

PUBLIC-PRIVATE PARTNERSHIP GOVERNING BOARD

Resolution No. 2015-09-01

August 25, 2015

FOR : All Heads of Departments, Bureaus, Offices, Commissions, Authorities or Agencies of the National Government, Government-Owned and/or Controlled Corporations, Government Financial Institutions, and State Universities and Colleges, and Local Government Units

SUBJECT : PUBLIC-PRIVATE PARTNERSHIP (PPP) PROJECTS MONITORING FRAMEWORK AND PROTOCOLS

I. Background

It is the policy of the Philippine Government to encourage and strengthen its program on Public-Private Partnership (PPP) as a mechanism for implementing infrastructure and development projects that will help the Philippines reduce poverty and achieve rapid, sustained, and employment-creating growth. Through the PPP Program, the government will mobilize the private sector to fast-track the financing, construction, rehabilitation, operation, and maintenance of infrastructure facilities that will provide the general public with adequate, safe, efficient, reliable, and reasonably-priced infrastructure services.

Furthermore, it is also the policy of the Philippine Government to monitor, manage, and evaluate the implementation of PPP projects in order to ensure performance of all contractual obligations. Identify potential problems, avoid delays and additional costs, and ensure the attainment of project objectives. Thus, it is important to establish institutional mechanisms to make sure that project objectives are realized and contract obligations of concerned parties are adhered to.

One of the largest PPP markets that recognized the need to establish a mechanism of monitoring PPP projects was the Government of India. On July 2012, the Government through its Planning Commission introduced an Institutional Mechanism for Monitoring PPP Projects¹ with an objective to guarantee timely completion of projects undertaken in PPP mode and to effectively monitor contract performance. As stipulated in the guidelines, the Planning Commission is to prepare summary of reports submitted by the Project Monitoring Unit and Performance Review Unit including recommendations on proposed actions and improvements which would be presented to the Cabinet Committee on Infrastructure. This initiative of the Government aims to ensure good governance, accountability, and efficiency in the implementation of PPP projects.

¹ Planning Commission, Government of India (2012): "Institutional Mechanism for Monitoring PPP Projects". http://planningcommission.gov.in/sectors/ppp_report/reports_guidelines/Guidelines%20for%20Monitoring%20of%20PPP%20Projects.pdf. [Accessed: June 2014]

In a similar manner, the Government of Indonesia released their PPP Infrastructure Projects Plan² last November 2013. The said plan, popularly known as the PPP Book, is intended to inform the private sector and stakeholders on the PPP opportunities available, regulatory changes, and PPP development policies in Indonesia. In relation to this, as part of the PPP Institutional Framework of Indonesia, the Government has established a Central PPP Unit (P3CU) under the National Development Planning Agency that is responsible for ensuring policy consistency, quality control, and transparency; monitoring the implementation of PPP projects; publishing status reports; and disseminating relevant information, among others. The P3CU is also being developed as an independent and centralized organization dedicated to PPPs with access to fiscal budget allocation decisions.

For more developed PPP markets, such as the Republic of Korea³, monitoring of PPPs is also key. Infracore System, a database of PPP projects, is used by the Korean Government in preparing quarterly reports on the financial status, project progress, and fiscal support-related matters of PPP projects. Detailed information in the System are provided by the component authorities, e.g. the Ministry of Land, Transport and Maritime Affairs, the Ministry of Environment, the Seoul Metropolitan Government, etc., which are tasked to manage PPP projects by implementing guidelines for concession agreements and receiving project progress reports. On a quarterly basis, these authorities monitor all PPP projects and submit reports to the Ministry of Strategy and Finance (MOSF). The Infracore System is administered by the MOSF and the Public and Private Infrastructure Investment Management Center.

In the case of the Philippines, the PPP Program has emerged to be a dynamic PPP market since it was launched in late 2010. In the 2014 Infracore Study⁴, the Philippines was identified as one of the most improved PPP markets in the Asia-Pacific Region. Previously classified as an emerging country in 2011 in terms of PPP readiness, the country is now in seventh position in the overall rankings, joining the developed group of countries together with Korea, Japan, and India which rank third, fourth, and fifth, respectively. The study identified that improvements in regulatory and institutional frameworks, and investment climates and financial facilities for PPP projects were the major factors that contributed to the country's increase in score and ranking.

To date, the Philippine PPP Program has a portfolio of over 50 projects estimated at PHP 1,096.69 Billion (USD 24.37 Billion). 10 of which have been successfully

² Ministry of National Development Planning/National Development Planning Agency, Republic of Indonesia (2013): "Public-Private Partnerships Infrastructure Projects Plan in Indonesia". <http://www2.bkpm.go.id/img/fi1e/PPPof20BOOK%202013-cornpac.pdf>. [Accessed: June 2014]

³ Asian Development Bank (2011): "Public-Private Partnership Infrastructure Projects: Case Studies from the Republic of Korea". <http://www.adb.org/sites/default/files/publication/29032/ppp-kor-vl.pdf>. [Accessed: July 2014]

⁴ The Economist (2015): "Evaluating the environment for public-private partnerships in Asia-Pacific: The 2014 Infracore". <http://www.adb.org/sites/default/files/publication/158409/2014-infracore.pdf>. [Accessed: July 2015]

awarded and are now under implementation. By end 2016, 16 more projects are targeted to be awarded and expected to be under implementation.

Thus, the need for an institutional mechanism in monitoring PPP projects particularly in documenting and reporting the project status, implementation issues, and best practices has become more significant. In this regard, these PPP Monitoring Framework and Protocols have been issued to:

- Define the roles and responsibilities of each stakeholder involved in the PPP Contract;
- Monitor compliance of concerned parties in the PPP Contract;
- Provide status updates and other relevant information on projects that are being implemented under the PPP Program to concerned agencies;
- Identify problems/issues that impede implementation and necessary actions to be taken;
- Illustrate the reporting process, and the procedures for filling up the sample monitoring forms/templates as provided in the annexes; and
- Document best practices and lessons learned in implementing PPP projects.

The institutional arrangements and reporting processes proposed in the Protocols are the minimum requirements to provide basic information in order to come up with a report on the implementation status and progress of PPP Projects. The Implementing Agencies, however, may strengthen its own monitoring and reporting mechanism to ensure smooth implementation of said projects.

II. Objectives

These PPP Monitoring Framework and Monitoring Protocols seek to achieve the following objectives:

1. To identify the roles and responsibilities of the key parties involved in monitoring the implementation of PPP projects;
2. To define the protocols for generating, processing, and sharing information for monitoring the implementation of PPP projects;

3. To document information on lessons learned and best practices during project implementation that can be used in planning, evaluating, and implementing future PPP projects.

III. Scope

These Protocols are intended to cover all PPP projects, including all variants and arrangements under the Build-Operate-and-Transfer (BOT) Law and its Revised Implementing Rules and Regulations (IRR) and Joint Venture Agreements, among others, undertaken by government entities such as National Government Agencies (NGAs), Government-Owned or Controlled Corporations (GOCCs), Local Government Units (LGUs), and other government instrumentalities.

IV. PPP Contract and Institutional Arrangements

- 4.1. Each PPP project is governed by a PPP contract, often referred to as the Concession Agreement (CA). The parties to a PPP contract are (i) the implementing NGA, GOCC, LGU, or government entity, together with any government institution acting as a co-granter or co-implementing agency, (singly or collectively referred to herein as "IA"); and (ii) the project proponent. The PPP contract defines the respective rights and obligations of the parties, reflects the risk allocation, repayment scheme, and implementation schedule, and provides the final terms and conditions for the project, as agreed between the IA and the project proponent.
- 4.2. The specific roles and responsibilities of each party to a PPP contract:

a. Implementing Agency (IA)

The implementing agency (IA) is primarily responsible for awarding, managing and executing the PPP contract, implementing the PPP project, and ensuring the attainment of the objectives of the PPP project.

- a.1. Within its PPP Office⁵, designate a unit for the implementation and monitoring of its PPP projects (the "Implementation Unit"). The Implementation Unit shall have project managers (PMs) who will (i) manage the execution of the IA's PPP contracts and implementation of its PPP projects; and (ii) generate, process, and share information to the PPP Center and other relevant government agencies, as well as to other requesting third party entities, for monitoring the implementation of its PPP projects.

⁵ Proposed structure, composition, and functions of the PPP Office and the Implementation Unit are set out in a separate document.

a.2. Together with the project proponent, create a Project Steering Group (PSG) which shall be composed of high-level representatives from the IA, the project proponent, and other relevant government authorities. The PSG shall be the forum for regular communication between the high-level representatives of the parties for the purpose of facilitating the implementation of the PPP contract; and perform any other task as envisaged under the CA.

a.3. Together with the project proponent, create a Technical Working Group (TWG) composed of technical representatives from the IA, the project proponent, and other relevant government authorities to assist the PSG in performing its functions.

a.4. Prepare and implement a contract management plan for each PPP project, and provide periodic reports to the PPP Center, as required under Executive Order No. 136, series of 2013 (EO 136), and the Revised BOT Law IRR.

a.5. Provide PPP Center a copy of official correspondences on matters related to (i) tender process for the project, including the preparation of the bidding/tender documents, publication of the invitation to pre-qualify and bid (ITPB), pre-qualification of prospective bidders, conduct of pre-bid conferences, and prequalification bids and awards committee (PBAC) issuance of supplemental notices, minutes of meetings, interpretation of the rules regarding the bidding, the conduct of bidding, evaluation of bids, resolution of disputes between bidders, recommendation for the acceptance of the bid and/or award of the project; (ii) delivery of contractual obligations and regular status report; (iii) achievement of contractual milestones; (iv) implementation issues; and (v) other relevant communications that will have material impact on project implementation.

b. Project Proponent

As a party to the PPP contract, the project proponent is expected to perform the following responsibilities:

b.1. Designate a PM to (i) manage the execution of its PPP contract, and (ii) generate, process, and share information for monitoring the implementation of its PPP project.

b.2. Together with the I.A., create a PSG which shall be composed of high-level representatives from the IA, the project proponent, and other relevant government authorities. The PSG shall be the forum for regular

communication between the high-level representatives of the parties for the purpose of facilitating the implementation of the PPP contract; and perform other task as envisaged under the CA.

b.3. Together with the JA, create a TWG composed of technical representatives from the IA, the project proponent, and other relevant government authorities to assist the PSG in performing its functions.

b.4. Wherever applicable, submit the necessary documents to regulatory authorities for tariff changes.

c. Public-Private Partnership Center (PPPC)

Under the Revised BOT Law IRR and EO 8, as amended by EO 136, the PPP Center is tasked to monitor PPP projects and facilitate their smooth implementation.

The PPP Center shall perform the following responsibilities:

c.1. Monitor the implementation of PPP projects and provide reports to the President, Congress, and the Investment Coordination Committee (ICC) as directed by the IRR; the Economic Development Cluster (EDC); and the Contingent Liability (CL) TWG and the Development Budget Coordination Committee, among others, including the tasks of:

c.1.1 Reviewing and analyzing reports and documents submitted by the IA and IC;

c.1.2 Documenting best practices and lessons learned in implementing PPP projects; and

c.1.3. Disseminating information on the progress of the PPP Program and projects to the public

c.2. Facilitate the implementation of PPP projects including the task of:

c.2.1. Assisting the IAs in identifying and resolving issues that may delay the implementation of their PPP projects;

c.2.2. Convening inter-agency coordination meeting; and

c.2.3. Elevating unresolved project implementation issues to relevant authorities such as the EDC Subcommittee on PPP Projects Execution⁶.

c.3. Act as the Secretariat of the EDC Subcommittee on PPP Projects Execution.

d. Regulator

Certain PPP contracts authorize the project proponent to operate the infrastructure for the purpose of delivering public services. The regulator is a government agency, body, or commission empowered by law to fix the rates of a provider of a particular public service as defined by the Commonwealth Act No.146 (Public Service Law), as amended, and for which a Franchise is required to operate the same.

The concerned regulatory agency shall perform its functions in accordance with its Mandate and applicable laws, rules, and regulations.

e. Independent Consultant

Most PPP contracts provide for an independent consultant. The independent consultant is a person or entity that is appointed to provide independent technical advice to the parties, as well as perform other services specifically defined in the PPP contract.

The independent consultant is expected to perform the following responsibilities, as may be required under its service contract:

e.1. Review and evaluate relevant documents, and recommend necessary actions.

e.2. Assist in the management and monitoring of the PPP project.

e.3. Prepare contract management plan and inception report.

e.4. Provide the PPP Center a copy of all periodic reports required to be submitted under its service contract and all correspondences related to implementation of the design and construction milestones of the project, including operation and maintenance, if covered under its service contract. In the absence of an IC, the project's IA shall perform this function.

⁶ The creation of the EDC Subcommittee on PPP Projects Execution was approved during the EDC Meeting last 29 May 2015.

f. EDC Subcommittee for PPP Projects Execution

The EDC Subcommittee for PPP Projects Execution, co-chaired by the Cabinet Secretary and the Socioeconomic Planning Secretary, shall convene high-level inter-agency meetings with all concerned parties to address critical PPP implementation issues and bottlenecks, and facilitate the timely resolution thereof.

V. PPP Project Phases

A PPP project goes through four phases: (i) identification and preparation, (ii) review and approval, (iii) bidding and project award, and (iv) implementation.

The implementation phase of a PPP project usually has four (4) stages: (a) Pre-Construction Stage, (b) Construction Stage, (c) Operation and/or Maintenance Stage, and (d) Asset Transfer Stage.

VI. PPP Monitoring Protocols

6.1. PPP Projects Implemented from 2010-onwards

The following are the monitoring protocols and the corresponding obligations of concerned parties in the various phases of project implementation:

a. Identification and Preparation Phase

Event/ Activity	Implementing Agency	Project Proponent	PPP Center
Throughout project preparation phase	Provide copies of relevant project documents ⁷ to PPCC Ensure that all concerned stakeholders are informed and involved during project planning, preparation, and development	<i>-none-</i>	Project Development and Monitoring Facility (PDMF) Service officer (in case of PDMF-assisted projects) and Project Development Officer (PDO) to upload e-copies of relevant project documents ⁷ in shared e-folders

⁷ See Annex C – Checklist of Relevant Project Documents

b. Review and Approval Phase

Event/ Activity	Implementing Agency	Project Proponent	PPP Center
Throughout project review and approval phase	Provide copies of relevant project documents ⁸ to PPPC	-none-	PDO and Project Evaluation Officer (PEO) to upload e-copies of relevant project documents ⁸ in shared e-folders
Preparation of right-of-way acquisition (ROWA) and Resettlement Plan, as applicable	<p>Submit ROWA, Resettlement, and Utilities Relocation plans to ICC-PPP Secretariat, as applicable</p> <p>Submit a validated report on acquired ROW to ICC-PPP Secretariat, as applicable</p>	-none-	PEO to require the submission of ROWA, Resettlement, and Utilities Relocation plans after project approval and prior to bidding, as applicable

c. Procurement Phase

Event/ Activity	Implementing Agency	Project Proponent	PPP Center
Throughout procurement phase	<p>Provide copies of relevant project documents⁸ to PPPC, especially Minutes and Resolutions of PBAC Meetings</p> <p>Ensure that all members of the PBAC, including observers, are notified in writing of any PBAC meeting at least (2) days prior to the meeting</p>	-none-	PDO to upload e-copies of relevant project documents ⁸ in shared e-folders
Prequalification stage	Provide copies of relevant project documents ⁸ to PPPC	Submit necessary prequalification documents and requirements	<p>PDO to notify Project Monitoring Division (PMD) chief on the result of prequalification one (1) working day after the qualified bidders have been identified.</p> <p>After receipt of the notification, PMD chief to assign a Project Monitoring Officer (PMO) who will be</p>

⁸ See Annex C – Checklist of Relevant Project Documents

			part of the project team from this stage onward PMO to attend relevant meetings of the PBAC/TWG
Bid submission	Provide copies of relevant project documents ⁹ to PPPC	Submit necessary prequalification documents and requirements	PDO to notify PMD chief on the details of bid submission at least one (1) working day before the actual bid submission PMO to attend relevant meetings of the PBAC/TWG
Issuance of Notice of Award (NOA)	<p>IA to designate a focal unit and project manager who will be responsible during project implementation</p> <p>IA, winning project proponent, and PPPC (PDO and PMO) to discuss post-award requirements within five (5) working days after the issuance of NOA</p> <p>Provide PPPC a copy of the signed NOA with conforme of the winning bidder and all relevant documents related to post-award requirements</p>	<p>Winning project proponent to designate its project manager who will be the focal person during project implementation</p> <p>IA, winning project proponent, and PPPC (PDO and PMO) to discuss post-award requirements within five (5) working days after the issuance of NOA</p>	PPPC (PDO and PMO) to set a meeting with the IA and the winning project proponent to discuss post-award requirements within five (5) working days after the issuance of NOA
Contract signing	<p>Nominate official representatives to the PSG and TWG, and convene both within five (5) working days after contract signing</p> <p>Provide PPPC a copy of the signed PPP contract</p> <p>Provide PPPC a list of the contract details of</p>	Nominate official representatives to the PSG and TWG, and convene both within five (5) working days after contract signing	<p>Conduct a turnover/clarificatory meeting between the PDO and the PMO within three (3) working days after contract signing</p> <p>Secure a copy of the project's Close-out Report¹⁰</p> <p>PMO to attend the PSG and TWG meetings to be set within five (5) working days after contract signing</p>

⁹ See Annex C – Checklist of Relevant Project Documents

¹⁰ Usually applicable to PDMF-supported PPP projects

	the implementation team (PSG/TWG)		
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d. Implementation Stage

d.1. Pre-Construction Stage

Event/ Activity	Implementing Agency	Project Proponent	PPP Center
Throughout pre-construction stage	<p>Inform and invite PMO to PSG/TWG meetings</p> <p>Provide the PPPC a copy of all relevant reports and correspondences¹¹</p> <p>Submit reports to PPPC (PMD) in such form and within such period as may be required by PPPC</p>	<p>Inform and invite PMO to PSG/TWG meetings</p>	<p>PMO to attend PSG/TWG meetings and inspections</p> <p>PMO to upload Project Milestone Report¹² to the shared e-folder</p> <p>PMO to setup official email group</p> <p>PMO to prepare Monthly Project Monitoring Report¹³ within five (5) working days after the close of each month</p> <p>PMD to provide updates to the Executive Director (ED) through submission of bi-monthly reports and/or setting of project updated meeting</p> <p>PMD to assist in addressing potential issues and bottlenecks</p> <p>PMD to elevate unresolved issues to EDC Subcommittee on PPP Projects Execution</p>
Selection and engagement of Independent Consultant (IC)	Select and engage independent consultant	Provide 50% of the cost of the IC procurement	PMO to Monitor and facilitate timely engagement of IC
Submission of detailed engineering design	Review and, if satisfactory, approve DED	Provide DED	PMO to monitor and facilitate timely submission, review, and approval of DED

¹¹ See Annex C – Checklist of Relevant Project Documents

¹² See Annex A – Project Milestone Report Template

¹³ See Annex B – Monthly Project Monitoring Report

(DED), if required			
Delivery of ROW, if required	Deliver ROW in accordance with the CA	-none-	PMO to monitor and facilitate timely delivery of ROW
Obtainment of needed approval and permits	Assist in obtaining the needed approvals and permits	Process and secure necessary approvals and permits	PMO to monitor and facilitate timely obtainment of needed approval and permits

d.2. Construction Stage

Event/ Activity	Implementing Agency	Project Proponent	PPP Center
Throughout construction stage	<p>Inform and invite PMO to PSG/TWG meetings</p> <p>Provide the PPPC a copy of all relevant reports and correspondences¹⁴</p> <p>Conduct inspections together with project proponent and PMO</p> <p>Identify and address potential issues and bottlenecks</p> <p>Submit reports to PPPC (PMD) in such form and within such period as may be required by PPPC</p>	<p>Inform and invite PMO to PSG/TWG meetings</p> <p>Conduct inspections together with the IA and PMO</p>	<p>PMO to attend PSG and TWG meetings and inspections</p> <p>PMO to prepare Monthly Project Monitoring Report¹⁵ within five (5) working days after the close of each month</p> <p>PMD to provide updates to the ED through submission of bi-monthly reports and/or setting of project updates meeting</p> <p>PMD to assist in addressing potential issues and bottlenecks</p> <p>PMD to elevate unresolved issues to EDC Subcommittee on PPP Projects Execution</p>

d.3. Operation and/or Maintenance Stage

Event/ Activity	Implementing Agency	Project Proponent	PPP Center
Throughout operation and/or maintenance stage	<p>Inform and invite PMO to PSG/TWG meetings</p> <p>Provide the PPPC a copy of all relevant reports and correspondences¹⁴</p> <p>Conduct inspections together with project proponent and PMO</p>	<p>Inform and invite PMO to PSG/TWG meetings</p> <p>Conduct inspections together with the IA and PMO</p>	<p>PMO to attend PSG and TWG meetings and inspections</p> <p>PMO to prepare Monthly Project Monitoring Report¹⁵ within five (5) working days after the close of each month</p> <p>PMD to provide updates to the ED through submission of bi-</p>

¹⁴ See Annex C – Checklist of Relevant Project Documents

¹⁵ See Annex B – Monthly Project Monitoring Report

	<p>Identify and address potential issues and bottlenecks</p> <p>Submit reports to PPPC (PMD) in such form and within such period as may be required by PPPC</p>		<p>monthly reports and/or setting of project updates meeting</p> <p>PMD to assist in addressing potential issues and bottlenecks</p> <p>PMD to elevate unresolved issues to EDC Subcommittee on PPP Projects Execution</p>
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d.4. Asset Transfer Stage

Event/ Activity	Implementing Agency	Project Proponent	PPP Center
Throughout asset transfer stage	<p>Inform and invite PMO to PSG/TWG meetings</p> <p>Provide the PPPC a copy of all relevant reports and correspondences¹⁶</p> <p>Conduct inspections together with project proponent and PMO</p> <p>Identify and address potential issues and bottlenecks</p> <p>Submit reports to PPPC (PMD) in such form and within such period as may be required by PPPC</p>	<p>Inform and invite PMO to PSG/TWG meetings</p> <p>Conduct inspections together with the IA and PMO</p>	<p>PMO to attend PSG and TWG meetings and inspections</p> <p>PMO to prepare Monthly Project Monitoring Report¹⁷ within five (5) working days after the close of each month</p> <p>PMD to provide updates to the ED through submission of bi-monthly reports and/or setting of project updates meeting</p> <p>PMD to assist in addressing potential issues and bottlenecks</p> <p>PMD to elevate unresolved issues to EDC Subcommittee on PPP Projects Execution</p>

6.2. PPP Projects Implemented before 2010

For PPP projects implemented before 2010, the following monitoring protocols and corresponding obligations of concerned parties shall be observed:

Event/ Activity	Implementing Agency	Project Proponent	PPP Center
Implementation of PPP Project	<p>Submit reports¹⁸ to PPPC (PMD) in such form and within such period as may be required by PPPC</p>	<p>Submit necessary reports to the IA in such form and</p>	<p>PMD to consolidate submitted reports for submission to various agencies (i.e. PSA, Office of the President, Congress, DBM, etc.)</p>

¹⁶ See Annex C – Checklist of Relevant Project Documents

¹⁷ See Annex B – Monthly Project Monitoring Report

¹⁸ See Annex D – Project Implementation Report (Old PPP Project)

		within such period as may be required in the contract	<p>PMD to assist in addressing potential issues and bottlenecks</p> <p>PMD to elevate unresolved issues to EDC Subcommittee on PPP Projects Execution</p>
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VII. Effectivity

These Protocols shall take effect immediately. For information and guidance.

I hereby certify that these protocols were approved by the PPP Governing Board at its meeting held on August 25, 2015, and subsequently renumbered¹⁹ by virtue of PPP Governing Board Resolution No. 2018-03-07 which was approved on March 22, 2018.



FERDINAND A. PECSON
Undersecretary and Executive Director
Head, PPP Governing Board Secretariat

¹⁹ Deleted the phrase "Policy Circular No. 07-2015" in the title and renumbered with the corresponding PPPGB resolution number.

ANNEXES

A – Project Milestone Report Template

The PPP Center Project Monitoring Officer (PMO) will prepare a Project Milestone Report outlining the various activities involved in the implementation of the PPP project and use it as a control chart to monitor progress on an ongoing basis. The first Project Milestone Report shall be prepared by the PMO within 15 working days from the receipt of the relevant documentation from the Project Development Officer (PDO) and the implementing agency (IA). Said Project Milestone Report shall be sent to the implementation unit of the IA for their information and reference.

B – Monthly Project Monitoring Plan Template

PPP Project monitoring by the PPP Center will cover the following aspects:

- Compliance of the conditions precedent and achievement of financial close within the period specified in the concession contract;
- Adherence to the timelines and other obligations specified in the concession contract;
- Streamlining of, and adherence to, the reporting procedures between the concessionaire and the IA, which may also include an MIS;
- Assessment of performance against MPSS;
- Remedial measures and action plan for curing defaults, especially when performance standards are not fulfilled;
- Imposition of penalties in the event of default;
- Levy and collection of user charges based on approved principles;
- Progress of on-going disputes and arbitration proceedings, if any; and
- Highlighting any leakage, diversion or misclassification of government revenues;
- Compliance with the instructions of the IA or IC, as the case may be;
- Effective communication and exchange of information for monitoring and enforcement of obligations; and
- Being the repository of all relevant information relating to user and performance standards for PPP projects in the Philippines.

C – CHECKLIST OF RELEVANT PROJECT DOCUMENTS

Within three (3) working days after contract signing, the PDO and PMO shall conduct a turnover/ clarificatory meeting where electronic copies (hardcopy, where relevant) of relevant documentation of the PPP project will be handed over by the PDO to the PMO. The relevant documentation would include:

- signed concession agreement;
- agreed minimum performance standards specifications;
- final financial model;
- complete set of minutes and resolutions of the PBAC;
- key correspondences with the concessionaire in which stated positions were taken by the contracting parties;
- project implementation schedule;
- terms of reference for independent consultants; and
- other documentation as may be relevant on a project to project basis.

D – PROJECT IMPLEMENTATION REPORT (OLD PPP PROJECTS)

Within five (5) working days after the close of every quarter, the IA shall submit Project Implementation Report of Old PPP Projects detailing project status, milestones, and issues to the PPPC. Said Project Implementation Report vary depending on the implementation phase (pre-construction, construction, and operations and maintenance) the project is undergoing during the reporting period.

ANNEX A: PROJECT MILESTONE REPORT

Project Name		
Implementing Agency:	Proponent:	Independent Consultant (IC):
Prepared By:	Date:	Reporting Period:
Project Overall Status:		

CA Section Reference No.	Milestone & Deliverables	Responsible Party	Planned Start Date	Actual Start Date	Planned Finish Date	Actual Finish Date	Variance	% Completed as of Reporting Period	Deliverable Status	Issues/ Reasons for Delay or Non-Performance

Approved by:

Chief, Policy Monitoring Division

Director, Policy formulation, Project Evaluation and Monitoring Service

ANNEX B: MONTHLY PROJECT MONITORING REPORT

Monitoring Activity Report During Construction/ Operations and Maintenance
of PPP Projects for the Month of _____

To:

From:

Date:

Project Name:

Implementing Agency (IA):

PPP Model Used:

Concession Period:

Date of Contract Signing:

Construction Start Date As Per PPP Contract:

Operations Start Date As Per PPP Contract:

PPP Project Handback Date As Per PPP Contract:

Legend: Priority Level

- ☐ High Priority
- ☐ Medium Priority
- ☐ Low Priority

S. No.	Issues Requiring Action	Any Action to be Taken (Yes / No)	Priority Level: High, Medium, Low
1	Fulfilling the Conditions Precedent as per the PPP Contract (i) Access to Right of Way (ii) Payment of Concession Fee (iii) Clearances from relevant ministries - environment, etc. (iv) Finalisation of detailed design (v) Others - please specify		
2	Payment of Damages for delay in granting Right of Way		
3	Acquisition of real estate for the PPP project, if relevant		
4	Matters relating to Financial Close		
5	Appointment of Independent Engineer / Consultant		
6	Recovery of Damages for failure to achieve milestone		
7	Termination for failure to achieve milestone		
8	Monthly Report of the Independent Engineer / Consultant		
9	Progress of construction works		
10	Suspension of construction works		
11	Issue of completion certificate by the Independent Engineer / Consultant		

S. No.	Issues Requiring Action	Any Action to be Taken (Yes / No)	Priority Level: High, Medium, Low
12	Recovery of damages for construction not meeting quality standards agreed in the MPSS		
13	Recovery of damages for delay in completion of construction		
14	Matters relating to Change of Scope		
15	Action for being in material default		
16	Matters relating to termination of PPP Contract		
17	Release of Performance Security		
18	Matters relating to Disbursement of VGF		
19	Matters relating to Dispute resolution		
20	Matters relating to ongoing operations of PPP project assets and facilities		
21	Quality and Timeliness of Operations & Maintenance and its adherence to MPSS		
22	Revenue leakage issues, especially where IA has sharing opportunities as per PPP Contract		
23	Monitoring of default / termination clauses during operations		
24	Stakeholder concerns / issues - involving users / lenders / others		
25	Default / Termination matters during operations		
26	Matters relating to asset handback		
27	Any other matter not covered above		

Monthly Project Monitoring Plan

Project Name:	
Implementing Agency:	Prepared By:
Proponent:	Date:
Independent Consultant:	Reporting Period:
Project Overall Status:	

* Enter the applicable S. No.

[illegible]

ANNEX C: CHECKLIST OF RELEVANT PROJECT DOCUMENTS

PROJECT TITLE _____

FOLDER VOL. _____

		Sections/Documents	Remarks
<input type="checkbox"/>	1	Form 1	
<input type="checkbox"/>	2	Project Identification / Pre-FS / FS	
<input type="checkbox"/>	2(A)	Procurement of Consultant (via PDMFS)	
<input type="checkbox"/>		Project Concept Note	
<input type="checkbox"/>		TA Letter with Representatives for PSC, SBAC and TWG	
<input type="checkbox"/>		Shortlist of Firms	
<input type="checkbox"/>		Terms of Reference and Level of Effort	
<input type="checkbox"/>		Bidding Schedule	
<input type="checkbox"/>		Contract	
<input type="checkbox"/>		PSC Resolutions	
<input type="checkbox"/>	2(B)	Pre-FS/FS/Business Case Reports	
<input type="checkbox"/>		Inception Report	
<input type="checkbox"/>		Progress Report	
<input type="checkbox"/>		Draft Final Report	
<input type="checkbox"/>		Final Report	
<input type="checkbox"/>	3	Project Financing	
<input type="checkbox"/>		DBM Funding Strategy	
<input type="checkbox"/>		Forward Obligational Authority	
<input type="checkbox"/>		Multi-Year Obligational Authority	
<input type="checkbox"/>	4	NEDA Submission and Approval	
<input type="checkbox"/>	4(A)	Proposed PPP Projects	
<input type="checkbox"/>		1. Project Proposal (with e-copy in PDF)	
<input type="checkbox"/>		1.a. Project Proposal	
<input type="checkbox"/>		1.b. Feasibility Study	
<input type="checkbox"/>		2. ICC PE Forms (with e-copy in PDF)	
<input type="checkbox"/>		2.a. PPP f1: General Info	
<input type="checkbox"/>		2.b. PPP f2: Estimated Project Cost	
<input type="checkbox"/>		2.c. PPP f3: Project Revenue	
<input type="checkbox"/>		2.d. PPP f4.a: Estimated Project Benefits and Costs - Financial	
<input type="checkbox"/>		2.e. PPP f4.a: Estimated Project Benefits and Costs - Economic	
<input type="checkbox"/>		2.f. PPP f5: Risk Allocation Matrix	
<input type="checkbox"/>		2.g. PPP f6: Logical Framework	
<input type="checkbox"/>		2.h. PPP f7: Project and Financing Milestones	
<input type="checkbox"/>		2.i. PPP f8: Maximum Government Exposure	
<input type="checkbox"/>		3. ICC Project Evaluation Matrix (with e-copy in PDF)	
<input type="checkbox"/>		4. Project context in Department's overall strategy/program [PIP, CIIP]	
<input type="checkbox"/>		5. DBM certification of budget cover availability for GOP counterpart (prior to NEDA Board confirmation of ICC approval)	
<input type="checkbox"/>		6. RDC Endorsements (prior to Notice of Award)	

<input type="checkbox"/>		7. Environmental Impact Statement (EIS) / Environmental Compliance Certificate (ECC) / Certificate of Non-Coverage	
<input type="checkbox"/>		8. ROW Acquisition and Resettlement Action Plan (RAP) with budget cover	
<input type="checkbox"/>		9. DOF-CAG review (GOCC/GFI projects)	
<input type="checkbox"/>		10. Information on job creation/employment impact of the project	
<input type="checkbox"/>		11. NCC review (relending programs)	
<input type="checkbox"/>		12. Endorsements from other concerned agencies, if applicable	
<input type="checkbox"/>		13. Location map (with e-copy)	
<input type="checkbox"/>		14. Endorsement from the Secretary	
<input type="checkbox"/>		15. Traceable formula format of Economic and Financial Analyses (2 CDs)	
<input type="checkbox"/>	4(B)	Presentations	
<input type="checkbox"/>		ICC PPP TWG	
<input type="checkbox"/>		ICC Cabinet Committee	
<input type="checkbox"/>		NEDA Board	
<input type="checkbox"/>		Cheat Sheet	
<input type="checkbox"/>	4(C)	Correspondences with ICC PPP TWG	
<input type="checkbox"/>		ICC PPP TWG	
<input type="checkbox"/>		ICC Cabinet Committee	
<input type="checkbox"/>		NEDA Board	
<input type="checkbox"/>	4(D)	Project Term Sheet / Executive Summary for ICC CC	
<input type="checkbox"/>		ICC Memo to the NEDA Board	
<input type="checkbox"/>		NEDA Board Resolution / certification / Minutes	
<input type="checkbox"/>			
<input type="checkbox"/>	5	Tender Stage	
<input type="checkbox"/>	5(A)	Institutional Arrangements and Approvals	
<input type="checkbox"/>		Special Order (Creation of P/SBAC, TWG)	
<input type="checkbox"/>		MOA with Attached Agency, if applicable	
<input type="checkbox"/>		Required Approvals	
<input type="checkbox"/>		Head of Agency	
<input type="checkbox"/>		Board Resolution of Attached Agency	
<input type="checkbox"/>		Office of the Solicitor General	
<input type="checkbox"/>		Office of Government corporate Counsel	
<input type="checkbox"/>		Department of Finance	
<input type="checkbox"/>	5(B)	Correspondence from Bidders (Expression of Interest, Non-Disclosure Agreement, Request for Data Room access)	
<input type="checkbox"/>		Notices of Meetings	
<input type="checkbox"/>		Minutes of Meetings	
<input type="checkbox"/>		Presentations	
<input type="checkbox"/>	5(C)	Prequalification	
<input type="checkbox"/>		Invitation to Pre-Qualify and Bid Advertisement	
<input type="checkbox"/>		Project Information Memorandum	
<input type="checkbox"/>		Instructions to Prospective Bidders	
<input type="checkbox"/>		Queries from Prospective Bidders	
<input type="checkbox"/>		Bid Bulletins	
<input type="checkbox"/>	5(D)	Bid Stage	
<input type="checkbox"/>		Instructions to Bidders	
<input type="checkbox"/>		Draft Concession Agreement and Schedules	
<input type="checkbox"/>		Queries from Bidders	
<input type="checkbox"/>		Documents uploaded to Data Room	

<input type="checkbox"/>		Bid Bulletins	
<input type="checkbox"/>	5(E)	Bid Evaluation and Execution of Contract	
<input type="checkbox"/>		1. Pre-Qualification	
<input type="checkbox"/>		1.a. TWG Report	
<input type="checkbox"/>		1.b. PBAC Resolutions	
<input type="checkbox"/>		1.c. PBAC Minutes of Meetings	
<input type="checkbox"/>		2. Technical Evaluation	
<input type="checkbox"/>		2.a. TWG Report	
<input type="checkbox"/>		2.b. P/SBAC Resolutions	
<input type="checkbox"/>		2.c. P/SBAC Minutes of Meetings	
<input type="checkbox"/>		3. Financial Evaluation	
<input type="checkbox"/>		3.a. TWG Report	
<input type="checkbox"/>		3.b. P/SBAC Resolutions	
<input type="checkbox"/>		3.c. P/SBAC Minutes of Meetings	
<input type="checkbox"/>		4. Award	
<input type="checkbox"/>		4.a. TWG Report	
<input type="checkbox"/>		4.b. P/SBAC Resolutions	
<input type="checkbox"/>		4.c. P/SBAC Minutes of Meetings	
<input type="checkbox"/>		4.d. Notice of Award	
<input type="checkbox"/>		4.e. Signed Concession Agreement and Schedules	
<input type="checkbox"/>			
<input type="checkbox"/>	6	Reference Files and Research Materials	

ANNEX D: PROJECT IMPLEMENTATION REPORT

Pre-Construction Stage

1. Project Name	
2. Implementing Agencies	
3. Project Proponent	
4. Reporting Period	For ____ Quarter of ____
5. Prepared By (Name and Contact Number)	
6. Date Prepared	
7. Project Manager (Name and Contact Number)	

8. IC Procurement			
Details of Activities	Completion Dates		Remarks
	Plan	Actual	
9. Preparation of Detailed Engineering Design			
Details of Activities	Completion Dates		Remarks
	Plan	Actual	
10. Right of Way Acquisition			
Details of Activities	Completion Dates		Remarks
	Plan	Actual	
11. Permits, Licenses and Approvals			
Details of Activities	Completion Dates		Remarks
	Plan	Actual	
12. Financial Closure			
Details of Activities	Completion Dates		Remarks
	Plan	Actual	

13. Others			
Details of Activities	Completion Dates		Remarks
	Plan	Actual	
14. Conditions Precedent (as stated in the Contract)	Completion Dates		Remarks
	Plan	Actual	
15. Events of Default			
Details of the Events	Action/Status		

ANNEX D: PROJECT IMPLEMENTATION REPORT

Construction Stage

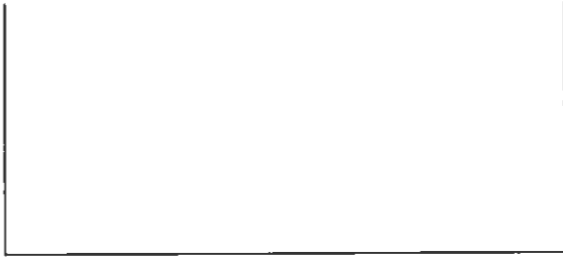
1. Project Name	
2. Implementing Agencies	
3. Project Proponent	
4. Reporting Period	For ____ Quarter of ____
5. Prepared By (Name and Contact Number)	
6. Date Prepared	
7. Project Manager (Name and Contact Number)	
8. Project Phase	
9. Actual Physical Accomplishment for this Quarter	____ %
10. Actual Cost of Physical Accomplishment for this Quarter	PHP ____ million or USD ____ million
11. Actual Construction Period for this Quarter	
12. Contractors Involved	

13. Construction Activities/Milestones			
Total Physical Accomplishment as of this Quarter (cumulative from the beginning of construction): ____ %			
Key Activities/Milestones This Quarter	Completion Dates		Remarks
	Plan	Actual	
14. Project Changes			
Description of the Change/s	Action/Status		
15. Project Issues			
Description of the Issue/s	Action/Status		
16. Project Risks			
Description of Risk/s	Action/Status		

17. Financial Information		
Cost Breakdown of Activities/Milestones This Quarter	Incurred By (IA or Project Proponent)	Cost (in Peso)
Details of Construction Performance Security		Amount (as of this Quarter)
Bank		
Drawings (if any)		
18. Events of Default		
Details of Events	Action/Status	
19.		
Key Performance Indicators (KPI)/Minimum Performance Standards and Specifications (MPSS)		
Details of KPI/MPSS	Action/Status	
20. Recommendations and Requests for Decisions and Support		
21. Project Documents Attached to the Project Performance Report		

Pictures of the Project

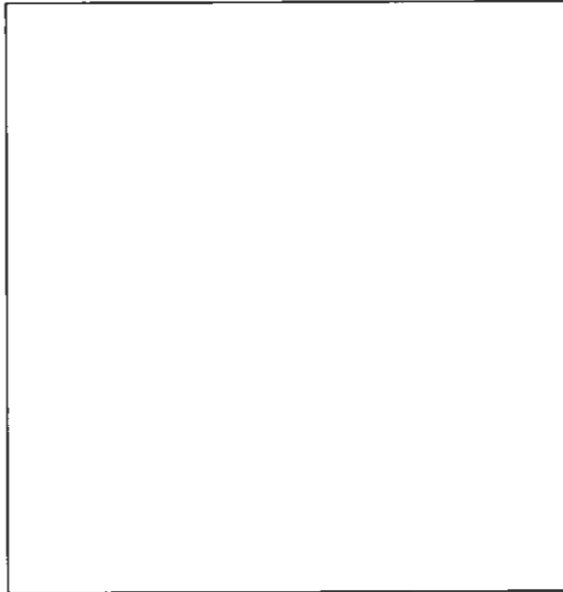
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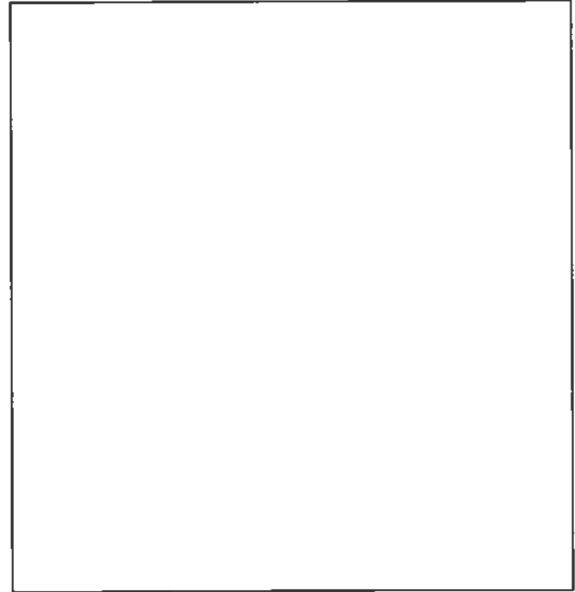
Project Component:
Date Taken:



Project Component:
Date Taken:



Project Component:
Date Taken:



Project Component:
Date Taken:

ANNEX D: PROJECT IMPLEMENTATION REPORT

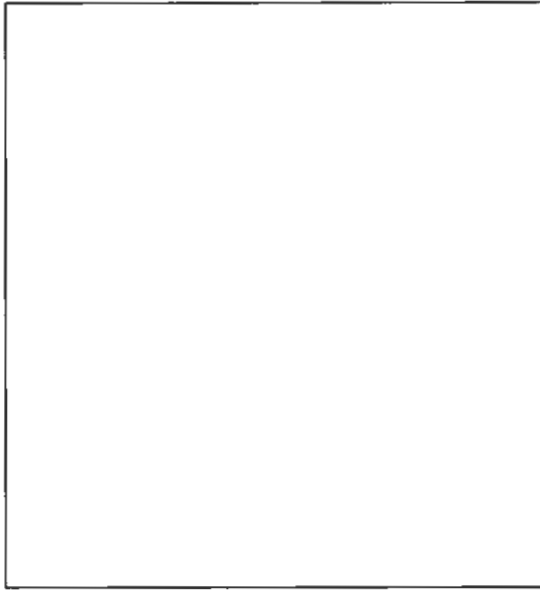
Operations and Maintenance Stage

1. Project Name	
2. Implementing Agencies	
3. Project Proponent	
4. Reporting Period	For ____ Quarter of ____
5. Prepared By (Name and Contact Number)	
6. Date Prepared	
7. Project Manager (Name and Contact Number)	
8. Start of Operation (Date)	
9. Concession Period (in years)	
10. Operations and Maintenance Operator	

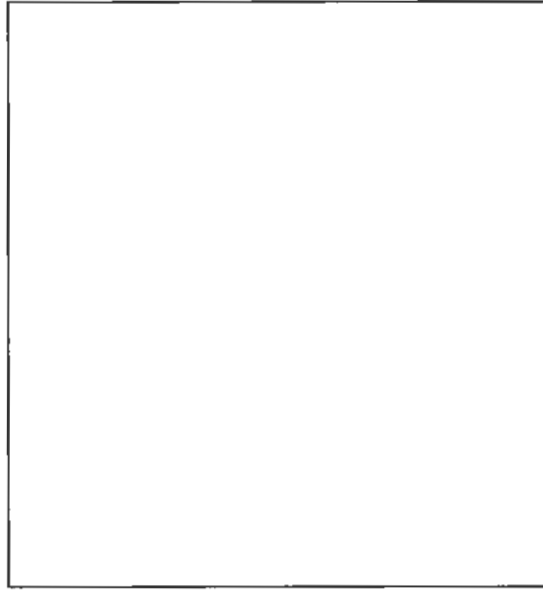
11. Operations and Maintenance Activities/Milestones			
Key Activities/Milestones This Quarter	Completion Dates		Remarks
	Plan	Actual	
12. Key Performance Indicators (KPIs)			
Description of KPIs	Performance Standard	Actual Performance	Remarks
13. Project Changes			
Description of Change/s	Action/Status		
14. Project Issues			
Description of Issue/s	Action/Status		
15. Project Risks			
Description of Risk/s	Action/Status		

16. Financial Information		
Cost Breakdown of Activities/Milestones This Quarter	Incurred By (IA or Project Proponent)	Cost (in Peso)
Revenue Performance	This Quarter (in Peso)	Cumulative (from the start of operation - in Peso)
Details of Operations and Maintenance Performance Security	Amount (as of this Quarter)	
Bank		
Drawings (if any)		
17. Events of Default		
Details of Events	Action/Status	
18. Events of Default		
Turn-Over (for projects nearing end of concession)	Action/Status	
19. Recommendations and Requests for Decisions and Support		
20. Project Documents Attached to the Project Performance Report		

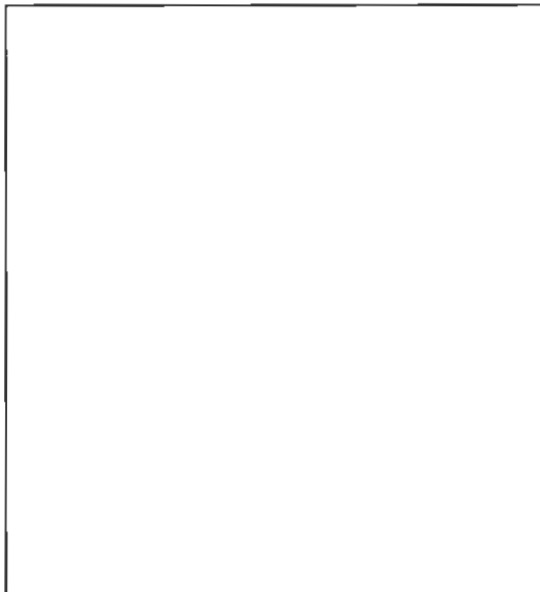
Pictures of the Project



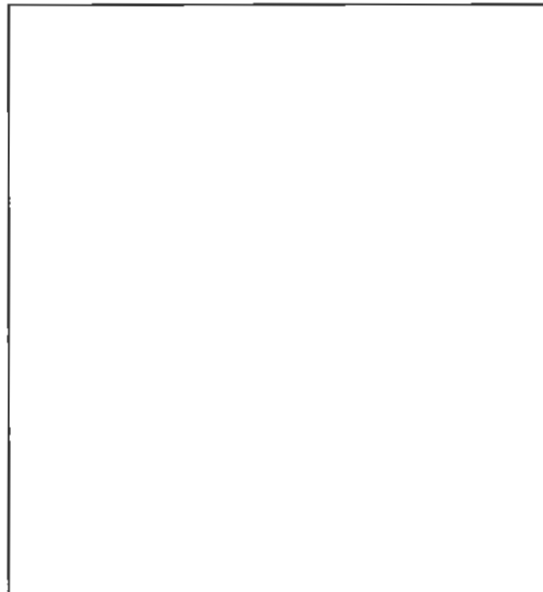
Project Component:
Date Taken:



Project Component:
Date Taken:



Project Component:
Date Taken:



Project Component:
Date Taken: