



Republic of the Philippines
Province of Laguna

MUNICIPALITY OF LOS BAÑOS

Special Science and Nature City

OFFICE OF THE MAYOR

Municipal Hall, National Highway, Brgy. Timugan, Los Baños, Laguna 4030 Philippines
Tel Nos. (049) 530 2585 and 530 2589

EXECUTIVE ORDER NO. 075
Series of 2021

**CREATION OF THE LGU P4 SELECTION COMMITTEE
(P4- SC) FOR THE DIALYSIS CENTER PROJECT**

WHEREAS, it is the declared policy of the State to promote the ideals of good governance in all its branches, departments, agencies, subdivisions, and instrumentalities, including government-owned and/or - controlled corporations, and local government units;

WHEREAS, Republic Act No. 9184 otherwise known as the Government Procurement Reform Act and its Implementing Rules and Regulations mandate the procurement procedures of infrastructure projects, goods and consulting services for all national and local government offices must be with transparency, competitiveness, streamlined process, accountability and monitoring in the procurement process and in the implementation of procurement contracts;

WHEREAS, on August 14, 2017, Municipal Ordinance No. 2017-1643 entitled "An Ordinance to Govern Public-Private Partnership (PPP) – Projects between the Municipality of Los Baños and Private Sector Partners, Providing for the Procedures for Identifying Projects and Selection of Private Partners, Instituting Accountability Mechanisms, and for Other Purposes" was enacted;

WHEREAS, Municipal Ordinance No. 2017-1643 and its Implementing Rules and Regulations provides for the creation of a Special Pre-Qualification Bids and Awards Committee (SPBAC) following the same rules of creation under RA 9184. However, the SPBAC shall be guided by the processes laid down by Republic Act No. 7718 or the Built Operate Transfer (BOT) Law and its Implementing Rules and Regulations and Department of the Interior and Local Government Memorandum Circular No. 2016-120 dated September 7, 2016 re Guidelines for the implementation of Public-Private Partnership for the People Initiative for Local Governments (LGU P4);

WHEREAS, Municipal Ordinance No. 2017-1693 dated December 4, 2017 entitled "An Ordinance Pursuing a Public-Private Partnership for the People (LGU P4) Approach towards Development, providing for the Procedure for Selecting the Private Sector Proponent, Adopting a Contract Management Framework and Providing Appropriations and For Other Purposes in the Municipality of Los Baños, Province of Laguna" was put into law to ensure and facilitate consistency, integrity, reliability, sustainability, accountability and transparency, and enforceability municipal development projects thereafter repealing all ordinances and resolutions inconsistent thereof;

WHEREAS, Municipal Ordinance No. 2017-1693 (LGU P4 Code of Los Baños) enumerates the composition of the LGU P4-SC:

- (i) Chairperson – At least a third ranking officer of the Municipal Government;
- (ii) Secretary –Municipal Legal Officer or its equivalent;
- (iii) The Municipal Treasurer
- (iv) The Municipal Planning and Development Officer;
- (v) One (1) representative from and selected by the Sanggunian Bayan designated in an appropriate resolution; and
- (vi) Two (2) representatives from and chosen by the accredited CSOs, POs and NGOs who are members of the Municipal Development Council.

A quorum of the LGU P4-SC shall be composed of a simple majority of all voting members. The Chairperson shall vote only in case of a tie.

The LGU P4-SC with the approval of the Municipal Mayor may invite provisional non-voting members from the national government agencies, regulatory agencies, NEDA, DILG, and the private sector to observe in the proceedings of the P4-SC; and form a support staff composed of employees and staff of the Municipal Government.

NOW, THEREFORE, I, ANTONIO L. KALAW, Municipal Mayor of the Municipality of Los Baños, Province of Laguna, by virtue of the powers vested in me by law, do hereby create the LGU P4-SCfor the Dialysis Project, to wit:

Section 1. COMPOSITION. The LGU P4-SC shall be composed of the following:

Chairperson	Dr. Alvin A. Isidoro	Municipal Health Officer
Member/Secretary	Atty. Katrina D. Galang-Bacani	Municipal Administrator
Members	Hon. Mark Lester B. Dizon Ms. Twila T. Torres Mr. Alexander L. Bejosano Ms. Angelica L. Martinez Mr. Enrico J. Hernandez	Municipal Councilor/ Sangguniang Bayan Committee Chair on Health MPDC Municipal Treasurer Rural Improvement Club of Los Banos, Inc. Municipal Agricultural and Fishery Council
Provisional/ Technical Members	Ms. Michiko R. Escalante Ms. Jocelyn T. Solivas Representative Representative	DILG-MLGOO COA Resident Auditor NEDA Makiling Medical Society
Support Staff	Engr. Ricky R. Estopace Mr. Ronell B. Alcachupas Ms. Genoveva B. Poyaon	Municipal Engineer Municipal Accountant Municipal Budget Officer

Secretariat

Municipal Planning and Development Office

Ms. Lou Andie G. Diaz
Mr. Efren M. Delos Reyes

Project Dev't. Officer II
Construction and
Maintenance Foreman

Office of the Municipal Accountant

Ms. Patricia Ann B. Dela Cruz Accounting Clerk III

Municipal Budget Office

Ms. Joyce Ann Mae L. Del Valle Budget Officer II

Municipal Health Office

Ms. Aiza Q. Toledo Nurse II
Ms. Jodi Katrin Surmann Clerk I

Local Youth Development Office

Ms. Kristine G. Mora Admin Aide

Section 2. DUTIES AND RESPONSIBILITIES. The LGU P4-SC shall be

- a) responsible for all aspects of the pre-selection and selection process, including, among others, the preparation of the Feasibility or Project Study and selection/ tender documents;
- b) determine the minimum designs, performance standards/ specifications, economic parameters and reasonable rate of return or tariff-setting mechanism appropriate to the LGU P4 Modality;
- c) draft and/or evaluate the P4 contract;
- d) publish invitation to apply for eligibility and submission 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 of pre-selection conferences and issuance of supplemental notices;
- h) interpret the rules regarding the selection process;
- i) conduct of the selection or challenge process;
- j) evaluate the legal, financial and technical aspects of the proposals;
- 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.

The Secretariat shall serve as the main support unit of the LGU P4-SC and shall have the following functions and responsibilities:

- a) provide administrative support to the LGU P4-SC;
- b) organize and make all the necessary arrangements for the LGU P4-SC meetings and conferences;

- c) prepare minutes of meetings and resolutions of the LGU P4-SC;
- d) take custody of procurement documents and other records and ensure that the procurement undertaken by the LGU is properly documented;
- e) manage the sale and distribution of Bidding Documents to interested bidders;
- f) advertise and/or post bidding opportunities, including bidding documents, and notices of awards;
- g) assist in managing the procurement processes;
- h) monitor procurement activities and milestones for proper reporting to relevant agencies when required;
- i) act as the central channel of communications for the LGU P4-SC with end-user or implementing unit, PMOs, other units of the line agency, other government agencies, providers of goods, infrastructure projects, and consulting services, observers, and the general public.

The Provisional/Technical Members shall have the following responsibilities:

- a) prepare a report indicating observations on the procurement activities conducted by the LGU P4-SC for submission to the Head of the Procuring Entity, copy furnished the LGU P4-SC Chairperson.
- b) Submit a report to the LGU and furnish a copy to the Government Procurement Policy Board and Office of the Ombudsman/Resident Ombudsman. If no report is submitted within seven (7) calendar days after each procurement activity, then it is presumed that the bidding activity conducted by the LGU P4-SC followed the correct procedure; and
- c) Immediately inhibit and notify in writing the LGU of any actual or potential interest in the contract to be bid.
- d) Extend technical support to the LGU P4-SC.

Section 3. QUORUM. A majority of the total LGU P4-SC composition shall constitute a quorum for the transaction of business.

Section 4. MEETING. The Chairperson shall preside at all meetings of the LGU P4 -SC. The decision of the majority of those present at a meeting at which there is a quorum shall be valid and binding as an act of the LGU P4-SC. Provided, however, that the Chairperson shall vote only in case of a tie.

Section 5. EFFECTIVITY. This order shall take effect immediately.

Done this 18th day of January 2022 at Los Baños, Laguna

HON. ANTONIO L. KALAW
Municipal Mayor