



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CENTRAL OFFICE
Manila



097.7 DPWH
04-15-2024

15 APR 2024

DEPARTMENT MEMORANDUM)

CIRCULAR NO.
Series of 2024

31

4/15/2024

FOR / TO :

SENIOR UNDERSECRETARY
UNDERSECRETARIES
ASSISTANT SECRETARIES
REGIONAL DIRECTORS
BUREAU DIRECTORS
SERVICE DIRECTORS
HEADS OF UPMOs
DISTRICT ENGINEERS
HEADS OF ATTACHED AGENCIES
OTHERS CONCERNED
This Department

For information and guidance, attached is a copy of **DPWH-DOH Joint Memorandum Circular (JMC) No. 01, series of 2024**, signed on April 3, 2024 by Secretary Manuel M. Bonoan and Secretary Teodoro J. Herbosa, MD, with the subject: **"GUIDELINES ON THE IMPLEMENTATION OF FY 2024 GENERAL APPROPRIATIONS ACT SPECIAL PROVISION NO. 6 ON DEPARTMENT OF HEALTH (DOH) – HEALTH FACILITIES ENHANCEMENT PROGRAM(HFEP) PROJECTS"**

A copy of the said Joint Memorandum Circular may also be downloaded from the DPWH website: <http://dpwhweb>. If an office cannot access the DPWH website, a hard copy may be obtained from the Records Management Division, HRAS, upon request.

For dissemination to all concerned.


Atty. MICHAEL S. VILLAFRANCA, CESO III
Officer-in-Charge
Office of the Assistant Secretary for Support Services

Encl: As stated

cc: Office of the Secretary

10.1.4 FJED/CDP/GME

Website: <https://www.dpwh.gov.ph>
Tel. No(s): 5304-3000 / (02) 165-02



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**Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
DEPARTMENT OF HEALTH**

DPWH-DOH Joint Memorandum Circular No. 01, series of 2024
APR 03, 2024

FOR : OFFICIALS OF THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH), DEPARTMENT OF HEALTH (DOH), AND ALL OTHERS CONCERNED

SUBJECT : GUIDELINES ON THE IMPLEMENTATION OF FY 2024 GENERAL APPROPRIATIONS ACT SPECIAL PROVISION NO. 6 ON DEPARTMENT OF HEALTH (DOH) – HEALTH FACILITIES ENHANCEMENT PROGRAM (HFEP) PROJECTS

I. PURPOSE

This Joint Memorandum Circular (JMC) is issued to implement the following Special Provision No. 6 of the FY 2024 General Appropriations Act (Republic Act (RA) No. 11975) relative to Department of Health (DOH) – Health Facilities Enhancement Program (HFEP) projects:

"[t]he Department of Public Works and Highways (DPWH) shall implement the infrastructure projects of for all Centers for Health Development (CHD) under the Health Facilities Enhancement Program (HFEP) exceeding Five Million Pesos (P5,000,000.00).

However, the following infrastructure projects shall be retained under the DOH for implementation:

- (a) HFEP Projects with approved Multi-Year Contractual Authority (MYCA);
- (b) HFEP infrastructure projects of the Specialty Hospitals;
- (c) HFEP Projects of DOH Hospitals, excluding those in the Legacy Projects; and
- (d) HFEP-funded DOH Central Office projects"

II. SCOPE AND APPLICATION

This Guidelines shall apply to all infrastructure projects of DOH-Centers for Health Development (CHD) **EXCEEDING FIVE MILLION PESOS (Php 5,000,000.00)**, excluding the following HFEP Projects: (a) with approved MYCA; (b) Specialty Hospitals; (c) DOH Hospitals excluding **LEGACY PROJECTS**; (d) DOH Central Office projects, which funds were mandated by the GAA 2024 to be directly released to the DPWH.

These projects shall be implemented by the DPWH Regional Offices (DPWH ROs).

These infrastructure projects include the construction, completion, rehabilitation, renovation, upgrading or repair of buildings exceeding Five Million Pesos as identified in GAA 2024.

III. IMPLEMENTABLE PROJECTS

Only those projects compliant with the requirements set by this Guidelines, as determined by the **Joint Validation** of each respective DPWH Regional Office (RO) and DOH-CHD concerned, shall be implemented.

IV. SUBMISSION OF DOCUMENTS OF PROJECTS AS LISTED IN THE FY 2024 GAA

The DOH-CHD shall submit to the DPWH RO the proposed Detailed Architecture and Engineering Design (DAED) if already available, and all other project documents necessary to facilitate the implementation of the identified Infrastructure Projects covered by this JMC. In addition, the DOH-CHD shall secure and provide pertinent documents to assist the DPWH RO in the acquisition of necessary permits for the implementation of the projects.

All of these documents should be submitted promptly to the DPWH RO.

V. DOH Infrastructure Project Regional Monitoring Team (DIPRM)

A DOH Infrastructure Project Regional Monitoring Team (DIPRM) shall be created and composed of the following:

- a) Two (2) Representatives from the respective DOH-CHD; and
- b) Two (2) Representatives from the DPWH RO.

The DIPRM shall conduct all validations as covered in this Guidelines.

VI. MEMORANDUM OF AGREEMENT BETWEEN DPWH RO AND DOH-CHD

The DPWH RO and the DOH-CHD shall enter into a Memorandum of Agreement (MOA) for all infrastructure projects within the concerned region's area of jurisdiction and covered by this JMC.

VII. PROCEDURE FOR THE DPWH IMPLEMENTATION OF DOH-HFEP INFRASTRUCTURE PROJECTS

- A. The DPWH RO shall initiate the request to enter into Memorandum of Agreement (MOA);
- B. DPWH RO and concerned DOH-CHD shall conduct Initial Joint Validation per DPWH Unnumbered Memorandum dated February 2, 2024 to identify implementable projects using the prescribed format (please see **Annex A**);
- C. The parameters for the verification of the project to be deemed implementable shall be based on the favorable evaluation results/findings of the DAED, soil test (if necessary), availability of buildable space, site improvements (if needed), scope of work, estimated cost, and other parameters that the DPWH RO and DOH-CHD may identify;

- Negative result/findings of the Initial Joint Validation shall be deemed the project unimplementable which shall be signed by the DPWH Regional Director (RD) and concurred by the DOH-CHD Regional Director (RD). The DPWH RD shall provide copy of the said document to the Office of the Undersecretary for Operations in-charge of Convergence Projects (OUOCP). Likewise, the DOH-CHD shall inform its DOH-Central Office, through Health Regulations and Facility Development Cluster (HRFDC), for consolidation and reference;
- D. Based on the said validation, only the projects identified as implementable shall be allowed to proceed for the submission of the Request for Authority to Enter into MOA to the DPWH Secretary using the prescribed format (please see **Annex B**);
- E. The DPWH RO, through the OUOCP, shall request authority from the DPWH Secretary to enter into a MOA with a specific DOH-CHD to implement infrastructure project/s covered by this JMC. The request shall include the following:
1. Draft MOA, as provided in this Guidelines;
 2. Annex "A" – Initial Joint Validation Report signed by the DPWH RD and DOH-CHD RD per DPWH Unnumbered Memorandum dated February 2, 2024;
 3. Annex "B" – Certification from of Availability of Conceptual Plans from the DOH-CHD (if any);
 4. Annex "C" – Consolidated Right-of-Way and Lot Ownership Certification from DOH-CHD (if any);
 5. Annex "D" – Consolidated Outside of Hazard Areas, No Build Zones, and Protected Areas Certification (if any/applicable) from DPWH RO;
 6. Annex "E" – Certificate of No Pending Payments and/or Arrears to the Local Electric Cooperative/Corporation from DOH-CHD;
 7. Annex "F" – Certificate of Availability of Funds from DPWH RO.

The request for authority shall be recommended by the OUOCP to the DPWH Secretary upon review of the completeness of the documents as attached in the request by the DPWH RO.

No MOA shall be entered into by the DPWH RO without prior authority from the DPWH Secretary pursuant to DPWH Order No. 14, s. 2024.

The DOH-CHD Regional Director shall seek from the DOH Secretary, by recommendation of HRFDC, authority to enter into MOA with the DPWH RO. The DOH-Central Office shall issue a Department Personnel Order to this effect.

- F. Upon receipt of their respective Authorities to Enter into a MOA, the DPWH RO, represented by the DPWH RD, and the DOH-CHD, represented by the DOH-CHD RD, shall sign the MOA (please see **Annex C**).
- G. The DPWH RO shall prepare and approve the Final Detailed Architectural and Engineering Design (DAED) plans, based on the submitted DAED of the DOH-CHD, DPWH Design Standards, and other pertinent codes and laws, for the DOH-CHD's concurrence. Likewise, the DPWH RO shall conduct cost estimation of the project in accordance with the existing DPWH orders, guidelines, policies, rules and regulations;

- H. The Final DAED Plans and Program of Works (POW) should be approved by the DPWH RD and should be concurred promptly by the DOH-CHD RD and kept and filed in the DPWH RO;
- I. The DPWH RO shall furnish to OUOCP the full list of DOH Projects with signed MOA;
- J. The DPWH RO shall prepare monthly status report reflecting the progress of the implementation of each project. Likewise, the DPWH RO shall prepare and approve Variation Orders (if any) and shall be concurred by the DOH-CHD which copies shall be submitted to the OUOCP and respective DOH-CHD copies;
- K. The DPWH RO shall submit to the OUOCP and DOH-CHD copies of the Final Completion/Final Acceptance Inspection Report and turnover documents approved by the DPWH RD and concurred by the DOH-CHD RD for every completed projects.
- L. The DOH-CHD shall furnish a copy to DOH-Central Office, through HRFDC, all the abovementioned documents in item K for reference.

VIII. TURN-OVER OF PROJECTS

- A. The DPWH RO, after the issuance of the Certificate of Completion to the contractor, shall turn-over the completed project to the DOH-CHD.
- B. The DOH-CHD, upon its acceptance of the turn-over structure, using the prescribed Turn-Over documents format (Certificate of Turn-Over and Acceptance and Project Completion and Turn-Over Report), shall assume responsibility on the possession, security, and operations of the turned-over structure/project (please see **Annex D**)
- C. The DPWH RO shall submit to the OUOPCP and to the DOH-CHD copies of the Final Completion/Final Acceptance Inspection Report and turnover documents approved by the DPWH RD and concurred by the DOH-CHD RD for every completed project.
- D. The DOH-CHD shall furnish a copy to DOH-Central Office, through HRFDC, all the abovementioned documents in items B and C for reference

IX. ARBITRATION

In case there will be disagreements, disputes or unsettled issues, the DOH-CHD and DPWH RO shall consider the Alternative Dispute Resolution Act of 2004 (RA 9285) and/or the Uniform Rules on Dispute Resolution under Presidential Decree 242, as amended, for Government Agencies and Instrumentalities, and Government-owned or Controlled Corporations.

In this case, the DPWH RO shall inform the DPWH Secretary, through the OUOPCP, and the DOH-CHD RD shall inform the DOH Secretary, through the HRFDC, for their reference.

X. AMENDMENT

Any supplemental amendment, modification, or revision to the provisions of this Guidelines shall be done only in writing and with the consent of all the parties. Such supplement amendment or revision shall form part of this Guidelines;

In the event that any of the provisions of this Guidelines or any document that may be executed in connection therewith shall be declared invalid, illegal, or unenforceable in any respect by a competent authority, the validity, legality, and enforceability of the remaining provisions of this Guidelines or any document that may be executed in connection therewith shall not in any way be affected or impaired and shall remain valid and in full force and effect.

XI. EFFECTIVITY

This Joint Memorandum Circular shall take effect immediately after the filing with the Office of National Administrative Register at the University of the Philippines Law Center, UP Diliman, Quezon City.


MANUEL M. BONOAN
DPWH Secretary

Department of Public Works and Highways
Office of the Secretary



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TEODORO J. HERBOSA, MD
DOH Secretary

REFERENCES:

**ANNEX A
INITIAL JOINT VALIDATION REPORT PER DPWH MEMORANDUM DATED
FEBRUARY 7, 2024**

**ANNEX B
REQUEST FOR AUTHORITY TO ENTER INTO MOA**

**ANNEX C
MEMORANDUM OF AGREEMENT (MOA) TEMPLATE**

**ANNEX D
TURN-OVER DOCUMENTS**

**Annex "A"
Initial Joint Validation Report signed by the undersigned per DPWH Unnumbered
Memorandum dated February 2, 2024**

**Annex "B"
Certification from of Availability of Conceptual Plans from the DOH (if any)**

**Annex "C"
Consolidated Right-of-Way and Lot Ownership Certification from DOH (if any)**

**Annex "D"
Consolidated Outside of Hazard Areas, No Build Zones, and Protected Areas
Certification (if any/applicable) from DPWH RO**

**Annex "E"
Certificate of No Pending Payments and/or Arrears to the Local Electric
Cooperative/Corporation from DOH**

**Annex "F"
Certificate of Availability of Funds from DPWH RO.**



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CENTRAL OFFICE
Manila



CY 2024 DOH-HFEP (Php 10.507 B) Validation Report

REGION

Project Name as listed in GAA 2024	Location	Scope of Work	Allocation per GAA 2024	Estimated Cost per Validation	For Modification (Yes or No)	Proposed Modified Project Name	DAED Plans Availability (Yes or No)	PDE Status	Soil Test Availability (Yes or No)	Soil Test Cost	Buildable Space Availability (Yes or No)	Site Improvements Needed	Implementable (Yes or No)	Reason (if Unimple- mentable)
		Completion, Construction, or Repair		Please Attach Program of Works (as ANNEX A)		("N/A" if not subject for Modification Please include Modified SCOPE OF WORK and spelling corrections)			Please attach Soil Test Report if available (as ANNEX B)		Please attach Site Map (as ANNEX C)			Please attach Relevant/ Supporting Documents (as ANNEX D)

Approved by:

Concurred by:

DPWH- Regional Director

DOH- Center for Help Development Regional Director

Note:
Please prepare a Validation Report for each project and attached the required documents. Regional Offices are directed to consolidate the hard copies and summarize the soft copy of this Form in one MS Excel file prior to submission.



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CENTRAL OFFICE
Manila



MEMORANDUM

FOR : **Secretary MANUEL M. BONOAN**
This Department

SUBJECT : **Request for Authority to Enter into Memorandum of Agreement (MOA) for FY 2024 Department of Health (DOH) – Health Facilities Enhancement Program (HFEP) Infrastructure Projects**

Respectfully requesting **AUTHORITY TO ENTER INTO MEMORANDUM OF AGREEMENT (MOA)** between this Region and the [DOH-CHD Office] for the project [following projects]:

No.	HFEP Project Name	Hospital/ Facilities Name
1.	<i>e.g. "Itogon Super Health Center"</i>	
2.		
3.		
4.		

The attached proposed MOA outlines the terms and conditions, duties and responsibilities, and additional guidelines under which both parties shall collaborate towards the realization of the Section 6 of the Special Provisions applicable to the DOH-HFEP under Republic Act (RA) NO. 11975, otherwise known as the "General Appropriations Act of 2024," (GAA 2024):

"6. The Department of Public Works and Highways (DPWH) shall implement the infrastructure projects for all Centers for Health Development (CHDs) under the HFEP costing more than Five Million Pess (P5,000,000). However, the following infrastructure projects shall be retained under the DOH for implementation:

- (a) HFEP projects with approved Multi-Year Contractual Authority (MYCA);
- (b) HFEP infrastructure projects of the Specialty Hospitals
- (c) HFEP projects of DOH hospitals, excluding those in the Legacy Projects; and
- (d) HFEP-funded DOWH Central Office projects.

The DPWH shall ensure that the implementation of the delagated HFEP projects strictly conform to the General and Special Provisions in this Act. Funds intended for the aforementioned projects shall be directly released to DPWH. The DOH and DPWH shall issue the necessary guidelines to implement this provisions"

The undersigned certifies that all documentary requirements are true, correct, and accomplished as prescribed by the Department, attached as follows:

1. Annex "A" – Initial Joint Validation Report signed by the undersigned and DOH-CHD Regional Director per DPWH Unnumbered Memorandum dated February 2, 2024
2. Annex "B" – Certification from of Availability of Conceptual Plans from the DOH-CHD (if any)
3. Annex "C" – Consolidated Right-of-Way and Lot Ownership Certification from DOH-CHD (if any)

Request for Authority to Enter into Memorandum of Agreement (MOA) for FY 2024 Department of Health (DOH) – Health Facilities Enhancement Program (HFEP) Infrastructure Projects

Page **2** of **2**

4. Annex "D" – Consolidated Outside of Hazard Areas, No Build Zones, and Protected Areas Certification (if any/applicable) from DPWH RO
5. Annex "E" – Certificate of No Pending Payments and/or Arrears to the Local Electric Cooperative/Corporation from DOH-CHD
6. Annex "F" – Certificate of Availability of Funds from DPWH RO

Requesting for the approval of the said authority.

DPWH REGIONAL DIRECTOR

Region

Recommending Approval:

ERIC A. AYAPANA

Undersecretary for Operations In-Charge of Convergence Projects

APPROVED/ DISAPPROVED

MANUEL M. BONOAN

Secretary

cc: **DOH-CHD**

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This agreement made and entered into this _____ at _____ by and between:

The **DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH)**, a government entity, mandated by law, particularly Executive Order (EO) No. 292 dated July 25, 1987 entitled the "Administrative Code of 1987", as the primary engineering and construction arm of the government, responsible for the planning, design, construction and maintenance of infrastructures facilities, especially national highways flood control and water resources system, and other public works in accordance with national development objectives, with Regional Office address *[please insert RO address]*, duly represented by the Regional Office *[RO No.]* Regional Director *[Name]*, hereinafter referred to as the "DPWH";

-and-

The **DEPARTMENT OF HEALTH (DOH)**, a government entity, mandated by law, particularly EO No. 102 dated May 24, 1999, Administrative Code of 1987 (EO 292) and the Local Government Code of 1991 (RA 7160), to be the over-all technical authority on health, providing national policy direction and develop national plans, technical standards and guidelines on health, and a regulator of all health services and products; and provider of special or tertiary health care services and of technical assistance to other health providers specially to Local Government Units (LGU), with Regional Office (RO) address at *[please insert RO address]*, duly represented by the *[Region]* Center for Health Development (CHD) Regional Director *[Name]*, hereinafter referred to as the "**DOH**";

Both parties are collectively referred to as the "**PARTIES**"

-for-

The *[Insert Project Name per GAA 2024]* located at *[Insert address]* with total amount of *[Insert allocation per GAA 2024]*.

WITNESSETH

WHEREAS, Republic Act (RA) No. 11975, otherwise known as the "General Appropriations Act of 2024," (GAA 2024) took effect on January 1, 2024;

WHEREAS, Section 6 of the Special Provision Applicable to the Department of Health of the GAA 2024 provides that "[t]he Department of Public Works and Highways (DPWH) shall implement the infrastructure projects of for all Centers for Health Development

(CHD) under the Health Facilities Enhancement Program (HFEP) exceeding Five Million Pesos (P5,000,000.00). However, the following infrastructure projects shall be retained under the DOH for implementation: (a) HFEP Projects with approved Multi-Year Contractual Authority (MYCA); (b) HFEP infrastructure projects of the Specialty Hospitals; (c) HFEP Projects of DOH Hospitals, excluding those in the Legacy Projects; and (d) HFEP-funded DOH Central Office projects”;

WHEREAS, third paragraph of the same provision provides that “[f]unds intended for the aforementioned projects shall be directly released to DPWH”;

WHEREAS, same third paragraph of the same provision further provides that “[t]he DPWH shall ensure that the implementation of this provision strictly conform to the general and special provisions in this Act”;

WHEREAS, the effectivity of the GAA 2024, DPWH is mandated to implement all the DOH infrastructure projects exceeding P5,000,000.00 and Legacy Projects;

WHEREAS, in accordance with the Joint Memorandum Circular (JMC) No. 1, series of 2024, entitled, “**Guidelines on the Implementation of FY 2024 General Appropriations Act (GAA) Special Provision No. 6 on Department of Health (DOH)-Health Facilities Enhancement Program (HFEP) projects**,” PARTIES shall draft this Memorandum of Agreement (MOA);

NOW THEREFORE, for and in consideration of the foregoing premises, the **PARTIES** hereby agree as follows:

I. GENERAL PROVISIONS

1. For proper dissemination of communication/correspondence during the duration of this Agreement, the following shall be the focal persons of the **PARTIES**:
 - a. **DPWH Central Office (CO)**, the focal person shall be **ERIC A. AYAPANA**, Undersecretary for Operations in-charge of Convergence Projects, with Office address at DPWH Central Office, Bonifacio Drive, Port Area, Manila; and
 - b. **DOH Central Office (CO)**, the focal shall be Dr. Emmie Liza Perez-Chiong, Undersecretary of Health and Cluster Lead of Health Regulations and Facility Development Cluster (HRFDC) with office address at DOH Compound, San Lazaro Compound, Tayuman, Sta. Cruz, Manila.
2. It is understood that in the implementation and construction of the DOH Infrastructure Project, reference shall be made to the General Appropriations Act (GAA) FY 2024, as well as the pertinent budget and auditing rules and regulations.

3. The **PARTIES** shall also take into consideration the projects/facilities identified by the DPWH cannot be implemented due to site ownership, remote location, difficulty of terrain, security issues, and fortuitous events, and other valid and justifiable reasons. The **PARTIES** shall handle the same in accordance with the existing and relevant laws, policies, rules and regulations.

II. ROLES AND RESPONSIBILITIES OF THE DOH

1. Prepare and provide the **DPWH** Conceptual Plan/Detailed Architecture and Engineering Design (DAED) Plans;
2. Secure and present site ownership and assist the **DPWH RO** in the acquisition of necessary permits, payment of fees, and taxes needed for the application, approval, and issuance of necessary permits such as, but not limited to Building, Demolition, Occupancy, Electrical Connection Permits from the LGU and such permit from Local Electric Cooperative, tree cutting permit from DENR, and other clearances from concerned government agencies, prior to the start and upon completion of the project;
3. Concur promptly, upon receipt, to the following documents required by the DPWH Regional Office (RO), i.e. Final Detailed Architectural and Engineering (DAED) Plans, Program of Works (POW), Variation Orders (if any) with supporting documents and revised plans;
4. Appoint two (2) representatives to the DOH Infrastructure Project Regional Monitoring (**DIPRM**) Team to monitor progress of project implementation;
5. Concur to the issuance of the Final Completion/Final Acceptance Inspection Report, after the conduct of Joint Inspection by the **PARTIES**;
6. Accept the turn-over (*Certificate of Turn-Over and Acceptance and Project Completion and Turn-Over Report*) of the completed project and shall thereafter assume the full responsibility on the custody, security, maintenance and operations of the turned-over structure, upon the issuance of Certificate of Completion (CoC) by the **DPWH** to the contractor.

III. ROLES AND RESPONSIBILITIES OF THE DPWH RO

1. Prepare and approve the Final DAED Plans, POW, and Detailed Cost Estimates, based on the Conceptual/DAED plans submitted by the DOH (par. II.1), result of the Joint Validation (par.IV.1), the result of the soil test conducted (if any), and the designs in accordance with the Department Order (DO) No. 250, series of 2022.
 - a. In the approval of Final DAED plans, **DPWH** shall primarily observe the various DPWH relevant and existing standard design for buildings in harmony with the various DOH guidelines. This shall cover the architectural design standards, structural design standards, electrical design standards, sanitary and plumbing

designs, and the necessary compliance with the National Building Code and other related laws.

- b. The **DPWH RO** shall provide copy to the **DOH** of the approved Final DAED Plans, Program of Works, Detailed Cost Estimates, Project Schedule, Materials Testing Reports, Variation Order, As-built Plan, and other pertinent documents necessary in the implementation of the project.
2. Secure the concurrence of the DOH in the Final DAED Plans and POW for the project as mentioned in par. II.3;
3. Responsible to the strict observance of procurement activities in accordance with the RA No. 9184 and its Implementing Rules and Regulations (IRR).
4. As the Procuring Entity (PE), DPWH may invite within five (5) days before the scheduled procurement activity, an official representative from **DOH** to observe during the face-to-face conduct of opening of bids. The PE, however, may proceed to the said activity even in the absence of the DOH representative. These procurement activities shall be available for streaming on the **DPWH ROs'** websites in which the DOH may monitor;
5. Secure the concurrence of the **DOH** in the Final Completion/Final Acceptance Inspection Report based on the Joint Inspection by the **PARTIES** as provided in par. II.5, were a Joint Report specifying the corrective works have already been complied by the Contractor and that the structure was constructed in accordance with the approved plans and specifications;
6. Issue the corresponding CoC to the contractor. The duly accomplished and signed CoC shall form part of the requirements for the request for final billing of the DPWH Contractor;
7. Issue the corresponding Certificate of Final Acceptance (CFA), after the one (1)-year Defects and Liability Period, if the project has been verified as having no defects and/or deficiencies after a joint inspection by the **PARTIES**. The duly perfected CFA shall form part of the requirements for the release of any remaining payments due the Contractor;
8. Furnish copy of the monthly Status Report to the **DOH-CHD** reflecting the progress of the implementation of each project covered in this agreement. In the same manner, the **DPWH CO** shall also submit an overall status of implementation of the program to the **DOH** Central Office on a monthly basis. The report shall be based on the actual physical and financial accomplishments (obligations and disbursements) accomplishment of the project and not the financial accomplishments based on the payments made to the contractor. Further, those completed projects shall be supported by a **valid** CoC issued by the **DPWH RO**;
9. The **DPWH** shall turn-over the completed project to the DOH after the issuance of CoC to the contractor and shall issue a Certificate of Turn-Over and Acceptance and Project Completion and Turn-Over Report

for the DOH's concurrence;

10. Provide the DOH a copy of CoC and Certificate of Acceptance both approved by the DPWH Regional Director;
11. Thru the **RO Accountant** and **Supply Officer** shall submit the accomplished Journal Entry Vouchers (JEV) and Property Transfer Report (PTR) to the **DOH** which will affect the transfer of the completed and accepted facilities to **DOH**.

IV. PROVISIONS COMMON TO PARTIES

1. The **DOH** and **DPWH** shall conduct Joint-Validation to determine the soil condition, buildable space, building type and other necessary scope of works which shall be the basis of the DPWH in the finalization of the designs and project cost estimate;
2. The **DOH** and **DPWH** shall conduct of Pre-Construction Meeting at the Regional CHD level in the presence of the **DPWH Contractor** to discuss matters related to the project, timelines, and protocols. This shall only appraise the **DOH** on the construction process;
3. The **DOH** and **DPWH**, through the DIPRM, shall conduct regular monitoring of the project to determine the progress of construction and compliance of the **DPWH Contractor** on the agreed plans and specifications:
 - i. Conduct regular monthly and quarterly coordination meeting to discuss the status of implementation of the program and resolve outstanding issues and concerns that causes delays in the completion of the project. Conduct regular monthly and quarterly coordination meeting to discuss the status of implementation of the program and resolve outstanding issues and concerns that causes delays in the completion of the project. Further, conduct regular monitoring and evaluation to identify possible areas for improvement and to ensure the quality, safety and integrity of the structures constructed and/or repaired;
 - ii. Upon reaching 95% completion of the project, the **PARTIES** shall conduct joint punch list inspection and further validate necessary corrective actions undertaken by the contractor prior to the Quality Assurance and Final Completion Inspection by the DPWH Regional Inspectorate Team, where a DOH member of the DIPRM may join, for the issuance of the Certificate of Completion;
 - iii. After the completion of construction, the **PARTIES** shall conduct joint post-technical inspection activities within the Defects Liability Period of one (1) year after the issuance of the Certificate of Completion prior to the issuance/approval of the Certificate of Final Acceptance (CFA).

V. MISCELLANEOUS PROVISIONS

1. **DPWH** shall identify and propose the disbursement for the preliminary construction, detailed engineering activities and monitoring and supervision of the projects which may be charged to the DOH Engineering and Administrative Overhead (EAO) Expenses funds, in accordance with the existing DOH issuances, DPWH DO No. 5, series of 2024, and GAA 2024;
2. It is hereby understood herein that all unimplementable projects as listed and identified shall be subject to the reversion of funds, in accordance with the GAA 2024;
3. All releases, payment, reimbursement, and preparation of books of accounts made pursuant to this Agreement and shall be subject to pertinent laws, rules, and government budgeting, accounting, and auditing procedures;
4. The **PARTIES** shall exert their best efforts to properly resolve any differences or disagreements with respect to any issue that may arise in connection with this Agreement. It shall be settled through amicable means, such as but not limited to, mutual consultation and negotiation. However, in the event that the **PARTIES** fail to settle the dispute amicably, and before any **PARTY** may proceed to litigate in court, the **PARTIES** shall first resort to an Early Neutral Evaluation in accordance with the Rules on Alternative Dispute Resolution (ADR) for Disputes between National Government Agencies and with AM No. 17-11-08-SC or the Special Rules of Court on Alternative Dispute Resolution. Under Republic Act No. 9285 or the Alternative Dispute Resolution Act of 2004 and EO No. 242, series of 1973, an Early Neutral Evaluation is defined as an ADR process wherein parties and their lawyers are brought together early in a pre-trial phase to present summaries of their cases and receive a nonbinding assessment by an experienced neutral person, with expertise in the subject in the substance of the dispute;
5. Any amendment, modification, or revision to the provisions of this MOA shall be done only in writing and with the consent of all the parties. Such amendment or revision shall form part of the Agreement;
6. In the event that any of the provisions of this Agreement or any document that may be executed in connection therewith shall be declared invalid, illegal, or unenforceable in any respect by a competent authority, the validity, legality, and enforceability of the remaining provisions of this Agreement or any document that may be executed in connection therewith shall not in any way be affected or impaired and shall remain valid and in full force and effect;

7. This agreement shall take effect upon the signing of the **PARTIES** and shall remain in full force and effect until the purpose for which it is intended is completely served or revoked, unless sooner revoked upon mutual written consent of the **PARTIES**.

IN WITNESS WHEREOF, the **PARTIES** have hereunto affixed their signatures on this ____ day of _____, 2024 in _____.

[Name]
DPWH Regional Director,
Regional Office

[Name]
DOH-CHD Regional Director

SIGNED IN THE PRESENCE OF:

[Name]

[Name]

REPUBLIC OF THE PHILIPPINES)
_____) S.S.

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in _____, Province of _____, Philippines, this ____ day of _____, 2024.

Name	Competent Evidence of Identity	Issued on/at
------	--------------------------------	--------------

1. [Name]

2. [Name]

Both known to me to be the same person who executed the foregoing document consisting of _____ (__) pages including this acknowledgement, and they acknowledge to me that the same is their own free and voluntary act and deed as well as those of the entries herein presented.

WITNESS MY HAND AND SEAL,_____.

NOTARY PUBLIC

Doc. No.: _____;
Page No.: _____;
Book No.: _____;
Series of 2024.

Date :

CERTIFICATE OF TURN-OVER AND ACCEPTANCE

The **(Contract Name)** undertaken by **(Contractor)**, satisfactorily completed in accordance with the approved Plans and Specifications, is hereby officially turned-over to the *(Name of the Agency/ LGU concerned)*.

NAME & SIGNATURE

Head of Implementing Office

ACCEPTANCE:

By the virtue of this certificate, through the undersigned, hereby accepts the completed project, as inspected, and confirms the assumption of responsibility with regards to custody, security, and operations of the structure and its facilities.

NAME & SIGNATURE

Authorized Representative
End User Agency/Office

Date : _____

(IO LETTER HEAD)

PROJECT COMPLETION AND TURN-OVER REPORT

Contract ID :

Project :

Location :

Contractor :

1. Original Contract Cost
2. Contract Effectivity
3. Original Contract Duration
4. Original Contract Expiry Date
5. Approved Variation Order
6. Revised Contract Cost
7. Additional Contract Time due to V.O.
8. Revised Contract Expiry Date due to V.O.
9. Approved Contract Time Extension
10. Revised Contract Expiry Date due to CTE

Prepared by:

Submitted by:

NAME & SIGNATURE

Project Engineer

NAME & SIGNATURE

Head of Implementing Unit

Noted by:

NAME & SIGNATURE

Head of Implementing Office

ACKNOWLEDGEMENT

This is to certify that I, (Authorized Representative, Position, Office), has this day
_____ received custody of the above-mentioned project in good order and
condition.

NAME & SIGNATURE

Authorized Representative
Position
Office

[Insert DOH Header]

CERTIFICATE OF AVAILABILITY OF DAED PLANS

This is to certify that the DOH-CHD, [Region], with the address [address], has available Detailed Architectural and Engineering Design Plans for the [project name]. In the event that the aforementioned stakeholder is to impede and/or hold issuance of relative documents during and after the implementation of project, the undersigned will be held liable.

Issued on **[date]** in support of the projects for implementation of the Department of Public Works and Highways for **[Funding Year]**.

Certified by:

[signature over Printed Name]

CHD Regional Director

[Region Name]

[Insert DOH-CHD Header]

CONSOLIDATED RIGHT-OF-WAY CERTIFICATION **FOR DOH-HFEP INFRASTRUCTURE PROJECTS**

This is to certify that the projects listed in Annex "D.1", with the entirety of its project location and/or alignment, geographically located within the jurisdiction of **[DOH-CHD]** in **[Address]**, are cleared from any man-made and natural structures, and are free of legal claims.

The undersigned further certifies that the projects listed in the Annex "C.1" comply with the set of guidelines and appropriate attachments (see Annex "C.2"); and the original and/or legally accepted copies of the said certification are stored at the Engineering Unit of the DOH-CHD.

Issued on **[date]** in support of the projects for implementation in the FY **[funding year]** of the Department of Public Works and Highways (DPWH) Budget.

Certified by:

[signature over Printed Name]

CHD Regional Director

[Region Name]

[Insert Header of DOH-CHD]

Annex "C.1"

**CONSOLIDATED RIGHT OF WAY CERTIFICATION FOR
DOH-HFEP INFRASTRUCTURE PROJECTS**

DOH-HFEP Infrastructure Projects	
1.	
2.	
3.	
4.	

[signature over Printed Name]

CHD Regional Director

[Region Name]

CONSOLIDATED RIGHT OF WAY CERTIFICATION FOR DOH-HFEP INFRASTRUCTURE PROJECTS

PROJECT [#]*(see Annex "C.1")*

Project Name : _____

Project Location : _____

Amount Requested : _____

Scope of Work : _____

DOCUMENTARY REQUIREMENTS	AVAILABILITY		REMARKS
	YES	NO	
(A) Proof of Ownership of Lot <i>Can be of the ff:</i> 1. Deed of Donation 2. TCT			
(B) Site Development Plan <i>signed by the Head of Engineering Unit of the SUC and approved by the President of the SUC</i>			
(C) Accomplished Project Profile <i>As provided in Annex "C"</i>			
(D) Concept Plan <i>(if applicable)</i>			

[signature over Printed Name]

CHD Regional Director

[Region Name]

Attested by:

[signature over Printed Name]

Regional Director

[DPWH Regional Office]

**OUTSIDE OF HIGH HAZARD AREAS, NO BUILD
ZONES, AND PROTECTED AREAS
CERTIFICATION**

This is to certify that the projects listed in Annex "D.1", with the entirety of its total project scope and/or alignment, are geographically located within the property of **[DOH-CHD]**, are compliant with all the relevant provisions of existing national laws and policies, as well as standing department issued orders and/or policies relative to high hazard areas, no build zones, and national protected areas.

The undersigned further certifies that the listed projects are:

1. Not within the High Hazard Areas, No Build Zones or National Protected Areas as identified by the Department of Environmental and Natural Resources (DENR), Mines and Geosciences Bureaus (MGB), Environmental Management Bureau (EMB), DOST-PHILVOLCS and other relevant institution under the Republic of the Philippines; and
2. Adherent to the provisions and guidelines outlined in the Updated Social and Environmental Management System (SEMS) Operations Manual prior to its implementation.

Issued on **[date]** in support of the projects for implementation of the Department of Public Works and Highways for **[Funding Year]**.

Certified by:

[Signature over Printed Name]

DPWH Regional Director

[Insert Header of DPWH]

Annex "D.1"

**CONSOLIDATED CERTIFICATION FOR
OUTSIDE OF HIGH HAZARD AREAS, NO BUILD ZONES, AND PROTECTED AREAS**

DOH-HFEP Infrastructure Projects	
1.	
2.	
3.	
4.	

[Signature over Printed Name]

DPWH Regional Director

[Insert DOH-CHD Header]

CERTIFICATE OF NO PENDING PAYMENT/ARREARS FROM LOCAL ELECTRIC COOPERATIVE

This is to certify that the DOH-CHD, [Region Name], with the address [address], has no pending payment/arrears with [Local Electric Cooperative/Corporation] as of this date. In the event that the aforementioned stakeholder is to impede and/or hold issuance of relative documents during and after the implementation of the [project name], the undersigned will be held liable

Issued on **[date]** in support of the projects for implementation of the Department of Public Works and Highways for **[Funding Year]**.

Certified by:

[Signature over Printed Name]

CHD Regional Director

[Region Name]



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CENTRAL OFFICE
Manila



Date

CERTIFICATE OF AVAILABILITY OF FUNDS

This is to certify that the amount of _____ intended for the
_____ released under FY 2024 RA (11975) _____ Program _____ ,
Sub- allotment No. _____ dated _____ is still available as of this date.

Certified Correct:

Accountant

Approved by:

Regional Director