

### PTC Form 3: Firm Liabilities

Objectives: 1) To establish whether the proposed government undertakings are acceptable and within the allowable threshold indicated in Section 13.3 of the Revised 2022 BOT Law IRR  
2) To establish whether the proposed government payments are acceptable

Official Project Name

#### 1. Firm Liabilities of the Government

##### 1.1 Government Undertakings (GUs) proposed by the implementing agency

###### a. List all GUs proposed for the project and the estimated value of each GU

Type of undertaking per Sec. 13.3 of the IRR of the BOT Law	Specific GU for the proposed project	If the undertaking is a direct government subsidy, specify type of subsidy according to Sec. 13.3.c	Value of each GU	Will the GU be compensated by the private proponent so as not to be considered a direct government subsidy (DGS)?	Value of compensation for each GU <sup>1</sup> (leave blank if answered 'No' in previous column)	Source of the valuation provided for the GU <sup>2</sup>
1 ---						---
2 ---						---
3 ---						---
4 ---						---
<b>Total</b>			<b>0.00</b>		<b>0.00</b>	

<sup>1</sup> Section 13.3 of the Revised 2022 BOT Law IRR provides that in case of contribution of assets or property in unsolicited proposals, compensation shall be considered as appropriate if the value of the compensation is at least equal to the value of the contribution or undertaking pursuant to Section 10.3.

<sup>2</sup> Section 13.3 of the Revised 2022 BOT Law IRR provides that, in case of contribution of assets or property, the value of the direct government subsidy shall be determined by a government financial institution or an independent property appraiser before the project is submitted to the Approving Body.

###### b. Assessment on whether the total value of the direct government subsidy (DGS) does not exceed the threshold set under Section 13.3 of the Revised 2022 BOT Law IRR

Item	Amount
Total Project Cost	
<b>Threshold for DGS falling under type i and ii (50% of total project cost)<sup>3</sup></b>	<b>0.00</b>
Total Estimated Value of DGS falling under type i and ii	0.00
Less: Value of Compensation of DGS falling under type i and ii, if any	0.00
Net Estimated Value of DGS	0.00
<b>% to Total Project Cost</b>	<b>#DIV/0!</b>

<sup>3</sup> Section 13.3 of the Revised 2022 BOT Law IRR provides that direct government subsidy falling under items c.i. and c.ii. in the same section shall not exceed fifty percent (50%) of the Project Cost.

##### 1.2 Government Payments

Type of government payments <sup>4</sup>	Description of firm liability	Mode of payment	Total Nominal Amount (in PhP)	Source/s of funding	Schedule (Month/Year)	Amount to be paid on scheduled payment
1 ---		---				
2 ---		---				

3	---		---			
4	---		---			
	<b>Total</b>			<b>0.00</b>		<b>0.00</b>

<sup>4</sup> Other firm liabilities include Amortization payments after construction of the infrastructure under BT, BTO & BGTOM arrangements, Lease payments under BLT arrangements, Share in the cost of an independent consultant, Cost of acquiring and delivering the right of way, Construction works or cost of construction works assumed by the agency, Capex costs assumed by the agency, among others.

#### **Certification by Head of Agency**

I hereby certify that:

- (1) the foregoing responses are complete, correct, true and accurate;
- (2) all required clearances for any and/or all listed government undertakings above have been obtained and properly secured;
- (3) the (Name of Agency) has the resources required and is capable of undertaking its obligations pertaining to firm liabilities

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*Name, Signature of Head of Agency / Date signed*