

Annex A-1

List of documentary requirements for Local Solicited PPP Projects

| No. | Document | Description/Remarks | |
|--|---|---|---|
| 1 | <p>Letter of the Head of the LGU/LUC</p> <p>Note: For Section 5.1 of the Guidelines and Procedures, the letter shall be addressed to the Chair of LDC ExeCom concerned</p> <p>For Section 5.2 of the Guidelines and Procedures, the letter shall be addressed to the Head of the appropriate Approving Body concerned</p> <p>For Section 5.3 of the Guidelines and Procedures, the letter shall be addressed to the Chair of the RPPPC concerned</p> | The letter should indicate the following: | |
| | | a. project name | |
| | | b. description | |
| | | c. estimated project cost | |
| | | d. expected output and outcome | |
| | | e. implementation period | |
| | | f. list of all documents being submitted in support of the project | |
| | | g. the full and unqualified endorsement of the Head of the LGU/LUC submitting the project for approval, certifying the capacity of the LGU/LUC to deliver its assumed obligations under the project | |
| | | h. certification that the submission is complete pursuant to the PPP Code and its IRR | |
| | | | |
| 2 | Feasibility study (F/S) | A complete F/S should contain information that are up-to-date and are not older than three (3) years as of the date of submission | |
| | | The F/S should also contain the following information, as may be applicable (indicate if not applicable): | |
| | | a. problem definition and statement of objectives | |
| | | b. project description | i. scope of works including descriptions of projects components |
| | | | ii. project location/s |
| | | | iii. areas of service/influence, including target users |
| | | | iv. products and/or services, including specifications (e.g., for airport projects, product is construction of a new terminal building, while specification is target MPPA) |
| | | c. expected outcomes and key success indicators of the project, and key assumptions | i. expected outcomes (e.g., mitigate road traffic congestion) |
| | | | ii. key success indicators of the project (e.g., reduction in travel time by more than 50%) |
| | | | iii. key assumptions, including bases/references, if applicable |
| d. assessment of the PPP contractual arrangement options considered, and/or assessment of the proposed contractual arrangement | | | |

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| | <p>e. project context in the government's/LGU/LUC's overall strategy/program, sectoral program context, and regional and spatial context</p> <p>f. analysis of technical solutions or alternatives, including analysis of risks and impacts</p> <p><i>Note: The technical analysis should include methodologies that would sufficiently demonstrate and justify that the project adopts the most appropriate/optimal solution (e.g., value engineering/value analysis (VE/VA), life cycle costing (LCC), and/or other options analysis methods, etc.).</i></p> <p>g. stakeholder analysis</p> <p>h. project costs</p> | <p>i. criteria and/or justification for choosing the following, as may be necessary:</p> <p>a. proposed solution/project design/chosen technology, which shall include minimum level of detail of a conceptual design, schematic design, or operational plan, as applicable. This shall contain a graphical representation of the elements of the intended physical structures of the project with preliminary specifications, scale, shape, and timelines per phase/work component.</p> <p>b. proposed project location/orientation and/or alignment (e.g., alternative alignments for rail and road projects, location for airport)</p> <p>ii. technical viability of implementing the project considering the following, as may be applicable:</p> <p>a. technical risks applicable for the project</p> <p>b. measures to mitigate each technical risk identified</p> <p>iii. discussion on alternative technical solutions, as applicable</p> <p>iv. discussion on project site, which may include discussion on geotechnical report, and/or land acquisition and resettlement action plan, as applicable</p> <p>result of stakeholder consultations conducted. This may include sex-disaggregated data, methodology used, timeline, and sample size, among others. The report shall also include information on the stakeholders of the project and their profile (e.g., gender, income status, disabilities if any, etc.), stakeholders' concerns, and proposed measures to address said concerns.</p> <p>includes, but not limited to, the following:</p> |

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| | <p>Section 4(zz) of the PPP Code IRR states that project costs refers to refers to the total cost to be expended to plan, develop, and construct the PPP Project to completion stage, including cost of Feasibility Studies, engineering and design, Construction, equipment, land or right-of-way (ROW), taxes imposed on said cost, and development cost. For this purpose, "completion stage" shall refer to completion of Construction, as defined under the Code and this IRR. For avoidance of doubt, interest charges and other financing costs incurred during Construction shall be considered as part of the Project Cost.</p> <p>For O&M PPP Projects without initial capital expenditures, the present value of costs incurred in delivering the contracted service, including any reinvestment requirements shall be considered as the Project Cost. For this purpose, "initial capital expenditures" shall refer to capital expenditures expended during Construction, as defined under the Code and this IRR. The government borrowing rate shall be the discount rate used in determining the present value of costs incurred in delivering the contracted service, including any reinvestment requirements</p> | <p>breakdown of project cost items should include the following, as applicable:</p> <ul style="list-style-type: none"> a. cost of feasibility studies, business case, surveys, engineering and design, and other development costs b. cost of construction c. cost of equipment d. cost of land and right-of-way e. cost of a chosen technology f. cost of mitigating related risks and impacts g. cost related to implementing project safeguards on environmental quality, natural resources sustainability, climate change and hazards, equity in development benefits, GEDSI, disability and accessibility, and health, among others h. interest charges and other financing cost incurred during construction i. taxes imposed <p>OR, for purely operations and maintenance PPP projects without initial capital expenditures:</p> <ul style="list-style-type: none"> a. present value of the costs incurred in delivering the contracted service b. present value reinvestment requirements <p>Note: Government borrowing rate should be used as the discount rate</p> |
| | <p>i. legal due diligence, which includes policy and regulatory framework of the market/s affected by the proposal, and institutional analysis</p> | <p>i. all policies/regulatory frameworks applicable to the project</p> <p>ii. Institutional analysis, including a list of all government agencies involved in the proposed project (implementing agency/ies, regulatory body, etc.)</p> |
| | <p>j. demand and supply/market analysis</p> <p><i>Note: The analysis may include a demand model such as those generated through modeling softwares (e.g. Strada, CUBE, PTV Vissim). The model must be consistent with the financial and economic models and an electronic copy must be submitted.</i></p> | <p>i. existing demand, including historical data, if applicable</p> <p>ii. projected demand</p> <p>For projects involving existing facilities, a comparison to the current design capacity as built based on the original approval for the build component (e.g., official development assistance [ODA]- or locally-funded) vis-à-vis the actual traffic as currently operated and projected traffic under the proposed PPP scheme, as applicable</p> |

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| | | <ul style="list-style-type: none"> iii. assumptions, including bases/references, in the demand forecast iv. information/findings on the alternative products/services available to users of the project, as applicable, including market shares of potential competitors providing the alternative products/services v. other information on industry structure and prevailing conditions of the market, including supply chain of markets affected and barriers to entry vi. for user fee-based PPP projects, assessment of tariff to be charged vis-à-vis its impact to the demand (e.g., willingness to pay survey, market survey, comparable market analysis, among others) |
| | <p>k. financial analysis</p> <p><i>Note: Details should be consistent with the financial model; otherwise, an explanation of the inconsistency should be included.</i></p> | <ul style="list-style-type: none"> i. an analysis on the project's ability to meet operational costs and debt service obligations ii. Details of the project's proposed investment recovery scheme. Depending on the proposed recovery scheme, the following should be provided, as applicable: <ul style="list-style-type: none"> a. tariff/user fees to be charged during the opening year b. parametric formula for the adjustment of tariff/user fees c. availability payment d. other proposed investment recovery scheme not mentioned above e. assessment/justification of the proposed investment recovery scheme/s iii. assumptions, including bases/references, in calculating financial revenues and costs. This shall also include investment incentives that are intended to be availed of for the project. iv. resulting viability indicators v. sensitivity analysis with respect to changes in costs, revenues, and demand, among others vi. for JV projects, proposed profit sharing between the LGU/LUC and private proponent vii. proposed maximum RROR in case of a single complying and responsive bidder |
| | <p>l. economic analysis</p> | <ul style="list-style-type: none"> i. an analysis of project desirability in terms of its net contribution to the economic and social welfare of the country as a whole |

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| | | <p><i>Note: Details should be consistent with the economic model; otherwise, an explanation of the inconsistency should be included.</i></p> <ul style="list-style-type: none"> ii. economic costs considered, including descriptions and assumptions, with bases/references. This should consider the ICC-prescribed shadow factors for the following: <ul style="list-style-type: none"> a. unskilled labor b. foreign cost component iii. economic benefits streams considered, including descriptions and assumptions, with bases/references iv. resulting viability indicators, considering the ICC-prescribed Social Discount Rate v. sensitivity analysis with respect to changes in costs, benefits, and demand, among others |
| | m. project safeguards | <p>Environment, climate change and sustainability considerations:</p> <ul style="list-style-type: none"> i. environmental impact of the proposal (e.g., impact on natural resources, biodiversity and ecosystem preservation), including proposed safeguard measures to avoid/minimize effect of such impacts. Multihazard assessment, considering hydrometeorological, geological, and human-induced hazards and related vulnerabilities may also be included. ii. climate change resiliency and sustainability considerations, including proposed safeguard measures <p>Equity in development benefits:</p> <ul style="list-style-type: none"> i. accomplished Gender Responsiveness Checklist <p>The guidelines for accomplishing the Gender-Responsiveness Checklist can be accessed at: https://neda.gov.ph/wp-content/uploads/2020/09/Guidelines-in-Accomplishing-the-ICC-PE-on-Gender-Responsiveness-Checklist.pdf</p> <ul style="list-style-type: none"> ii. gender, equity, disability and social inclusion (GEDSI) considerations, including proposed safeguard measures addressing the identified issues <p>Other considerations, as applicable:</p> <ul style="list-style-type: none"> i. cultural resources and heritage considerations, including proposed preservation measures ii. proposed workplace standards on health and safety iii. proposed cyber-security standards/practices |
| | n. risk allocation and risk mitigation plan | <ul style="list-style-type: none"> i. risk allocation ii. risk mitigation plan for each risk identified |

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| | | <p>o. value for money analysis</p> <p>An analysis applied to PPP projects at the project development stage to determine the appropriateness of undertaking them as PPPs and for assessing whether they provide better value for money in comparison to the traditional public procurement option. This shall determine the procurement approach that provides the maximum benefit for the government which could include benefits from private sector innovation, financing, efficiencies in construction and operations and project risk transfer.</p> <p>p. information on job creation/employment impact of the project. Information to be provided for this requirement should cover project development to operation and maintenance, as applicable</p> |
| | | <p>i. calculations for the PPP shadow bid, including assumptions with bases/references</p> <p>ii. calculations for the Public Sector Comparator (PSC), including assumptions with bases/references</p> <p>iii. resulting value for money, including an analysis whether the project provides better value for money in comparison with the traditional public procurement option</p> <p>iv. sensitivity analysis with respect to changes in the PPP shadow bid and/or the PSC</p> <p>i. estimated number of jobs to be generated</p> <p>ii. job type</p> <p>iii. disaggregated data on sex and disability</p> <p>iv. amount of wages/salaries</p> |
| 3 | Electronic copy of the economic model | <p>The economic model should:</p> <p>a. be in traceable formula format</p> <p>i. assumptions/inputs should be shown in a summary sheet that are linked to the relevant work sheets of the model. This should include bases/references for all hardcoded values.</p> <p>ii. workbook and sheets should be in editable format, and should not be protected</p> <p>iii. there should be no hidden sheets, and no links to external files</p> <p>b. contain information that are up-to-date and are not older than three (3) years as of the date of submission</p> <p>c. have all monetary values expressed/converted into local currency, i.e., PHP</p> <p>The economic model should also contain the following:</p> <p>a. economic benefits of the project</p> <p>b. economic costs of the project</p> <p>c. conversion of financial costs to economic costs, using ICC-prescribed shadow factors</p> <p>d. calculation of economic viability</p> <p>- economic internal rate of return</p> <p>- economic net present value, using ICC-prescribed Social Discount Rate</p> <p>- benefits-cost ratio</p> <p>e. sensitivity analysis with respect to changes in costs, benefits, and demand, among others</p> |
| 4 | Electronic copy of the Value for Money model | <p>The value for money model should:</p> <p>a. be in traceable formula format</p> <p>i. assumptions/inputs should be shown in a summary sheet that are linked to the relevant work sheets of the model. This should include bases/references for all hardcoded values.</p> <p>ii. workbook and sheets should be in editable format, and should not be protected</p> |

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| | | <ul style="list-style-type: none"> iii. there should be no hidden sheets, and no links to external files b. have cash flows expressed in nominal terms c. have all monetary values are expressed/converted into local currency, i.e., PHP <p>The value for money model should also contain the following:</p> <ul style="list-style-type: none"> a. PPP shadow bid b. Public Sector Comparator c. resulting value for money d. sensitivity analysis with respect to changes in the PPP shadow bid and/or the PSC |
| 5 | Electronic copy of the financial model | <p>The financial model should:</p> <ul style="list-style-type: none"> a. be in traceable formula format i. assumptions/inputs should be shown in a summary sheet that are linked to the relevant work sheets of the model. This should include i) bases/references for all hardcoded values and ii) the investment incentives that are intended to be availed of for the project. ii. workbook and sheets should be in editable format, and should not be protected iii. there should be no hidden sheets, and no links to external files <ul style="list-style-type: none"> b. contain information that are up-to-date and are not older than three (3) years as of the date of submission c. have cash flows expressed in nominal terms d. have all monetary values expressed/converted into local currency, i.e., PHP <p>The financial model should also contain the following:</p> <ul style="list-style-type: none"> a. balance sheet of the project for its full life cycle b. income statement of the project for its full life cycle c. cash flows statement of a project for its full life cycle, including the following: <ul style="list-style-type: none"> -cash flow from operating, investing, and financing activities -free cash flows to firm -free cash flows to equity holders d. calculations on financial viability <ul style="list-style-type: none"> -project internal rates of return -equity internal rates of return -project net present value -equity net present value -weighted average cost of capital -cost of equity components based on established methodologies (e.g., Capital Asset Pricing Model) e. sensitivity analysis with respect to changes in costs, revenues, and demand, among others f. calculations on bankability based on established methodologies including, at minimum, the debt service coverage ratio, among others. g. amount and schedule of liabilities of the LGU/LUC (e.g., availability payments, viability gap funding, ROW cost, IC cost, among others) h. proposed maximum RROR in case of a single complying and responsive bidder |

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| | | i. for JV projects, proposed profit sharing between the LGU/LUC and the private proponent | | | | | |
| 6 | Proposed project Parameters Terms and Conditions (PTC) | <p>The LGU/LUC should submit a proposed set of PTCs for the project.</p> <p>The LGU/LUC shall submit its Proposed Parameters Terms and Conditions (PTCs) using the following forms:</p> <p>PTC Form 1 (Proposed General Parameters, Terms, and Conditions) which includes the general information about the proposed project.</p> <p>PTC Form 2 (Government Undertakings, and Other Financial Obligations of the Government) which are compliant with the rules provided under the PPP Code and its IRR.</p> <p>PTC Form 3 (Proposed Risk Allocation and Risk Mitigation Plan) 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 (Identified Interconnectivity and Interface Risks, and Mitigating Measures) which includes the assessment of the actual and potential interconnectivity and interface risks between the proposed project and other government project/s.</p> | | | | | |
| 7 | Valuation reports on government assets or property, equity contribution of the government and private proponent, and reclaimed land, as applicable | <p>A report on the required valuation as determined by a Third Party Appraiser, as applicable based on the PPP Code IRR:</p> <table border="1"> <tr> <td> <p>a. For Joint Ventures - valuation of equity contribution of the government and the private partner</p> <p>This should include contribution of assets, properties, and rights, and other allowable Government Undertakings.</p> <p>For avoidance of doubt:</p> <ul style="list-style-type: none"> - cash contributions do not require valuation. - rights contributed by the government in support of the project (e.g., water rights, right to access government data and system, permit to operate under the name of the government agency, and franchise issued to the agency) do not require valuation, unless subjected by the implementing agency/ies to valuation during the negotiation phase. </td> <td> <p>i. valuation of the equity contribution of the government</p> </td> </tr> <tr> <td></td> <td></td> <td> <p>ii. valuation of the equity contribution of the private partner</p> </td> </tr> </table> <p>b. For projects where the investment recovery scheme involves the grant of a portion or percentage of a reclaimed land - valuation of reclaimed land</p> | <p>a. For Joint Ventures - valuation of equity contribution of the government and the private partner</p> <p>This should include contribution of assets, properties, and rights, and other allowable Government Undertakings.</p> <p>For avoidance of doubt:</p> <ul style="list-style-type: none"> - cash contributions do not require valuation. - rights contributed by the government in support of the project (e.g., water rights, right to access government data and system, permit to operate under the name of the government agency, and franchise issued to the agency) do not require valuation, unless subjected by the implementing agency/ies to valuation during the negotiation phase. | <p>i. valuation of the equity contribution of the government</p> | | | <p>ii. valuation of the equity contribution of the private partner</p> |
| <p>a. For Joint Ventures - valuation of equity contribution of the government and the private partner</p> <p>This should include contribution of assets, properties, and rights, and other allowable Government Undertakings.</p> <p>For avoidance of doubt:</p> <ul style="list-style-type: none"> - cash contributions do not require valuation. - rights contributed by the government in support of the project (e.g., water rights, right to access government data and system, permit to operate under the name of the government agency, and franchise issued to the agency) do not require valuation, unless subjected by the implementing agency/ies to valuation during the negotiation phase. | <p>i. valuation of the equity contribution of the government</p> | | | | | | |
| | | <p>ii. valuation of the equity contribution of the private partner</p> | | | | | |
| 8 | Project site plan | <p>a. details on the ownership of the proposed project site</p> <p>b. for transport and road projects, a diagram that illustrates the project alignment, which includes major landmarks and infrastructure/ facilities within/near the project alignment</p> <p>c. Right of Way Acquisition (ROWA)/Resettlement Action Plan (RAP), if applicable</p> | | | | | |

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| | | <p>i. scope of ROW requirements (e.g., specific location, size and distance, among others, of ROW to be acquired)</p> <p>ii. estimated costs, which must also be specified and itemized in the financial model (if the project does not involve an acquisition of land for the project, indicate 0)</p> <p>iii. at the minimum, the submitted plan(s) should include the following information:</p> <table border="1" data-bbox="554 402 1927 954"> <tr> <td data-bbox="554 402 1205 565">1) Project Affected Persons (PAPs):</td> <td data-bbox="1205 402 1927 435">a) estimated number (PAPs, households)</td> </tr> <tr> <td data-bbox="554 435 1205 467"></td> <td data-bbox="1205 435 1927 467">b) profile/group: IPs, owners, ISFs, etc.</td> </tr> <tr> <td data-bbox="554 467 1205 565"></td> <td data-bbox="1205 467 1927 565">c) compensation package, with estimated amount (per PAP or per household), including livelihood program/Social Development Program, if any</td> </tr> <tr> <td data-bbox="554 565 1205 695">2) Affected structures:</td> <td data-bbox="1205 565 1927 597">a) estimated number</td> </tr> <tr> <td data-bbox="554 695 1205 727"></td> <td data-bbox="1205 695 1927 727">b) type: commercial, residential, government asset, etc.</td> </tr> <tr> <td data-bbox="554 727 1205 760"></td> <td data-bbox="1205 727 1927 760">c) compensation package, with estimated amount (per affected structure)</td> </tr> <tr> <td data-bbox="554 760 1205 857">3) Utilities (electricity, water, ICT/Telecoms, etc.):</td> <td data-bbox="1205 760 1927 792">a) estimated number</td> </tr> <tr> <td data-bbox="554 857 1205 889"></td> <td data-bbox="1205 857 1927 889">b) type of utility</td> </tr> <tr> <td data-bbox="554 889 1205 922"></td> <td data-bbox="1205 889 1927 922">c) relocation cost, with amount (per affected utility)</td> </tr> <tr> <td data-bbox="554 922 1205 954">4) Institutional arrangement on the delivery of the project site</td> <td data-bbox="1205 922 1927 954">a) parties involved</td> </tr> <tr> <td data-bbox="554 954 1205 987"></td> <td data-bbox="1205 954 1927 987">b) responsibilities of parties involved</td> </tr> <tr> <td data-bbox="554 987 1205 1019">5) Details of ROW acquisition and resettlement activities and implementation period; and</td> <td data-bbox="1205 987 1927 1019">a) activities</td> </tr> <tr> <td data-bbox="554 1019 1205 1052"></td> <td data-bbox="1205 1019 1927 1052">b) implementation period</td> </tr> <tr> <td data-bbox="554 1052 1205 1084">6) Applicable laws, rules and regulations.</td> <td data-bbox="1205 1052 1927 1084"></td> </tr> </table> <p>d. Requirements under relevant laws, rules, and regulations (e.g. Protected Area Management Board resolution or endorsement for projects to be implemented within protected areas identified under Republic Act (RA) No. 7586, as amended by RA No. 11038), as applicable. In case of reclamation projects, the metes and bounds of the area should be included.</p> | 1) Project Affected Persons (PAPs): | a) estimated number (PAPs, households) | | b) profile/group: IPs, owners, ISFs, etc. | | c) compensation package, with estimated amount (per PAP or per household), including livelihood program/Social Development Program, if any | 2) Affected structures: | a) estimated number | | b) type: commercial, residential, government asset, etc. | | c) compensation package, with estimated amount (per affected structure) | 3) Utilities (electricity, water, ICT/Telecoms, etc.): | a) estimated number | | b) type of utility | | c) relocation cost, with amount (per affected utility) | 4) Institutional arrangement on the delivery of the project site | a) parties involved | | b) responsibilities of parties involved | 5) Details of ROW acquisition and resettlement activities and implementation period; and | a) activities | | b) implementation period | 6) Applicable laws, rules and regulations. | |
| 1) Project Affected Persons (PAPs): | a) estimated number (PAPs, households) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b) profile/group: IPs, owners, ISFs, etc. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c) compensation package, with estimated amount (per PAP or per household), including livelihood program/Social Development Program, if any | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2) Affected structures: | a) estimated number | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b) type: commercial, residential, government asset, etc. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c) compensation package, with estimated amount (per affected structure) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3) Utilities (electricity, water, ICT/Telecoms, etc.): | a) estimated number | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b) type of utility | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | c) relocation cost, with amount (per affected utility) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4) Institutional arrangement on the delivery of the project site | a) parties involved | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b) responsibilities of parties involved | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5) Details of ROW acquisition and resettlement activities and implementation period; and | a) activities | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | b) implementation period | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6) Applicable laws, rules and regulations. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | Endorsement/s from the RPPPC and approval from Investment Coordination Committee (<i>if applicable</i>) | <p>If applicable, the following should be submitted:</p> <p>a. RPPPC resolution, for projects affecting national or sectoral development plans and national projects</p> <p>b. RPPPC resolution and ICC written approval, for projects with requested Government Undertaking or Availability Payments. Note that if the RPPPC or the LGU/LUC consulted with the Department of Finance (DOF) prior to the former's endorsement, the non-binding letter from the DOF should also be provided.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |