



## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NO. 32 Series of 2022

#### **AN EXECUTIVE ORDER REORGANIZING THE PROVINCIAL PUBLIC-PRIVATE PARTNERSHIP FOR THE PEOPLE- SELECTION COMMITTEE (PPPP-SC) AND ITS TECHNICAL WORKING GROUP (TWG), DEFINING THEIR FUNCTIONS AND FOR OTHER PURPOSES**

**WHEREAS**, Section 20, Article II of the 1987 Philippine Constitution recognizes the private sector as the state's valuable partner in achieving the development goals of the country;

**WHEREAS**, Section 35 of Republic Act No. 7160, otherwise known as Local Government Code of 1991, encourages the participation of the private sector in local governance, particularly in the delivery of certain basic services to ensure the viability of local autonomy as an alternative strategy for sustainable development;

**WHEREAS**, Republic Act No. 6957, as amended by Republic Act No. 7718, and its Revised Implementing Rules and Regulations (RIRR) authorizes local government units to enter into contractual arrangements with the private sector to implement infrastructure projects through Public-Private Partnership (PPP) modalities;

**WHEREAS**, Provincial Ordinance No. 72-2017 was enacted to establish the Provincial Public-Private Partnership for the People (PPPP) Code and to provide a framework which shall ensure the reliability of joint economic undertaking between the private sector and Provincial Government of Oriental Mindoro (PGOM);

**WHEREAS**, Section 16 of the PPPP Code directs the creation of the PPPP-Selection Committee (PPPP-SC) for the selection of a Private Sector Proponent (PSP) for specific PPPP Projects;

**WHEREAS**, Executive Order No. 183, series of 2019, entitled "Activating the Provincial Public-Private Partnership for the People-Selection Committee (PPPP-SC) and its Technical Working Group (TWG), defining their functions, and for other purposes" was issued on 30 July 2019;

**WHEREAS**, to enable the designation of representatives from the 11<sup>th</sup> Sangguniang Panlalawigan and accredited local civil society organizations, there is a need to reorganize the PPPP-SC;

**NOW, THEREFORE, I, HUMERLITO A. DOLOR, MPA, Ph.D.** by virtue of the powers vested in me as the Provincial Governor of Oriental Mindoro by Section 465(b) (iii), Article One, Chapter 3, Title 4, Book III of Republic Act 7160, otherwise known as the Local Government Code of 1991, do hereby promulgate this Executive Order, as follows:

**Section 1. Reorganization of the Provincial Public-Private Partnership for the People-Selection Committee (PPPP-SC).** The PPPP-SC of the Provincial Government of Oriental Mindoro is hereby reorganized to be composed of the following:

Chairperson : **DR. HUBBERT CHRISTOPHER A. DOLOR, MPA, MHA, PAR**  
Provincial Administrator

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- Secretary** : **ATTY. EARL LIGORIO R. TURANO, II**  
Provincial Legal Officer
- Members** : **MS. ASTRONICA G. SALCEDO**  
Provincial Treasurer
- : **MS. LYDIA MUÑECA S. MELGAR, EnP.**  
Provincial Planning and Development Coordinator
- : **MS. MAY ANNE JOY M. YLAGAN**  
OIC-Provincial Budget Office
- : **BOARD MEMBER JOMARC PHILIP E. DIMAPILIS**  
Sangguniang Panlalawigan Representative
- : **MS. JUVELYN V. GUMAL-IN**  
Executive Director  
Pampamayanang Mangyan Ugnayan Inc.
- : **MR. JAIME G. NUEVAS, JR.**  
Chapter President  
University of the Philippines Los Baños Alumni Association  
Oriental Mindoro Chapter

**Non-voting Observer: End-User Representative**

**Section 2. Responsibilities and Functions of the PPPP-SC.** The PPPP-SC, as the prime overseer in the implementation of the PPPP Code shall strictly adopt and comply with EO No. 147, the Implementing Rules and Regulations of the PPPP Code. The PPPP-SC shall also exercise the following duties and responsibilities enumerated under Section 16 (b) of the PPPP Code:

- a. Responsible for all aspects of the pre-selection and selection process, including, among others, the preparation of the tender documents;
- b. Determine the minimum designs, performance standards/specifications, economic parameters and reasonable rate of return or tariff-setting mechanism appropriate to the PPPP Modality;
- c. Draft or evaluate the PPPP Contract;
- d. Publish the invitation to apply for eligibility requirements, appropriate form and amount of proposals or comparative proposals;
- e. Define the eligibility requirements, appropriate form and amount of proposal securities, and schedules of the selection and challenge processes;
- f. Pre-qualify prospective PSPs, bidders or challengers;
- g. Conduct pre-selection conferences and issue supplemental notices;
- h. Interpret the rules regarding the selection process;
- i. Conduct selection and challenge process;
- j. Evaluate the legal, financial, and technical aspects of the proposal;
- k. Resolve disputes between PSPs and challengers;
- l. Define the appeals mechanisms; and
- m. Recommend for the acceptance of the proposal and/or for the award of the contract.

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**Section 3. PPPP-SC Technical Working Group and its Functions.** The Technical Working Group (TWG) of the PPPP-SC shall be composed of representatives from the Provincial Engineer's Office (PEO), Office of the Provincial Accountant (OPA), Oriental Mindoro Provincial Hospital (OMPH), and Provincial Cooperatives Development Office (PCDO).

The PPPP-SC TWG shall exercise the following duties and functions:

- a. Conduct research on pertinent information relevant to the PPPP Procedures and PPPP Contracts;
- b. Ensure the availability of data needed by the Committee;
- c. Assist the PPPP-SC in drafting PPPP Contracts; and,
- d. Coordinate with other concerned Offices/Bureaus.

**Section 4. Secretariat.** The Provincial Legal Office (PLO) shall serve as the Secretariat of the PPPP-SC. It shall perform the following functions:

- a. Compile all gathered information, data and materials related to PPPP;
- b. Arrange and coordinate meetings of the PPPP-SC;
- c. Record all proceedings and discussions that arise from the meetings; and,
- d. Perform such other functions as may be necessary.

**Section 5. Meeting.** The PPPP-SC and PPPP-TWG shall hold their respective meetings as often as may be necessary.

**Section 6. Funding.** Administrative expenses for the operation of the PPPP-SC and PPPP-TWG shall be charged against the General Fund of the Provincial Governor's Office.

**Section 7. Separability Clause.** If any provision of this Executive Order is declared invalid for any reason, the parts not affected shall remain valid and in full force.

**Section 8. Repealing Clause.** All provincial executive orders, rules, regulations, and other issuances or parts thereof inconsistent with this Executive Order are hereby repealed and/or modified accordingly.

**Section 9. Effectivity.** This Executive Order shall take effect immediately upon its approval.

**DONE IN THE CITY OF CALAPAN, PROVINCE OF ORIENTAL MINDORO,** this 4<sup>th</sup> day of October in the Year of our Lord Two Thousand Twenty-Two.

  
**HUMBERTO A. DOLOR, MPA, Ph.D.**  
Provincial Governor