

Competitive Challenge/ Unsolicited Proposal for GOCC Joint Venture: **Step-by-Step**

Alberto C. Agra

Certified PPP and Regulation Specialist™

PPP Advocate and Practitioner

Resource Person, NEDA, PPP Capability-Building

PPP Law Professor and Political Law Bar Reviewer,

Ateneo Law School

President, Forensic Solutions

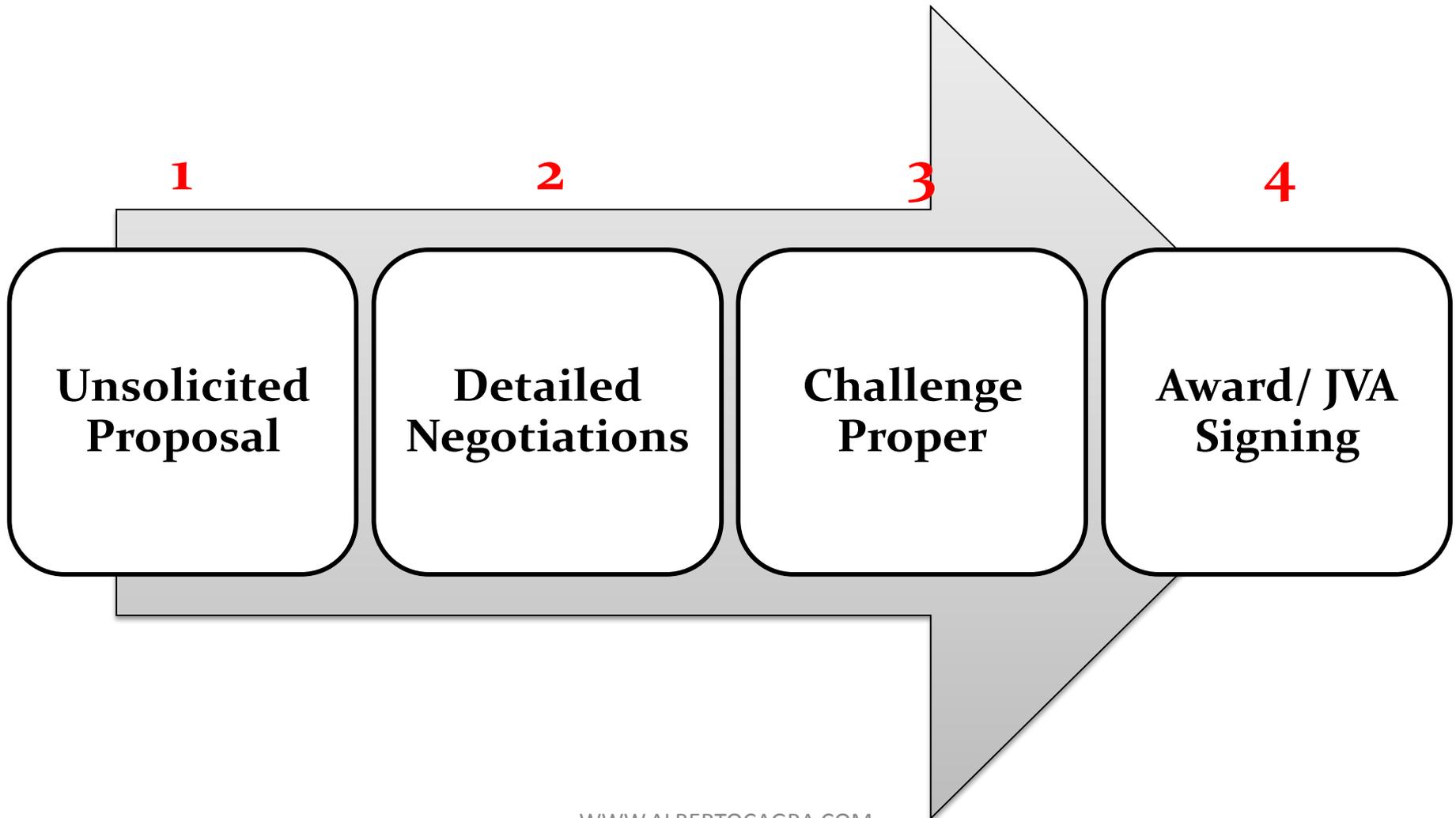
Columnist, PPP Lead, BusinessMirror

PhD Candidate, Leadership Studies major in Public

Management, Ateneo School of Government

Former Acting Secretary of Justice, Acting Solicitor General
and Government Corporate Counsel

Competitive Challenge: 4 Stages



Acronyms

Acronyms	Meanings
UP	Unsolicited Proposal
HE	Head of Agency
JV-SC	Joint Venture-Selection Committee
PSP	Private Sector Proponent
OP	Original Proponent
TOR	Terms of Reference
EOI	Expression of Interest
JVA	Joint Venture Agreement
NEDA	National Economic and Development Authority
GOCC	Government-Owned and –Controlled Corporation

Stage 1: Unsolicited Proposal (UP) (within 60 days)

With Cover
Letter, Project
Study, Draft
JVA and
Eligibility
Documents

(1) Submission of
UP by PSP

(2) HE Convenes
JV-SC

(3) Evaluation by
JV-SC

(5) Issuance of
Certificate of
Acceptance by HE

(4) Governing
Board Informed/
Consent Secured

(3.1)
Memorandum by
JV-SC

UP Complete
PSP Eligible
JVA Legal
Project Needed
Recommend
Acceptance (or
Rejection)

Stage 2: Detailed Negotiations (within 30 days)

1st-in-time-
approach if
more than 1
proposal

(6) Detailed
Negotiations
between GOCC
and PSP

(11) Public
Consultation

PSP becomes
OP: Rule on
Exclusion

(7) Joint
Certification of
Successful
Negotiations

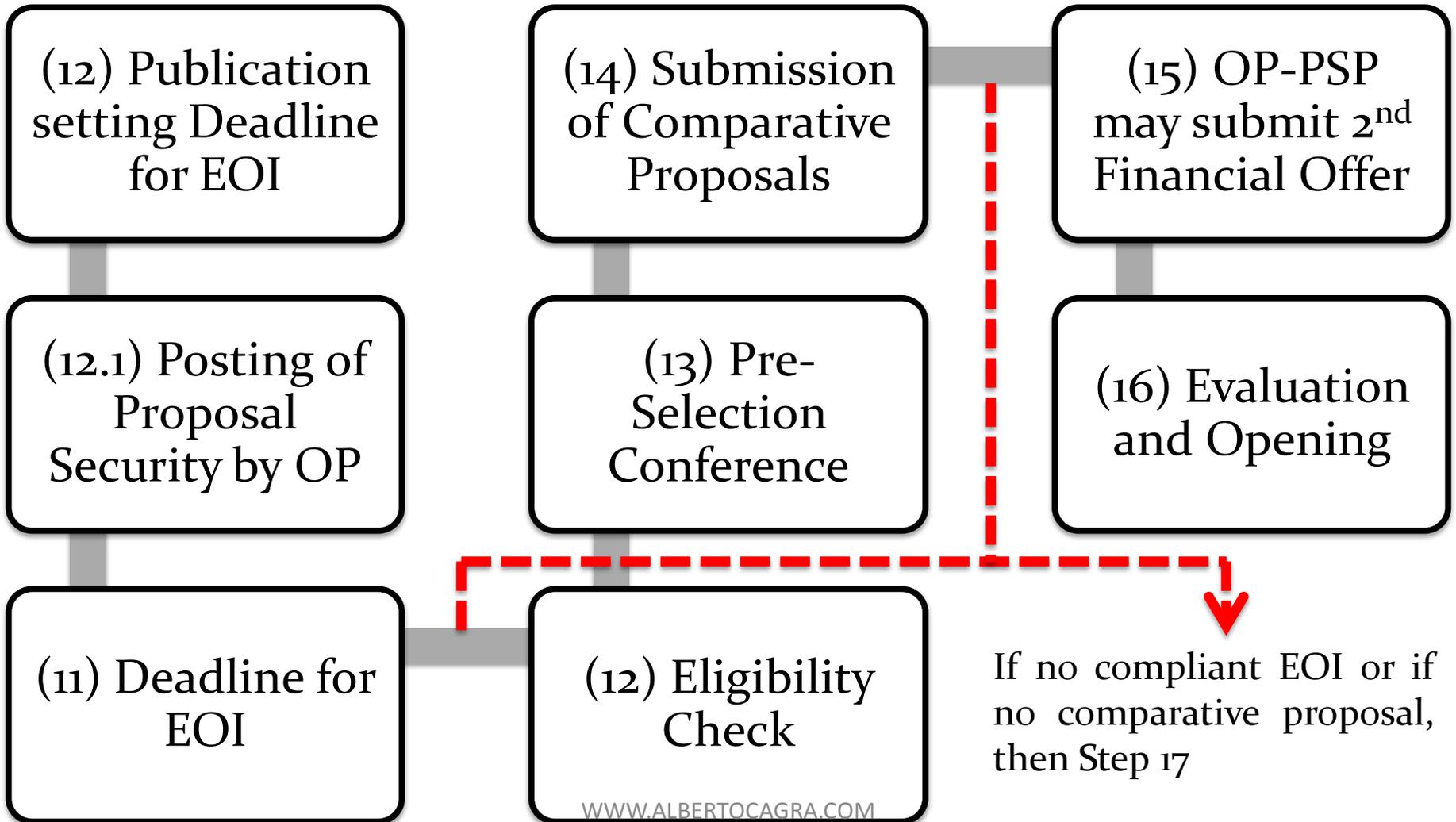
(10) Governing
Board informed

If GOCC
Contribution:
P150m or
more

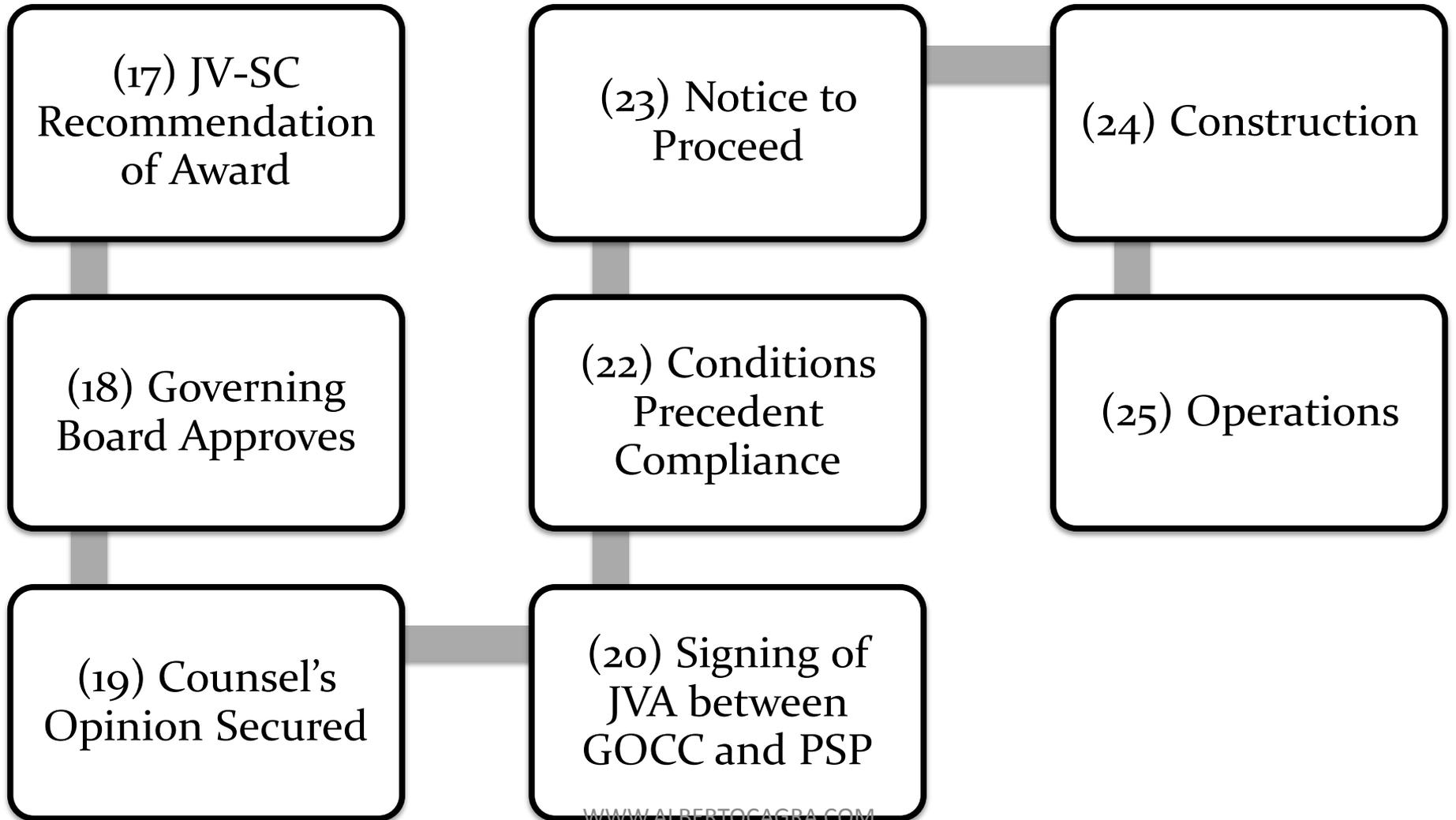
(8) Approval of
NEDA

(9) HE approves
TOR

Stage 3: Challenge Proper (within 120 days)



Stage 4: Award/ Commence



www.albertocagra.com
alberto.c.agra@gmail.com
(+63917) 5353823

THANK YOU. MORE POWER.