

List of documentary requirements determination of RROR for negotiated projects

No.	Document (should be in searchable format)	Description/Remarks	Agency Remarks (indicate which specific tab/cells/ annex/page(s) the document or information is found)	Evaluator Remarks
1	Letter to the ICC signed by the Head of LGU requesting determination of RROR pursuant to Section 9.3 of the Revised 2022 BOT Law IRR	The letter should indicate the following:		
		a. project name		
		b. description		
		c. general description of the new concept or technology, if any		
		d. expected output and outcome		
		e. implementation period		
		f. list of all documents being submitted in support of the project proposal		
		g. Explicit certification that the LGU has reviewed the project pursuant to Sections 2.9, 4.3, and 5.4 of the Revised 2022 BOT Law IRR, and other provisions pertaining to project approval.		
2	Electronic copy of the financial model	<i>For unsolicited proposals:</i> h. Explicit certification that the LGU has done the mandated evaluation of the unsolicited proposal, pursuant to Section 10.6(c)(i) of the Revised 2022 BOT Law IRR		
		Pursuant to Sections 2.7, 1.3(l), 2.10(i), 15.2(a)(ii), and 15.2(b) of the Revised 2022 BOT Law IRR, the financial model should: a. be in traceable formula format (assumptions/inputs shall be shown in a summary sheet that are linked to the relevant work sheets of the model) b. contain information that are up-to-date and are not older than three (3) years as of the date of submission to the Approving		

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		<p>Body</p> <p>The financial model should also contain the information required as stated Section 3.3 of the Guidelines and Procedures on Processing PPP Proposals of LGUs Requiring ICC Action Under RA 7718.</p> <p>Moreover, the submission shall consider the current situation, as may be applicable (e.g., impacts of a pandemic on demand and costs)</p>		
3	Proposed project Parameters Terms and Conditions (PTC)	<p>The Agency shall submit its Proposed Parameters Terms and Conditions (PTCs) using the following forms:</p> <p>PTC Form 3 (Firm Liabilities*) which includes the following details regarding the proposed government liabilities for the proposed project:</p> <p>a. Proposed government undertakings (GUs) identified in Section 13.3 of the Revised 2022 BOT Law IRR, as may be applicable.</p> <p>Such GUs may include Viability Gap Funding as defined in Section 1.3(II) and indicated in Section 15.1 of the BOT Law IRR.</p> <p>For proposed GUs that come in the form of Direct Government Subsidy, the valuations of government assets or property as determined by a government financial institution</p>		

* Please refer to **Annex A** for the detailed description of the requirement

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		<p>(GFI) or an independent property appraiser (IPA) should be included.</p> <p>b. Government repayments pursuant to Section 12.16 of the Revised 2022 BOT Law IRR</p> <p>PTC Form 4 (Proposed Risk Allocation and Contingent Liabilities* of the government) which includes the risk allocation matrix, the possible resulting contingent liabilities for risks taken on by the government, and the proposed risk mitigating measures.</p> <p>PTC Form 4 effectively serves as the risk mitigation plan required under Section 2.8 of the Revised 2022 BOT Law IRR. Section 15.3(b) of the Revised 2022 BOT Law IRR details the following requirements to be included in the plan:</p> <ul style="list-style-type: none">a. a list of all risks assumed by the government under the contractb. risks assumed by the Agencyc. risk mitigating measuresd. estimated costs to be incurrede. target dates to have each measure in placef. appropriate action plan by the Agency to manage each type of risk <p>The contents of the submitted proposed PTCs should be consistent with the contents of the submitted financial model.</p>		

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		(See PTC Forms 3-4)		
<i>Additional requirement for projects requiring national government undertaking, pursuant to EO 325 s. 1996</i> <i>a. Regional Development Council (RDC) endorsement and report of the project</i>				