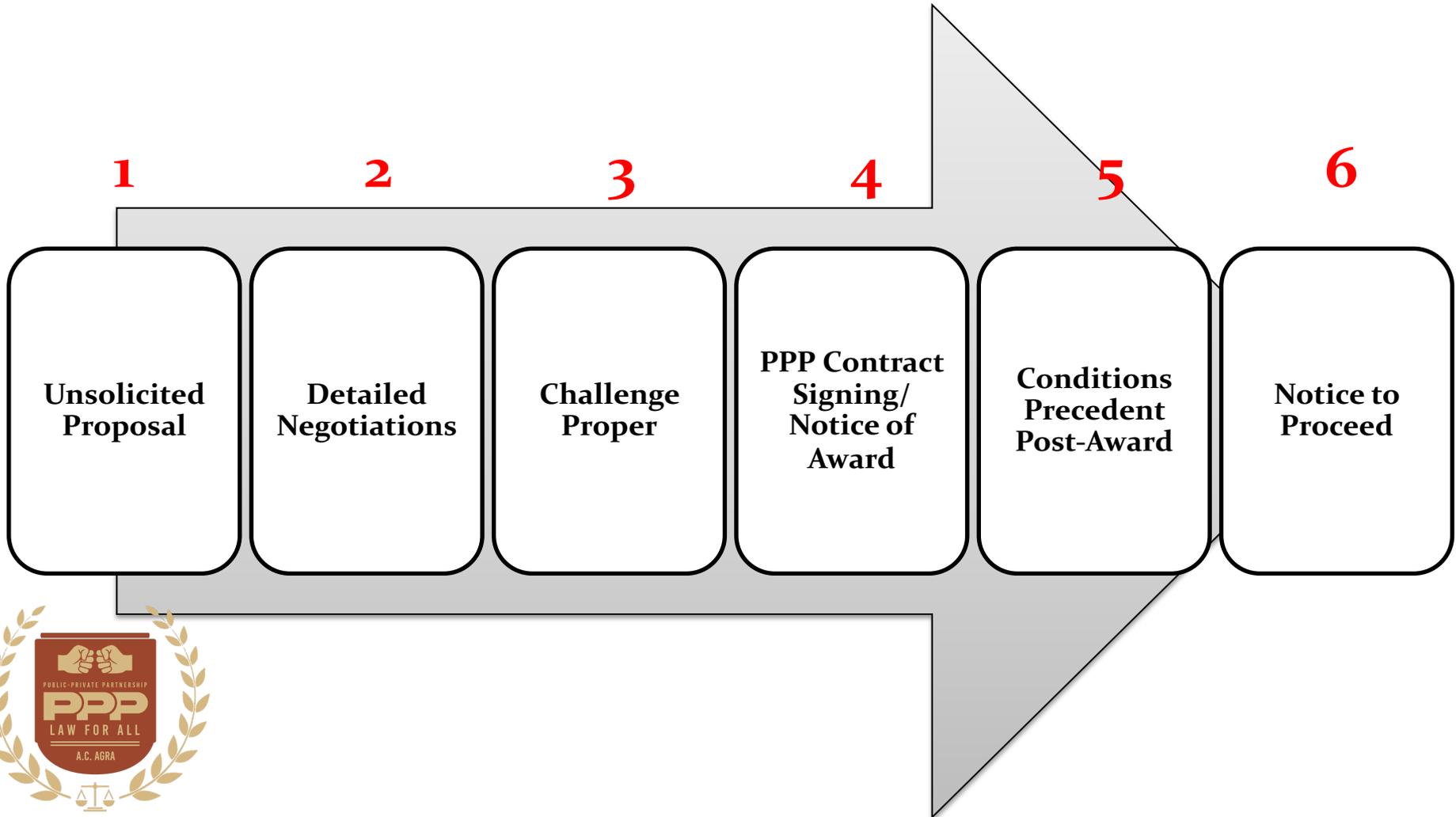
NEDA Checkpoints

4-pass	3-pass	2-pass	1-pass	0-pass
(1) BOT-UP	(1) BOT-Sol, Nat'l P300m up	(1) BOT-Sol, Nat'l P300m (2) BOT- Local P200m up (3) JV-GOCC P150m and up	Any project Rejection	(1) BOT-Local P200m low (2) JV-local (3) JV-GOCC P150m low (4) JV-other GOCCs (5) lease, concession
NEDA-ICC- TB NEDA-ICC (IRR) NEDA-ICC (Nego) NEDA-Board	NEDA-ICC- TB NEDA-ICC NEDA-Board	NEDA-ICC- TB NEDA-ICC	NEDA-ICC- TB	NA

PPP SELECTION REQUIREMENTS



Competitive Challenge: 6 Stages



Acronyms



Acronyms	Meanings
UP	Unsolicited Proposal
LCE	Local Chief Executive
SC	PPP-Selection Committee
TWG	Technical Working Group
PSP	Private Sector Proponent
EO	Executive Order
OP	Original Proponent
TOR	Terms of Reference
EOI	Expression of Interest
PPP	Public-Private Partnership
PPP-A	PPP-Agreement
LGU	Local Government Unit

Stage 1: Unsolicited Proposal (UP) (approx. 8 days)

With Cover Letter, Project Study, Draft PPP-A and Eligibility Documents

(1) Submission of UP by PSP

(4.1) PSP becomes OP

Rule on Exclusion

LCE may create TWG
SC/ TWG signs Code of Ethics

(2) Through an **EO**, LCE convenes SC and endorses UP; LCE informs Sanggunian

(4) Issuance of **Certificate of Acceptance** by LCE

Sanggunian informed

(3) Evaluation by SC

(3.1) **Memorandum by SC**

UP Complete
PSP Eligible
Project Needed/
Beneficial
Recommend
Acceptance (or
Rejection)



Stage 2: Detailed Negotiations

(approx. 10 days)

Technical and
Financial

(5) Detailed
Negotiations
between LGU and
PSP

(9.1) Public
Consultation by
Sanggunian and
SC

or failed
Negotiations

(6) **Joint
Certification of
Successful
Negotiations**

(9) Sangguniang
informed

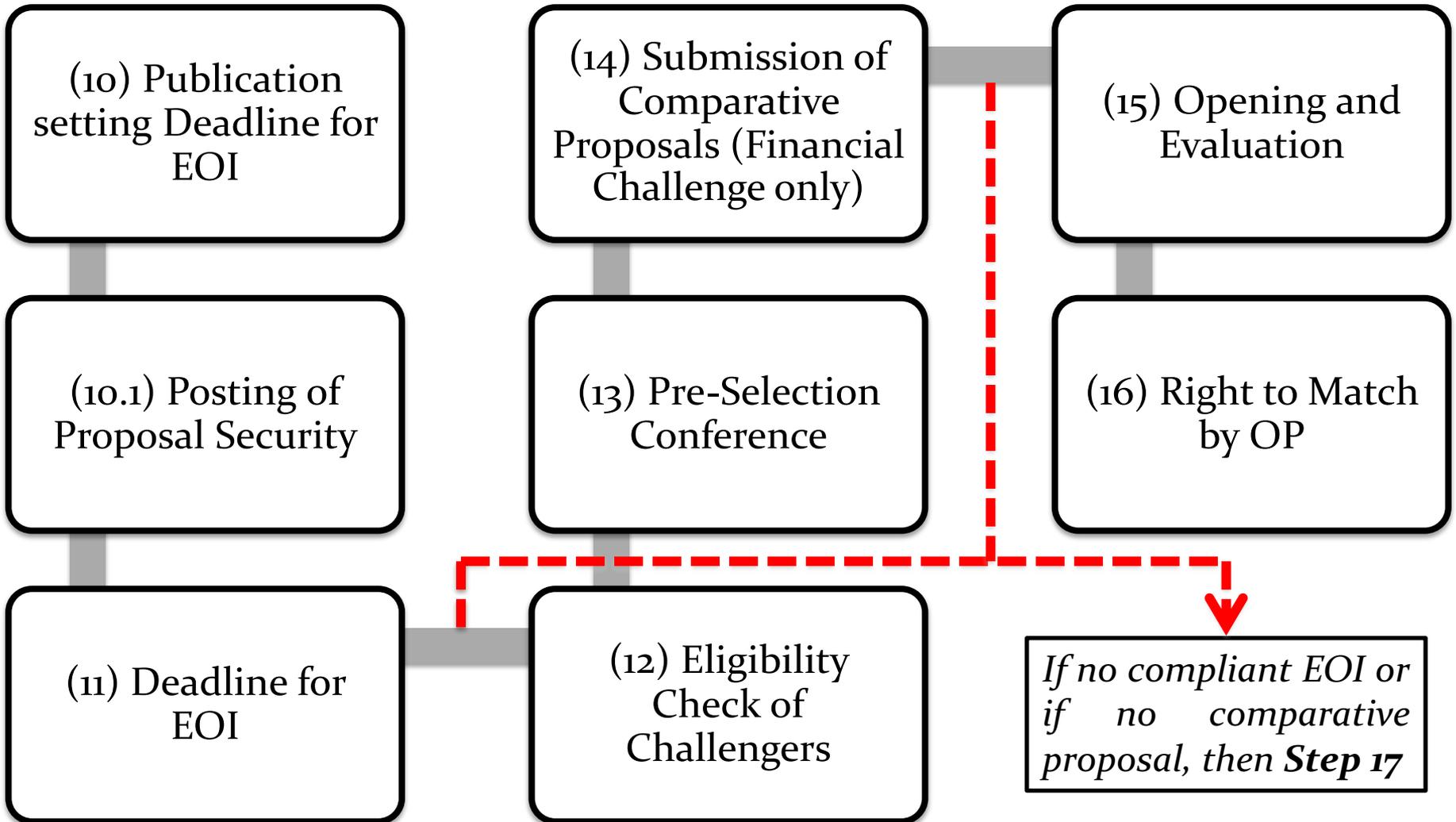
(7) Preparation of
TOR

(8) LCE approves
TOR



Stage 3: Challenge Proper

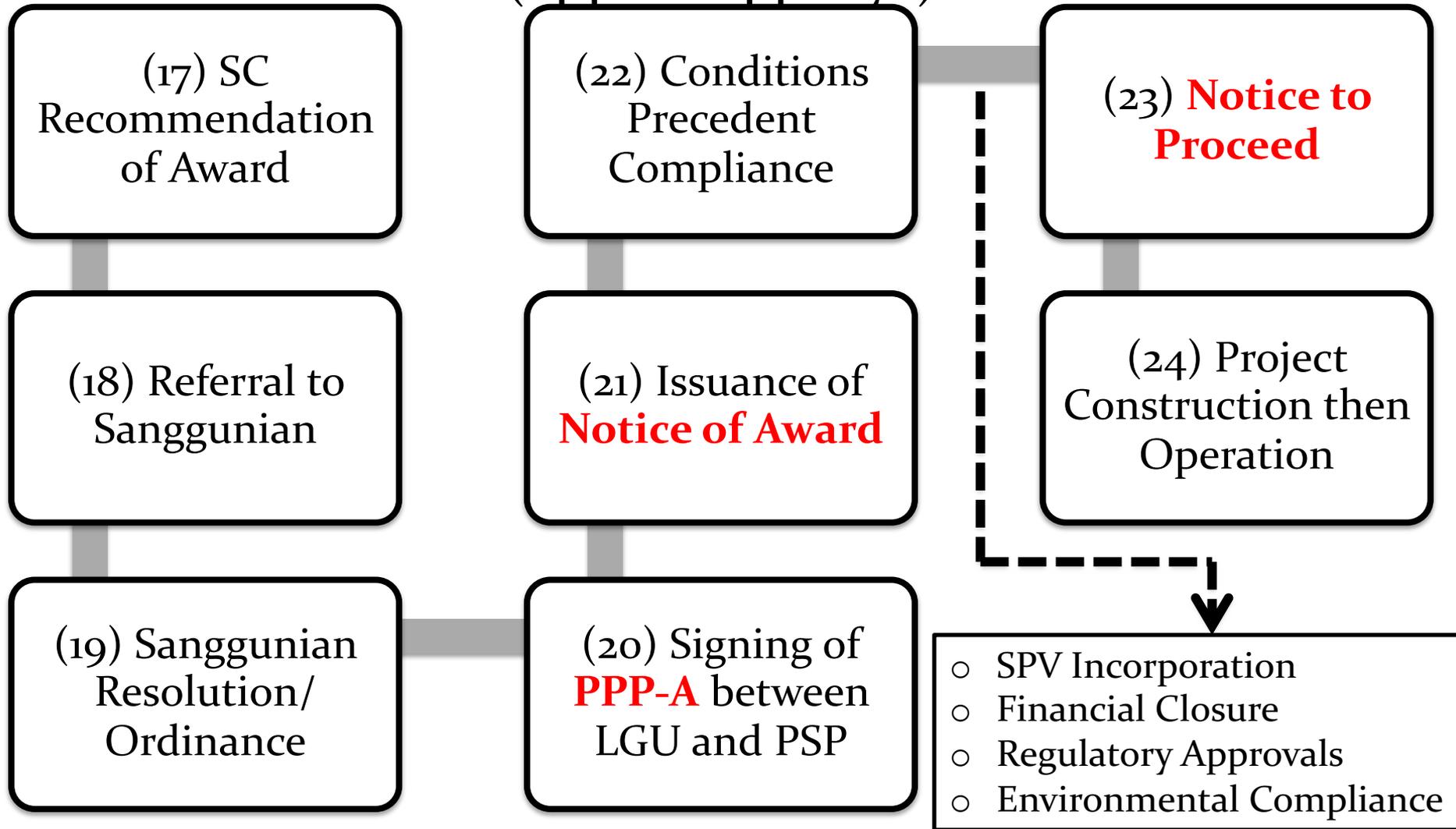
(approx. 10 days/ 58 days)



Stages 4 and 5: Award/ Commence



(approx. 44 days)



Total Period under 2 Scenarios

From Submission of Unsolicited Proposal
to Signing of PPP-A

No Challenger:
**41 days / 1.33
months**

With
Challengers: **90
days / 3 months**





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BATAS

et AL

Thank you.