

OCT 23 2023



**PPA ADMINISTRATIVE ORDER**

**No. 008 - 2023**

**TO :** All Port Managers  
Cargo Handling Operators  
Private Port Owners/Operators  
Others Concerned

**SUBJECT :** AMENDMENTS TO PPA ADMINISTRATIVE ORDER (AO) NOS. 03-2016 (PORT TERMINAL MANAGEMENT REGULATORY FRAMEWORK (PTMRF), AS AMENDED) AND 12-2018 (GUIDELINES FOR THE SELECTION AND AWARD OF CONTRACT UNDER THE PTMRF, AS AMENDED)

Pursuant to PPA Board Resolution No. 3249 issued during its 521<sup>st</sup> Regular Board Meeting held on September 28, 2023, the pertinent provisions of PPA AO Nos. 03-2016 and 12-2018 are hereby amended to read, as follows:

**“A. PPA AO No. 03-2016 (PTMRF)**

**Article VI. Specific Policy Guidelines**

**Section 1. Investment Categories**

xxx.

- b. The maintenance of PPA-owned and built equipment and infrastructure shall be undertaken by the Contractor in accordance with a pre-determined maintenance plan. **For Tier 1, the Contractor shall be responsible for the repair and maintenance of port facilities under the Port Terminal Management Contract, in accordance with the Maintenance Program.**

**B. PPA AO No. 12-2018 (Guidelines for the Selection and Award of Contract Under the PTMRF)**

**Article IV. Eligibility**

**Section 17. Eligibility Requirements**

xxx.

**B. Technical Eligibility**



xxx.

**Additional Eligibility Requirements for Tier 1:**

- "v. Experience in operating a terminal that is similar or of greater size than the port subject of this bidding. This relevant experience must show that the bidder handled foreign containerized and non-containerized cargo for a minimum of ten (10) years.
- vi. Experience in undertaking similar rehabilitation and construction works that it proposes to undertake as part of its Port Development Plan."

Article V. Bid

Section 18. Submission, Receipt and Opening of Technical and Financial Bids

xxx.

"The first envelope shall contain the following information/documents:

a) xxx.

xxx.

f) The Port Development/**Business** Plan, which shall contain project specification standards not lower than that prescribed by the Authority. The minimum project specification standards prescribed by the Authority refer to the following (i) Infrastructure Investment and Maintenance Program, **including rehabilitation and construction activities during the first two (2) years of operation and an expansion plan in the event cargo demand breaches the Port's operating capacity (For Tier 1)**; and (ii) the Port Productivity Commitments. It shall likewise contain the following:

- i. Traffic Projection and Analysis
- ii. Capital Structure Commitment (supported by Cash Flow projections for the period covered by the Concession Agreement)
- iii. Equipment Procurement and Maintenance Program
- iv. Safety and Security Program
- v. Marketing Strategy, **including evidence of its ability to implement and execute the marketing plan.**
- vi. Manual of Systems and Procedures
- vii. Manpower Development
- viii. Environmental and Waste Management Plan
- ix. Port Management and Information System (MIS) Plan



g) xxx."

Article VI. Award

Section 27. Notice of Award and Execution of Contract

xxx.

C. Performance Security

xxx.

II) The required amounts and forms of Performance Security shall be in accordance with the following schedule:

FORM OF PERFORMANCE SECURITY	AMOUNT OF PERFORMANCE SECURITY
Cash, cashier's check, or manager's check	Equivalent to the total amount of concession fee of the year for which the Performance Security is posted.
<b>Bank draft/guarantee or irrevocable letter of credit</b>	
<b>Surety Bond</b>	

xxx.

All other provisions of PPA AO Nos. 03-2016 and 12-2018 not affected by this Order shall remain valid and in full force.

This Order shall take effect fifteen (15) calendar days after its publication in at least two (2) newspaper of general nationwide circulation and a copy filed with the University of the Philippines Law Center.

  
**JAY DANIEL R. SANTIAGO**  
General Manager

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