**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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |