



LALAWIGAN NG BULACAN  
**Damahalaang Bayan ng Baliwag**

TANGGAPAN NG PUNONGBAYAN

EXECUTIVE ORDER NO. 9  
Series of 2017

**“AN ORDER ESTABLISHING THE BALIWAG PUBLIC-PRIVATE PARTNERSHIP BOARD  
(BPPPB)”**

**WHEREAS**, The 1987 Constitution recognizes the indispensable role of the private sector in development, encourages private enterprise, and provides incentives to needed investments.

**WHEREAS**, The 1987 Constitution also states that a local government, as a territorial and political subdivision, enjoys local autonomy and fiscal autonomy. Thus, local governments have the power to create their own sources of revenue in addition to their equitable share in the national taxes, as well as the power to allocate their resources in accordance with their own priorities.

**WHEREAS**, Under Section 35 of R.A. No. 7160, otherwise known as the Local Government Code, local government units may enter into joint ventures and such other cooperative arrangements with people's and nongovernmental organizations to engage in the delivery of certain basic services, capability-building and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people.

**WHEREAS**, one of the most effective vehicle to enhance private sector participation in public services delivery, increase growth, and create jobs leading to reduction of poverty is the Public Private Partnership;

**WHEREAS**, is it expedient to establish a regulatory framework to execute Public-Private Partnerships in the Municipality of Baliwag so as to promote domestic and foreign private

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*Serbisyong May Malasakit*

investment, set up transparent and efficient institutional arrangements for PPPs and promote private sector participation in the economic development amongst others;

**WHEREAS**, based on the above premises, a Public-Private Partnership Board is hereby established to serve as a focal point for supporting all Public Private Partnership initiatives in the Municipality of Baliwag.

**NOW, THEREFORE**, I, FERDINAND V. ESTRELLA, Municipal Mayor, Municipality of Baliwag, Bulacan, by virtue of the powers vested in me by law do hereby order:

**Section 1. The Baliwag Public-Private Partnership Board (BPPPB).** Cognizant of the intent and purpose of revised DILG Memorandum Circular 2011-016, referring to a special committee to assist the LGUs in adopting PPP as an approach to improve the LGU's infrastructure program and service delivery, there is hereby created a Baliwag Public-Private Partnerships Board (BPPPB), which shall herein referred to in this Ordinance as the PPP Board, to implement the provisions of this Code.

The PPP Board is hereby created, which shall be the overall policy making body for all the PPP-related matters. It shall be responsible for setting the strategic direction of the PPP Program and creating an enable policy and institutional environment for PPP.

**Section 2. Composition.** The PPP Board shall be composed of the following:

Chair : **MUNICIPAL MAYOR**

Members : Chairperson, Committee on Public Works

Chairperson, Committee on Ways and Means

Chairperson, Committee on Appropriations

Municipal Administrator

Municipal Legal Officer

Investment Promotion Unit

Municipal Development and Planning Coordinator

Municipal Treasurer

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**Section 3. Mandate and Functions of the PPP Board.** The PPP Board shall, as part of the planning or investment programming process, identify LGU projects to be included in the Local Development Program and those priority projects that may be financed, constructed, operated and maintained by the private sector where private sector resources, expertise or technology could be harnessed. It shall also recommend to the LDC that PPP be considered as an alternative mode of implementing the projects.

During the various phases of PPP implementation, the PPP Board shall assist in and monitor the activities to ensure compliance with existing laws, rules and regulations, open, transparent and competitive processes and the best value-for-money for the LGU and that public welfare is served. It shall recommend plans and policies related to PPP for adoption by the LDC and the Local Sanggunian and ensure the consistency thereof with existing national policies, laws, rules and regulations.

- a. **Pre-Investment Stage:** During the pre-investment stage, the Board shall:
  - i. Assess the Local Development Plan (LDP) and provide recommendations in integrating PPP in infrastructure development and services delivery;
  - ii. Recommend, for confirmation of the LDC and approval of the Sanggunian, the list of projects in the Local Development Investment Program (LDIP) which can be implemented through PPP;
  - iii. Obtain and study the list of Sanggunian-identified PPP projects;
  - iv. Facilitate the conduct of or participate in market sounding or related activities and ensure the widest dissemination of information.
  
- b. **Project Implementation Stage:** PPP project implementation is divided into four phases, namely: development phase; approval phase; competition phase; and cooperation phase. In each of the phases, the Board shall perform the following functions with the help of the LGU PPP Implementing Office:
  - i. **Development Phase**
    - i.a Identify sources of funds and technical assistance for PPP project development and other activities including the conduct of pre-feasibility and feasibility studies;



i.b Submit to the PPP Center a copy of all Unsolicited Proposals and other related documents received by the LGU;

**ii. Approval Phase**

ii.a Assist the LGU PPP Implementing Office in securing the required project approvals;

ii.b Monitor the set timelines and prescribed periods for the approval of PPP projects under existing laws, rules and regulations;

**iii. Competition Phase**

iii.a Observe and where appropriate, provide technical assistance in the conduct of the bidding process and ensure compliance with prescribed laws, issuances, rules and regulations and the observance of an open, transparent and competitive process;

**iv. Cooperation Phase**

iv.a Monitor the status of all awarded LGU PPP projects to ensure timely and smooth implementation thereof.

**Section 4. PPP Board Meetings and Quorum.**

- a. The PPP Board shall meet at least once every quarter or as often as necessary.
- b. A simple majority shall constitute a quorum.
- c. Decisions by the PPP Board shall be by consensus whenever possible; otherwise, the simple majority will suffice.
- d. All decisions of the PPP Board shall be in the form of a resolution. The PPP Board Secretariat shall be responsible for the framing of the resolutions, which shall be numbered consecutively every fiscal year indicating the number of the resolution and the year the resolution was passed.

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- e. The chairperson may designate any member to preside at meetings, in his/her absence.

**Section 5. The LGU PPP Implementing Office.** Each PPP project shall be categorized per sector. The LGU Office in charge of that particular sector shall be considered as the LGU PPP Implementing Office.

- a. **Composition of the LGU PPP Implementing Office.** The LGU PPP Implementing Office shall be led by the Department Head of the Sectoral Office concerned. For purposes of PPP implementation, the LCE shall designate representatives from the following Offices to provide technical support:

- i. Office of the Mayor;
- ii. Legal Office;
- iii. Planning and Development;
- iv. Municipal Accounting Office;
- v. Municipal Engineering Office;
- vi. Municipal Environment and Natural Resources Office; and
- vii. Municipal Social Welfare and Development.

- b. **Mandate and Functions of the LGU PPP Implementing Office.** The LGU PPP Implementing Office (PPP-IO) shall perform the following functions in every phase:

**i. Development Phase**

- i.a Prepare and conduct pre-investment activities such others as pre-feasibility studies, business case, feasibility studies, among others.

**ii. Approval Phase**

- ii.a Prepare the necessary documents that may be required by the approving body, including coordination with the Local Sanggunian for the needed resolution, ordinance, endorsement of the project and authority to the LCE for the project;

- ii.b Submit to the LCE the project for endorsement to the appropriate approving body pursuant to Section 19 of the PPP LGU Code.

**iii. Competition Phase**

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