**PPP Term Sheet**

Developed by: Alberto C. Agra (August 29, 2016)

LGU: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Project Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

| ***No.*** | ***Item/ Part*** | ***Description/ Discussion*** |
| --- | --- | --- |
| 1 | *Description of LGU* | Charter No. [ ]Name of LCE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Relationship with Province: [ ] Independent of [ ] Component of |
| 2 | *PPP Framework* | Ordinance/ Resolution No. [ ] |
| 3 | *Members of Selection Committee* | 3rd Ranking Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Legal Officer \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Treasurer \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Planning Officer \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Council/ Board Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_CSO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_CSO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Others \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 4 | *Project Study* | [ ] Feasibility Study[ ] Pre-Feasibility Study[ ] Business Case |
| 5 | *Classification of Project* | [ ] Hard [ ] Soft [ ] Hard and Soft[ ] Public Utility [ ] Monopoly |
| 6 | *Description of the Project* |  |
| 7 | *Phasing of Project* | [ ] Single Phase[ ] Phases Phase 1: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phase 2: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phase 3: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 8 | *Project Impact and Benefit* |  |
| 9 | *Value Driver(s)* | [ ] Additionality/ Accelerate Delivery[ ] Value-for-Money[ ] Introduce Innovation[ ] Risk Allocation[ ] Scarcity of Resources[ ] Others: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 10 | *Proponent* | Requirements:[ ] Nationality: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[ ] Financial: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[ ] Technical: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 11 | *Project Cost* | Total: Php [ ] |
| 12 | *Period*  | Years: [ ]Phases: Phase 1: [ ] Phase 2: [ ] Phase 3: [ ] |
| 13 | *Selection Procedure* | [ ] Bidding/ Competitive Selection[ ] Unsolicited Proposal/ Competitive Challenge[ ] Competitive Negotiations |
| 14 | *Financial Bidding Parameter* | [ ] Highest Payment to Government[ ] Lowest Government Subsidy[ ] Lowest Tariff by End-User[ ] Highest Share in Revenues[ ] Highest Purchase Price[ ] Highest Rated Bid[ ] Lowest Calculated Bid/ Price |
| 15 | *Vehicle* | [ ] Incorporation[ ] Unincorporated |
| 16 | *Sharing of Revenues* | If Joint Venture:[ ] LGU[ ] PSP |
| 17 | *Award Approvals* | If BOT Law:[ ] NEDA-ICC[ ] LDC[ ] Province[ ] Statutory Counsel |
| 18 | *Conditions Precedent* | [ ] Financial Closure[ ] Incorporation[ ] Environmental Compliance Certificate (DENR)[ ] External Franchise from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[ ] Regulatory Approvals (per sector) [ ] Philippine Reclamation Authority (reclamation) [ ] Toll Regulatory Board (roads) [ ] Energy Regulatory Commission (power) [ ] Department of Environment (service contract) [ ] National Water Resource Board (water rights) [ ] National Sovereign Guarantee |
| 19 | *Modality* | [ ] Build-Transfer[ ] Build-Lease-Transfer[ ] Build-Operate-Transfer[ ] Build-Own-Operate[ ] Build-Transfer-Operate[ ] Contract-Add-Operate[ ] Develop-Operate-Transfer[ ] Rehabilitate-Operate-Transfer[ ] Rehabilitate-Own-Operate[ ] Rehabilitate-Lease-Transfer[ ] Rehabilitate-Transfer[ ] Rehabilitate-Transfer-Operate[ ] Concession Arrangement[ ] Joint Venture[ ] Lease or Affermage[ ] Management Contract[ ] Management Contract (No Public Funds)[ ] Service Contract[ ] Service Contract (No Public Funds)[ ] Divestment or Disposition[ ] Corporatization[ ] Subsidiary with Private Equity[ ] Onerous Donation[ ] Gratuitous Donation[ ] Others \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 20 | *Contribution(s) of LGU* | Cash:[ ] Regular Funds [ ]Special Funds \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[ ] Internal Revenue Allotment[ ] Real Property Tax[ ] Special Education Fund[ ] Share in National Wealth[ ] Calamity Fund[ ] Development Fund[ ] Loan Proceeds[ ] Grants[ ] Bonds and Securities[ ] Subsidy[ ] Equity[ ] Cost-Sharing[ ] Viability Gap Funding Non-Cash:[ ] Award of Concession[ ] Use of Land/ Property  Location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [ ] Titled under LGU [ ] For Expropriation[ ] Services/ Personnel[ ] Intellectual Property[ ] Franchise[ ] Minimum Revenue Guarantee[ ] Right-of-Way[ ] Goodwill[ ] Credit Enhancement[ ] Assistance[ ] Tax Incentives/ Holidays Type of Levy \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Duration \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[ ] Police Power \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 21 | *Obligations of the Parties* | Indicate “LGU” or “PSP” or “Both”:[ ] Financing of Project[ ] Designing of the Project[ ] Operating and Managing the Project[ ] Providing for Manpower[ ] Providing for Supplies and Equipment[ ] Marketing of Project[ ] Adopting the Masterplan [ ] Formulation [ ] Approval[ ] Obtaining Regulatory Approvals[ ] Annotating the Project[ ] Securing Incentives for Board of Investments[ ] Others \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 22 | *Project Management* | [ ] LGU to Regulate and PSP to Operate/ Manage[ ] Joint Management, Number of Representatives: [ ] LGU [ ] PSP[ ] Appointment of General Manager |
| 23 | *Public Consultations* | Stages:[ ] Conceptualization[ ] Proponent Selection[ ] Pre-Signing of PPP Contract |
| 24 | *Boilerplate Provisions* | [ ] Right to Amend[ ] Right of First Refusal[ ] Material Adverse Government Action[ ] Warranty against Corruption [ ] Assignment Rights[ ] Arbitration: Venue \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |