Guidelines for the Updating of the Public Investment Program 2023-2028

I. Legal basis and background

The updating of the Public Investment Program (PIP) is pursuant to the following legal and policy issuances:

- A. Executive Order (EO) No. 230 (s. 1987) provides that the National Economic and Development Authority (NEDA) shall be responsible for coordinating the formulation of continuing and integrated socio-economic development plans, policies and programs, including the formulation of annual and medium-term public investment programs;
- B. Section 3 of EO No. 14 (s. 2023)¹ on the implementation of the Philippine Development Plan (PDP) 2023-2028 provides that the PIP shall be updated annually or when deemed necessary by NEDA;
- C. Special Provision No. 3 under the NEDA portion of the General Appropriations Act (GAA) for FY 2023² states that NEDA shall submit a copy of the PIP and its updates to the House Committee on Appropriations, Senate Committee on Finance, and Committees on Economic Affairs of both Houses of Congress;
- D. Joint Circular No. 2017-1 dated June 30, 2017 issued by the Department of Budget and Management (DBM), Department of Finance (DOF), and NEDA on the National Government Fiscal Calendar³ provides that NEDA is assigned to spearhead the necessary activities for the formulation/preparation of development planning and investment programming reports (i.e., PDP, PIP, Three-Year Rolling Infrastructure Program [TRIP], Core Investment Programs and Projects, Socio-Economic Reports) and other documents; and

¹ Copy of E.O. No. 14 (s. 2023) on "Approving and Adopting the Philippine Development Plan for the Period 2023-2028" can be accessed through this link: <u>Executive Order No. 14, s. 2023</u> <u>] Official Gazette of the Republic of the Philippines</u>.

² Copy of the 2023 GAA Special Provision on the Public Investment Program can be accessed through this link: <u>NEDA.pdf (dbm.gov.ph)</u>.

³ Copy of the DBM, DOF, and NEDA Joint Circular No. 2017-1 dated June 30, 2017 on the National Government Fiscal Calendar can be accessed through this link: <u>JOINT CIRCULAR NO.</u> 2017-1 DATED JUNE 30, 2017 (dbm.gov.ph).

E. Section 2.4 (List of Priority Projects) of the Revised 2022 Implementing Rules and Regulations (IRR) of the Philippine Build-Operate-Transfer (BOT) Law⁴ states that any updates to the lists of priority projects, which include the PIP, shall be submitted to the Public-Private Partnership (PPP) Center within 5 days from the approval of the Approving Body for information and for posting in the PPP Center website.

II. The PIP in the Plan-Program-Budget Linkage Process Framework⁵

As a six-year programming document accompanying the PDP, the **PIP** contains the priority programs and projects (PAPs) to be implemented by the national government (NGAs), government-owned and -controlled corporations (GOCCs), government financial institutions (GFIs), other national government offices, and state universities and colleges (SUCs) within the medium-term that contribute to meeting the targets in the PDP and achieving the outcomes in the Results Matrices (RMs).

The agencies are expected to ensure that priority PAPs to be allocated resources, submitted for inclusion in the National Expenditure Program (NEP), and/or funded under the GAA are responsive to the PDP and its RMs, and included in the PIP. DBM shall accord priority to PAPs included in the PIP in its review of the submitted budget proposals.

Main funding for priority PAPs in the PIP can come from the national government budget, internal cash generated by GOCCs and GFIs, private capital through partnership with the private sector, and loan and/or grants from official development assistance (ODA). Implementation, on the other hand, can be carried out through the Government Procurement Reform Act⁶, ODA Act of 1996⁷, public-private partnership (PPP)⁸, Joint Venture (JV) arrangement⁹, or Presidential Decree (PD) Nos. 1112 and 1113 (s. 1977)¹⁰.

⁴ Copy of the Revised 2022 IRR of Republic Act (RA) No. 7718 or The Philippine BOT Law can be accessed through this link: <u>https://neda.gov.ph/revised-2022-irr-of-the-bot-law-ra-7718/</u>

 ⁵ For details on the Plan-Program-Budget Linkage: Process Framework, please see Annex A.
 ⁶ RA No. 9184

⁷ RA No. 8182, as amended by RA No. 8555

⁸ Pursuant to the Revised 2022 IRR of the Philippine BOT Law

⁹ Based on the 2023 Revised Guidelines and Procedures for Entering into JV Agreements between Government and Private Entities. Copy of the 2023 JV Guidelines could be accessed through this link: <u>2023 NEDA Joint Venture (JV) Guidelines - National Economic and Development Authority</u>

¹⁰ In accordance with PD No. 1112 (s. 1977), "Authorizing the Establishment of Toll Facilities on Public Improvements, Creating a Board for the Regulation Thereof and for Other Purposes" and PD 1113 (s. 1977) "Granting the Construction and Development Corporation of the

The PIP is composed of the following:

- A. **Core Investment Programs/Projects (CIPs)** refer to the proposed big-ticket PAPs for Investment Coordination Committee (ICC) and/or NEDA Board action, and ongoing PAPs with ICC and/or NEDA Board approval; and
- B. **Non-CIPs** refer to proposed and ongoing priority PAPs that do not need to undergo the ICC and/or NEDA Board review and approval process.

The PIP contains the following types of PAPs:

- A. **PAPs under the TRIP for Fiscal Years (FYs) 2025-2027**. The **TRIP** is a key feature of the budgetary reform used to synchronize and tighten the link between planning and budgeting of all infrastructure PAPs of the Government. It shall be used to build the pipeline of strategic and other infrastructure projects needed to sustain inclusive economic growth.
- B. NG-implemented PAPs under the Regional Development Investment Program (RDIP). The RDIP serves as the accompanying document of the Regional Development Plan (RDP). It contains priority PAPs of the regions which will operationalize the strategies laid out in their respective RDPs.
- C. Agency Regional-National Investment Programs and Projects (ARNIPAPs). The ARNIPAPs refer to regional priority PAPs which were identified by the Regional Development Councils (RDCs) and pilot agencies¹¹, and agreed for inclusion in the updating of the PIP 2023-2028 during the Regional-National Investment Programming (RNIP) Dialogue held in August 2023.
- D. Infrastructure Flagship Projects (IFPs). The IFPs are game-changing, transformative, and urgently needed infrastructure projects of national significance that aim to showcase the overall Build-Better-More Program. The IFPs highlight the efforts of the Government in pushing the infrastructure agenda of the Administration.

Philippines a Franchise to Operate, Construct, and Maintain Toll Facilities in the North and South Luzon Toll Expressways and for Other Purposes", as amended by PD No. 1894 (s. 1983). ¹¹ Twelve (12) pilot national government agencies (i.e., DA, DepEd, DENR, DHSUD, DICT, DILG, DOE, DOH, DOST, DOTr, DSWD, and DPWH) that had the highest region-specific investment targets in the formulated PIP 2023-2028, and were recommended by the NEDA Regional Offices (NROs) representing the Area Committees.

III. Objectives of the updating of the PIP 2023-2028

This set of guidelines provides the framework and process for the updating of the PIP 2023-2028. The Updated PIP 2023-2028 is expected to:

- A. Reconfirm priority PAPs or drop previously submitted PAPs that are no longer priorities under the PIP 2023-2028; and align PAPs with their corresponding outcome under the RMs¹²;
- B. Identify proposed and ongoing priority PAPs that are ready for implementation in FY 2025, with the breakdown of investment targets for FY 2025 down to the provincial-level, for subsequent endorsement to the DBM as priority PAPs in the FY 2025 budget preparation;
- C. Identify proposed priority PAPs to be implemented, for funding by the national government (including through ODA) or for implementation through PPP or JV, and/or other funding sources, including level of readiness;
- D. Include the CIPs, with focus on projects for ICC processing in 2023 or 2024 that would require FY 2025 budget allocation;
- E. Include TRIP PAPs, with focus on projects that would require budget for FYs 2025-2027. Refer to **Annexes B** and **C** on the detailed guidelines on processing proposed projects for inclusion in TRIP FYs 2025-2027;
- F. Include ARNIPAPs, with focus on, but not limited to, projects that would require FY 2025 budget allocation;
- G. Report the status of ongoing priority PAPs in terms of physical and financial status; and
- H. Identify priority PAPs that have been completed and are expected to be completed as of third quarter 2023.

¹² Copy can be accessed through this link: <u>Philippine Development Plan 2023-2028 Results</u> Matrices - National Economic and Development Authority (neda.gov.ph)

IV. Criteria for inclusion of PAPs in the PIP

The PIP shall contain the priority PAPs¹³ of NGAs, GOCCs, GFIs, other NGA offices and instrumentalities, and SUCs.

- A. Proposed priority PAPs for inclusion in the PIP should satisfy ALL of the following criteria:
 - 1. <u>Responsiveness</u>
 - a. Responsive to the PDP 2023-2028¹⁴ and the outcome and indicator statements in its RMs;
 - b. Responsive to the 8-Point Socioeconomic Agenda¹⁵; and
 - c. Included in or has any of the following as basis of implementation:
 - i. GAA for FY 2023;
 - ii. NEP for FY 2024;
 - iii. Multi-Year Obligational Authority (MYOA)/ Multi-Year Contracting Authority (MYCA);
 - iv. Existing masterplans, sector studies, or procurement plans;
 - v. List of RDC-endorsed NG PAPs;
 - vi. Signed Agreements/ International Commitments (e.g., peace agreements);
 - vii. Regular program (e.g., Health Facilities Enhancement Program, etc.);

¹³ Only PAPs as defined below shall be submitted:

- a. **Program** is a group of activities and projects that contribute to a common particular outcome. A program should have the following: (i) unique expected results or outcomes; (ii) a clear target population or client group external to the agency; (iii) a defined method of intervention to achieve the desired result; and (iv) a clear management structure that defines accountabilities.
- b. **Project** is a special undertaking carried out within a definite time frame and intended to result in some pre-determined measure of goods and services.

Source: Sections 4.10 and 4.13 of the National Budget Circular No. 569 dated 8 February 2017 on the Adoption of Program Expenditure Classification-Based Performance-Informed Budgeting for the Preparation of the Proposed National Budget for Fiscal Year 2018.

¹⁴ Please refer to the PDP 2023-2028 accessible through this link: <u>Philippine Development Plan</u> <u>2023-2028 - Philippine Development Plan (neda.gov.ph)</u>

¹⁵ Please refer to Annex A of the Guidelines for the Formulation of the PDP and RDPs 2023-2028. Copy of the 8-Point Socioeconomic Agenda can be accessed through this link: <u>https://bit.ly/8pointSocioeconomicAgenda</u>

- viii. List of ARNIPAPs agreed during the RNIP Dialogue; or
- ix. Other existing laws, rules, or regulations.
- 2. <u>Readiness</u>

For **proposed projects**, with level of readiness as follows:

Level of Readiness	CIPs	Non-CIPs
1	 With NEDA Board and/or ICC project approval but not yet ongoing; and With FY 2025 investment targets down to provincial-level 	 With approval of appropriate approving body but not yet ongoing; and With FY 2025 investment targets down to provincial-level
2	 With project preparation document¹⁶ completed, for ICC processing in 2023 or 2024; If for NG funding, included in the NEP for FY 2024 or for inclusion in the FY 2025 budget proposal; and With FY 2025 investment targets down to provincial-level 	 With project preparation document completed, for approval of appropriate approving body in 2023 or 2024; If for NG funding, included in the NEP for FY 2024 or for inclusion in the FY 2025 budget proposal; and With FY 2025 investment targets down to provincial-level
3	 With project preparation document to be completed in 2024-onwards, for ICC processing in 2025-onwards; and If for NG funding, for inclusion in FY 2026 budget proposal or succeeding years 	 With project preparation document to be completed in 2024-onwards, for approval of the appropriate approving body in 2025-onwards; and If for NG funding, for inclusion in FY 2026 budget proposal or succeeding years

¹⁶ Refers to feasibility study (F/S), business case, project proposal, concept note, etc., whichever is applicable.

Ongoing priority PAPs to be included in the PIP should satisfy the criteria on responsiveness (IV.A.1) and typology (IV.A.3). For those priority PAPs requiring budget for FY 2025, **these PAPs should have information on FY 2025 investment targets down to the provincial-level**. Further, agencies shall submit updates on the status of implementation of ongoing priority PAPs in terms of their physical (percentage of completion) and financial (utilization rate) status as of third quarter 2023.

A program or project is considered ongoing as follows:

- a. if locally funded upon issuance of notice to proceed;
- b. if ODA loan/grant-assisted upon effectivity of loan or grant agreement; or
- c. if PPP or JV upon signing of concession, JV, or supplemental toll operation agreement.
- 3. <u>Typology</u>
 - a. <u>Capital investment PAPs</u> to deliver public goods and services that contribute specifically to the country's productive capacity (e.g., infrastructure development projects, delivery of social services).

For ICT PAPs, these refer to capital outlay components of the Information Systems Strategic Plan (ISSP) of the agencies.

Consistent with the National Budget Memorandum No. 145 (dated January 12, 2023), infrastructure capital investments shall factor in resiliency to withstand natural calamities.

- <u>Technical assistance PAPs</u> such as research and development, institutional development, human resource capacity building, or system/process improvement PAPs;
- c. <u>Relending PAPs</u> to local government units (LGUs) or other target beneficiaries; and
- d. <u>Government facilities</u> which include the construction, rehabilitation, and improvement of government facilities for the performance of the agencies' function or mandate to support the attainment of the goals contained in the PDP 2023-2028 and its RMs.

B. Types of Core Investment Programs/Projects (CIPs)

- 1. The following proposed priority PAPs are classified and should be tagged as CIPs in the PIP Online (PIPOL) System if these will require ICC and/or NEDA Board review and/or approval:
 - a. Locally-funded major capital PAPs¹⁷ with total project cost of at least PHP 2.5 billion¹⁸;
 - b. ODA grant-assisted PAPs with total project cost of at least PHP 2.5 billion;
 - c. ODA loan-assisted PAPs (including relending PAPs, program loans such as budget support, etc.) regardless of amount requiring NG guarantee;
 - d. Solicited national PPP PAPs;
 - e. NEDA Board-approved unsolicited national PPP PAPs that are IFPs¹⁹;
 - f. JV projects with government contribution of at least PHP 150 million or with total project cost of at least PHP 2.5 billion or with contribution of the government entity exceeding fifty percent of its entire assets; and
 - g. All new PAPs which will require ICC approvals based on existing laws, rules, and regulations.
- 2. The following ongoing PAPs with ICC and/or NEDA Board approval are classified and should be tagged as CIPs in the PIPOL System:

¹⁷ A major capital program/project (MCP) involves investments in physical and human capital through expenditures or transfers by the NG. As a rule, MCPs can be evaluated, specifically in terms of financial and economic viability (Source: ICC Guidelines and Procedures as of March 4, 2005).

¹⁸ Based on the June 27, 2017 ICC Memo to Agencies on the PHP 2.5 Billion Project Cost Threshold for ICC Review and Approval of Project Proposals. Copy of the ICC Memo can be accessed through this link: <u>Revisions-on-ICC-Guidelines-and-Procedure-2.5-Billion.pdf</u> (neda.gov.ph).

¹⁹ Based on the Revised Guidelines for the Formulation, Prioritization and Monitoring of the Government's IFPs, the list of IFPs may also include unsolicited proposals or projects initiated by the private sector, provided approval from the Approving Authority has already been secured. Copy of the Guidelines can be accessed through this link: <u>Revised-Guidelines-for-New-IFPs-NEDA-Board-Approved-23-August-2023.pdf</u>.

- a. Ongoing unsolicited national PPP PAPs; and
- b. Ongoing program/project that has been previously approved by the ICC and/or NEDA Board.

C. PAPs for exclusion in the PIP

The PIP excludes the following:

- Recurrent/non-recurrent spending for general administrative and support to operations of agencies (e.g., standalone lease of office space, acquisition/procurement of supplies, equipment and materials, personnel services, etc.);
- 2. Guarantee-related activities to private institutions;
- 3. PAPs to be financed purely from LGU funds and independent projects of the private sector;
- 4. Creation/establishment of an office or organizational unit, right-sizing and other reorganization-related activities;
- 5. Formulation/preparation of roadmap, masterplan, and ISSP of implementing agencies, including continuing or operating ICT expenses. However, priority PAPs in the aforementioned plans that are responsive to the PDP and its RMs should be included in the PIP;
- 6. Stand-alone preparatory activities for infrastructure PAPs such as resettlement action plan, right-of-way acquisition (ROWA), pre-F/S, F/S and detailed engineering design, among others;
- 7. Funding facilities managed by implementing agencies as part of their regular program/mandate (e.g., financing for project pre-investment activities, F/S Fund, Quick Response Fund);
- 8. Acquisition of lots;
- Construction, improvement, rehabilitation, restoration or maintenance of a single unit of a building/ structure (e.g., office/room), unless it shall be done for the protection and preservation of cultural properties as defined by R.A. 10066 or the National Cultural Heritage Act of 2009;

- 10. Landscaping, site development, installation of perimeter fence or similar non-infrastructure items which may not contribute specifically to the country's productive capacity, unless it shall be done for the protection and preservation of cultural properties as defined by the National Cultural Heritage Act of 2009;
- 11. Proposed unsolicited national PPP PAPs that are yet to be approved; and
- 12. Government administrative buildings that are not responsive to the outcome and indicator statements in the PDP RMs.

V. Submission in the PIP

- A. The agencies shall:
 - 1. <u>Preparatory stage</u>. Undertake investment programming activities at the agency level:
 - a. Authorize Agency PIP/TRIP Focals, led by an official with at least Director IV-level position and two technical staffs, who will access the PIPOL System and encode the data requirements to be reflected in the PIPOL System. Agencies are to be guided by the Terms of Reference of the Authorized Agency PIP/TRIP Focals. Please see Annex D.
 - b. Ensure that all priority PAPs for submission are responsive to the objectives of the PIP updating and the criteria for inclusion of PAPs in the PIP, and are consistent with the planning-programming references and tools in **Annex E**.
 - c. Identify and/or update the information on the agency's priority PAPs (including ARNIPAPs for the 12 pilot agencies) that will qualify for inclusion in the updating of the PIP 2023-2028 based on the criteria provided in Item IV above. For this PIP updating, the agencies are required to provide information on FY 2025 investment targets down to the provincial-level.
 - d. Reconfirm priority PAPs under the PIP 2023-2028 and align with the corresponding RM outcome/s.
 - e. Ensure that all NG PAPs included in the RDIPs, if available, and/or endorsed by the RDCs, which contribute to the outcomes in the PDP and its RMs, are included in the Agency PIP. The central offices of the agencies are required to coordinate with their regional offices, bureaus

and attached agencies to seek their inputs in the preparation of the agency submission for the updating of the PIP, including information on the regional priorities and proposed investment targets at the regional level. The agencies are enjoined to provide feedback to the concerned RDCs on the reasons for the non-inclusion in the PIP of the priority NG-implemented PAPs that are in the RDIPs, and RDC-endorsed NG PAPs.

- f. Participate in other PIP-related meetings, as may be requested.
- 2. <u>Project submission stage</u>. Submit inputs through the PIPOL System:
 - a. Prior to encoding new PAPs and/or updating the information of existing PAPs, agencies are required to reconfirm their priority PAPs under the PIP 2023-2028 through the PIPOL System. Should they no longer pursue any of their priority PAPs, the agencies will be required to provide the reason for dropping.
 - b. In the case of ARNIPAPs, the pilot agencies are advised to coordinate with the concerned RDCs²⁰ to ensure that complete details of the ARNIPAPs are provided in the PIPOL System.
 - c. Encode and/or update only priority PAPs <u>endorsed/approved by the</u> <u>Head of Agency and/or the Head of the Parent Agency</u>, if applicable, in the PIPOL System <u>no later than November 15, 2023 (11:59 pm)</u>. Encoding and/or updating in the PIPOL System shall not be possible once the System closes on the specified date.
 - d. Encode the requested information through the PIPOL System, and ensure the complete and timely submission of PAPs. <u>PAPs with</u> <u>incomplete submission of entries and not saved as endorsed in the</u> <u>PIPOL System will not be included in the list of Agency PAPs for</u> <u>validation by the NEDA PIP Chapter Focals</u>.
- 3. <u>Validation stage</u>. Coordinate with the concerned NEDA PIP Chapter Focals, as necessary, on the validation of the submitted PAPs, and with the PIP Secretariat for any concerns on submissions of PAPs using the PIPOL System.

(For the roles of NEDA and the Planning Committees, refer to Annex F.)

²⁰ Copy of the Directory of NROs, as RDC Secretariat and RNIP Focals, can be accessed through this link: <u>https://bit.ly/NRODirectory</u>

B. Coordination mechanism

The Planning Committees as provided in the PDP 2023-2028 shall confirm the list of priority PAPs (including the ARNIPAPs) for inclusion in the PIP under respective PIP Chapters based on the inputs of the NEDA PIP Chapter Focals.

The Planning Committees shall also act on the recommendations of the respective Planning Committee Secretariats pertaining to priority PAPs under the PIP Chapters within its purview.

VI. The PIPOL System

The PIPOL System is a web-based project database system that facilitates the data entry of priority PAPs and submission of updates from Agency PIP/TRIP Focals, validation by the NEDA Secretariat of the priority PAPs, and report generation. This can be accessed by authorized Agency PIP/TRIP Focals at <u>http://pipol.neda.gov.ph</u>.

The list of data entry requirements for submission of priority PAPs in the PIPOL System is in **Annex G²¹**, for reference. This document also reflects the new data field entries. The PIPOL System was enhanced to capture the data requirements for this PIP updating exercise, and considered the feedback received from the PIP/TRIP Focals based on the PIP formulation exercise.

The PIPOL System User's Manual will be made available in the PIPOL System, for reference and guidance.

ANNEXES:

- A Plan-Program-Budget Linkage: Process Framework;
- **B** DBM-NEDA Joint Circular No. 2016-01: Policy Guidelines and Procedures for the Formulation of the TRIP;
- ${\bf C}$ Supplemental Document on the Formulation of the TRIP FYs 2025-2027
- **D** Terms of Reference of the Authorized PIP/TRIP Focals for the Updating of the PIP 2023-2028 and TRIP FYs 2025-2027 as Input to the FY 2025 Budget Preparation;
- E List of Other Planning-Programming References and Tools;
- F Roles of NEDA and the Planning Committees; and
- **G** List of Data Entry Requirements for Submission of Priority Programs and Projects in the PIPOL System

²¹ Copy can also be accessed through this link: <u>https://bit.ly/PIPOLDataEntryRequirements</u>