

15-58

MEMORANDUM ORDER NO. _____

Series of 2015

FOR : Regional Directors/Provincial Directors/Heads of Concerned Bureaus/Offices

SUBJECT : Amended Guidelines for the Implementation of 2014 Shared Service Facilities (SSF) Funds

1. STATEMENT OF POLICY

MSME Development is a key strategy to achieve Government's goal of inclusive growth and jobs generation. The 2014 General Appropriations Act (GAA) has earmarked funds under the budget of the Department of Trade and Industry (DTI) to implement its "Big Push" for MSME Development. A major component of the MSME Development Program is the Shared Service Facilities (SSF) project which aims to improve the competitiveness of MSME's by providing them with machinery, equipment, tools, systems, accessories and other auxiliary items, skills and knowledge under a shared system.

This project will be implemented in accordance with government accounting and auditing rules and regulations.

2. PURPOSES

These guidelines aim to establish standards for the efficient and effective implementation of the SSF project. The purpose is to provide implementing units particularly regional/provincial offices with policy guidelines, definition of roles and responsibilities, and prescribe standard operating procedures, and timelines.

These guidelines shall endeavour that the SSF project attain one or more of the following objectives:

- Enable MSME's to increase their productivity
- Accelerate MSME competitiveness by giving them access to energy efficient technologies and more sophisticated equipment
- Encourage the graduation of MSMEs to the next level where they could tap a better and wider market share and be integrated in the global supply chain
- Take into account convergence where government resources are pooled and integrated
- Address the gaps and bottlenecks in the value chain of priority industry clusters

3. COVERAGE

These guidelines shall apply to DTI SSF Projects nationwide as provided under the 2014 GAA and future expenditure programs under the GAA.

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4. **DEFINITION OF TERMS.** As used in these guidelines, the following shall mean:

- 4.1. **Beneficiaries** - shall be the actual and potential users of the SSF which shall be predominantly a cooperative, an association or groups of MSMEs, individual MSME, individual entrepreneurs, students, trainees, teachers and researchers.
- 4.2. **CDA-Registered** - an entity registered with the Cooperative Development Authority (CDA).
- 4.3. **SEC Registered** - an entity registered with the Securities and Exchange Commission (SEC).
- 4.4. **NGO-PO** - Non-Government Organization/People's Organization.
- 4.5. **Cooperator** - shall refer to the SSF partner, which may be any juridical entity such as but not limited to non-government organizations (NGOs), people's organizations, cooperatives, industry/trade/business associations, local government units (LGUs), state universities/colleges, technical vocational schools and other similar government academic and training institutions.
- 4.6. **Micro, Small and Medium Enterprises (MSMEs) where**
Micro - shall refer to Enterprise or business activity with asset size of not more than Three Million Pesos (PhP3,000,000.00);
Small - shall refer to Enterprise or business activity with asset size of more than Three Million up to Fifteen Million Pesos (PhP3,000,001.00-PhP15,000,000.00); and
Medium - shall refer to Enterprise or business activity with asset size of more than Fifteen Million up to One Hundred Million Pesos (PhP15,000,001.00 - PhP100,000,000.00).
- 4.7. **Proponent** - refers to the DTI Provincial Office that identifies and/or endorses the proposed SSF project.
- 4.8. **Shared Service Facilities (SSF) Project** - a project that aims to improve the quality and productivity of MSMEs through the provision of SSF equipment, to be managed by a Cooperator for the common use by the beneficiaries.
- 4.9. **SSF Equipment** - refers to a set of machinery, equipment, tools, system, accessories, and other auxiliary items that may be required for the effective function of the SSF.
- 4.10. **Business Resource Center** - are DTI strategically established hubs of excellence to capacitate MSMEs. These BRCs will provide among others business counselling services, internet access, computing, printing, communication and other forms of administrative services that will assist MSME beneficiaries in pursuing their business activities.

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- 4.11. **National Technical Working Group (NTWG)** - a body consisting of at least five (5) members to be designated by the Supervising Undersecretary of the ROG tasked to evaluate SSF project proposals with project cost in excess of Three Million Pesos (PhP3,000,000.00) against a set of selection criteria as provided herein.
- 4.12. **Regional Technical Working Group (RTWG)** - a body consisting of at least three (3) members to be designated by the Supervising Undersecretary of the ROG tasked to:
- evaluate all project proposals received by the DTI-Provincial Office;
 - approve project proposals with project cost up to Three Million (PhP3,000,000.00); and
 - endorse to the NTWG project proposals with project cost in excess of Three Million Pesos (PhP3,000,000.00) against a set of selection criteria as provided herein.
- 4.13. **OTOP** - One Town, One Product Program
- 4.14. **SSF Focal Person** - Personnel of DTI in the provincial and regional office in charge of the SSF project.
- 4.15. **SSF Project Management Office** - an office that reports to the Office of the Undersecretary for Regional Operations tasked to assist the SSF Implementing units in project identification, approval, monitoring and evaluation. The tasks of the SSF-PMO shall be part of the functions of BSMED.

5. PROCEDURES

5.1. Eligible Projects

- 5.1.1. The proposed SSF Project must address processing and manufacturing gaps or bottlenecks of the industry cluster brought about by any of the following:
- 5.1.1.1. Absence of the needed facility
 - 5.1.1.2. Lack of capacity of an existing facility
 - 5.1.1.3. Cost of services of an existing facility is not affordable
 - 5.1.1.4. Lack or inadequate technical and administrative services that will promote and facilitate the growth of MSMEs within the priority industry clusters.
- 5.1.2. The proposed SSF Project will increase the productivity of the industry cluster in terms of:
- 5.1.2.1. Product improvement/Quality enhancement/Marketability
 - 5.1.2.2. Price competitiveness
 - 5.1.2.3. Conformity to standards
- 5.1.3. The proposed SSF Project will support microenterprises within the priority industry clusters.
- 5.1.4. Project proposals that will improve OTOP products shall likewise be considered.

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5.2. Criteria for Selection of Cooperator

- 5.2.1. The Department through its Regional Offices/Provincial Offices shall identify and select a Cooperator that will host and manage the operation of the SSF project using the criteria enumerated in Sections 5.2.2 and 5.2.3. A Cooperator shall refer to the SSF partner as defined in Section 4.5.
- 5.2.2. For LGUs, State Universities/Colleges, Technical Vocational Schools and other similar government academic or training institutions
- 5.2.2.1. Must be willing to be a Cooperator of SSF
- 5.2.2.2. Must be capable of providing counterpart support in terms of:
- 5.2.2.2.1. Suitable facilities to house the machinery and equipment
- 5.2.2.2.2. Personnel
- 5.2.2.2.3. Working Capital
- 5.2.2.2.4. Must be strategically located to service the beneficiaries of the SSF
- 5.2.3. For Non-Government Organizations/ People's Organizations/ Cooperatives/ Industry/Trade/Business Associations
- 5.2.3.1. Must be registered with SEC, CDA or any appropriate agency that grants legal personality;
- 5.2.3.2. Must have a track record as follows:
- for a facility costing up to PhP1.0 million, Cooperator must be in existence for at least two (2) years, and
 - for a facility costing more than PhP1.0 million, the Cooperator must be in existence for at least three (3) years
- 5.2.3.3. Must be capable of providing counterpart support in terms of:
- 5.2.3.3.1. Suitable facilities to house the machinery and equipment
- 5.2.3.3.2. Personnel
- 5.2.3.3.3. Working Capital
- 5.2.4. RO/POs are encouraged to work with other government agencies such as but not limited to LGUs, SUCs, other NGAs i.e. DOLE, TESDA, DOST, DA, DOT, to institutionalize partnerships and promote efficient management of government resources.

5.3. Review/Evaluation of SSF Proposals

- 5.3.1. The review/evaluation process will be undertaken as follows:
- 5.3.1.1. Regional Technical Working Group (RTWG): All projects submitted to DTI-Regional Offices either for their approval and endorsement to NTWG
- 5.3.1.2. National Technical Working Group (NTWG): For projects in excess of PhP3.0 million

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- 5.3.2. In prioritizing the proposed SSF submitted, the following weights shall be used:

Criteria	Maximum Points
1. The proposed facility has a desirable high-impact-low investment ratio e.g. P100,000 investment = 100 coco coir processors (preferred) P100,000 investment = 2 jobs (lower priority)	30
2. The proposed facility is needed for expansion of a ready market.	25
3. The establishment of the proposed facility is initially prioritized within the NAPC focused towns/cities within the priority clusters.	25
4. The proposed facility targets identified industry clusters with the greatest need.	20
TOTAL	100

5.4. Project Approval

5.4.1. For projects amounting up to PhP3.0 million pesos:

- 5.4.1.1. Upon submission of the project proposals duly endorsed by the proponent (DTI Provincial Office), the Regional SSF Focal Person shall check completeness of submission and refer the same to RTWG for approval or disapproval.
- 5.4.1.2. The RTWG shall convene monthly or as the need arises, to deliberate on the approval or disapproval of the project proposals endorsed by the proponent.
- 5.4.1.3. The proponent shall be notified through a Memorandum on the result of the deliberation of the projects conducted by the RTWG not later than five (5) working days after the deliberation.
- 5.4.1.4. The Provincial Officer, upon receipt of the Memorandum containing the approval or disapproval of the project, shall then notify the project cooperator on the result of the evaluation/deliberation of the projects not later than five (5) working days from receipt of notification memorandum from RTWG.

5.4.2. For Projects in excess of PhP3.0 million:

- 5.4.2.1. For all projects evaluated and endorsed by the RTWG, the Regional SSF Focal Persons shall coordinate the transmittal of projects to the NTWG for evaluation.
- 5.4.2.2. NTWG will review and evaluate projects in excess of PhP3.0, endorse to the Undersecretary for ROG for clearance and approval.
- 5.4.2.3. Projects in excess of PhP3.0 million up to PhP10.0 million will be approved by the Regional Director but with prior written clearance from the Undersecretary for ROG
- 5.4.2.4. Projects in excess of PhP10.0 million will be approved by the Undersecretary for ROG and the Regional Director

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5.4.2.5. The Regional Office shall be notified by the SSF-PMO through a Memorandum on the results of the deliberation and approval of the project not later than five (5) working days after approval.

5.4.2.6. Upon receipt of the Memorandum containing approval or disapproval of the project, the Regional SSF Focal Person through the Provincial SSF Focal Person shall then notify the project cooperator on the results of the evaluation/deliberation of the projects not later than five (5) working days from receipt of notification Memorandum from the SSF-PMO.

5.4.3. **Documentary Requirements for Approved Projects.**

5.4.3.1. The following documents shall be compiled at the Provincial Office by the Provincial SSF Focal Person.

5.4.3.1.1. Initial Evaluation and Site Visit Report by the Provincial SSF Focal Person where the project will be situated (Annex A)

5.4.3.1.2. Project Proposal signed by proponent (Annex B)

5.4.3.1.3. Duly signed Decision Sheet (Annex C includes the minimum information, additional information may be included by the RTWG)

5.4.3.1.4. Signed Memorandum of Agreement between DTI and the Cooperator (Annex D)

5.4.3.2. The completion of these documents shall be the basis for the commencement of procurement process.

5.4.3.3. A complete set of these documents shall be submitted to the Regional Office upon approval of the project. A summary of approved projects shall be submitted to the SSF-PMO on a monthly basis or as required by the SSF-PMO.

5.4.3.4. Authorized DTI Officials to sign the Memorandum of Agreement with the SSF Cooperator shall be in accordance with Department Order No. 14-39, Series of 2014.

5.5 **Terms of Cooperation.** The Memorandum of Agreement (MOA) between DTI, and the Cooperator shall contain the following:

5.5.1 Project title, project site/location, intended beneficiaries, estimated project cost, brief description of the project and benefits of the SSF project.

5.5.2 Systems and procedures to implement the project including procurement of goods

5.5.3 Schedule of periodic inspection/evaluation, reporting, monitoring requirements, date of commencement and date of completion,

5.5.4 Submission of the required periodic financial and physical status reports

5.5.5 Regular monitoring and inspection by DTI and other authorized government agency such as the COA

5.5.6 Roles and responsibilities of DTI and Cooperators as provided under Item 6 hereof.

5.5.7 Commitment on the part of the Cooperator to provide counterpart funds and facilities such as physical space and location for the project site, personnel, funds for supplies and maintenance and other forms of support or consideration for the project.

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- 5.5.8 Commitment of both parties to prepare a Business Manual of Operation which will include the schedule of fees to be collected from the user of facilities which shall take into account the sustainability of the operation of the facilities in terms of cost recovery as well as the building of funds to be devoted solely for the repair and maintenance of the facility including the renewal of an all-risk insurance policy for the facilities.
- 5.5.9 The machinery/equipment shall be used by the Cooperator under a Usufruct Agreement (Annex E) which shall form an integral part of the MOA, for a period of time as provided in the MOA. DTI shall provide insurance for two (2) years from the date of execution of the usufruct agreement to cover loss or damage to the machinery/equipment due to but not limited to fire, theft, flood, earthquake or other fortuitous event. The Cooperator may also take out insurance to cover its loss in case of loss or damage to SSF.
- 5.5.10 After the term of the Usufruct Agreement as provided for in the MOA, the machinery/equipment shall be appraised to determine its depreciated value or residual value for purposes of transfer, sale or disposal by the DTI. A depreciation schedule for said machines/equipment shall be provided for and form an integral part of the MOA
- 5.5.11 After a period of two (2) years wherein the Cooperator has demonstrated the successful operation of the SSF, DTI may transfer ownership of the equipment to the Cooperator based on government rules on the disposition/transfer of properties. The operation of the SSF may be considered as successful based on any of the following criteria:
- 5.5.11.1. at least 10% increase in the number of beneficiaries assisted; or
- 5.5.11.2 at least 10% increase in sales and/or income generated
- 5.5.12 In case the preferred mode of transfer of the machinery/ equipment at the end of the Usufruct Agreement is through sale, the depreciated value or residual value of the machinery/ equipment may be used as the basis for the sale on accordance with COA rules and regulations.
- 5.5.13 Prior to the sale of the machinery or equipment to cooperator from the private sector upon expiration of the Usufruct Agreement, the concurrence of the COA must be secured.
- 5.5.14 In case of non-compliance or default by the Cooperator of any of the provisions of the MOA, terms of the Usufruct Agreement, Business Manual of Operations or any other agreement herein, DTI has the right to terminate the MOA and Usufruct Agreement over the machinery/equipment and to reposses or pull out the machinery/equipment and transfer the same to another eligible Cooperator.
- 5.5.15 The MOA and Usufruct Agreement can be terminated under 5.5.14 above or upon mutual agreement of the parties, or by either party to the MOA and Usufruct Agreement in writing subject to reasonable notice for the security of the machinery/ equipment.
- 5.5.16 The machinery/ equipment cannot be released to the Cooperator unless the Usufruct Agreement is signed and executed by all the parties thereto. Furthermore, the Usufruct Agreement shall contain a prohibition on the use of the machinery/equipment for other purposes other than the SSF and prohibition on selling, disposing, transferring, or mortgaging said machinery/ equipment.

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- 5.5.17 The MOA shall govern the terms of the agreement for the SSF. However, the DTI and the Cooperator may enter into any other contract or agreement for the implementation of the SSF such as Usufruct Agreement, Transfer, Sale or Donation of the machinery/ equipment.
- 5.5.18 The terms of the MOA shall be implemented in accordance with COA rules and regulations.

5.6 Procurement. Procurement for approved SSF may be undertaken as follows:

- 5.6.1 Procurement by DTI Regional Offices. DTI ROs shall immediately undertake the procurement of identified facilities/equipment, either through competitive bidding or through alternative modes of compliance such as Shopping, or Single Value Procurement (SVP), in accordance with the provision of RA 9184. DTI shall ensure that warranties, services, and replacement of parts shall be honored by the supplier within the usufruct period at the minimum.
- 5.6.2 Centralized Procurement. To achieve economies of scale, the purchase of big ticket items, and similar equipment may be undertaken by a central procurement agency, in accordance with the provisions of RA 9184.

5.7 Project Implementation.

- 5.7.1 After the execution of the MOA and Usufruct Agreement between DTI and the Cooperator, the facility/equipment shall be released directly to and duly acknowledge by the Cooperator using the prescribed SSF form, Acknowledgement Receipt of SSF Equipment.
- 5.7.2 The Acknowledgement Receipt of SSF Equipment shall indicate the quantity, description, specifications, and identification of the SSF Equipment as well as the terms and conditions for the use of the SSF Equipment.
- 5.7.3 Each of the equipment shall bear the approved markings for the purpose of the proper identifications, as follows:
 "<Name of Project>
 <Name of Cooperator>
 Property of the Department of Trade and Industry"
- 5.7.4 The following documents shall be submitted by the Cooperator to DTI Provincial Office prior to the turn-over:
 5.7.4.1 Usufruct Agreement and Acknowledgement Receipt of SSF Equipment
 5.7.4.2 Business Manual of Operations
 5.7.4.2 Name of authorized representative to transact with DTI
- 5.7.5 Use of SSF. Beneficiaries shall be encouraged to use the shared service facilities based on rules specified in the Business Manual of Operations.

6. ROLES AND RESPONSIBILITIES OF PARTICIPATING ENTITIES

6.1 Cooperators shall:

- 6.1.1 Make available provision to house the equipment, provide working capital and counterpart support such as but not limited to power utilities, ancillary facilities and personnel required to manage, operate and maintain the SSF;

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- 6.1.2 Jointly with the DTI, prepare and adopt a Business Manual of Operations which shall include, among others
 - 6.1.2.1 Organizational/ Functional Structure for the facility
 - 6.1.2.2 Procedure for accessing the services
 - 6.1.2.3 Business plan
 - 6.1.2.4 Schedule of fees which balances the need for sustainability and affordability
 - 6.1.2.5 Promotion/ Marketing plan to promote use of the facility
 - 6.1.2.6 Reportorial procedures, etc.
- 6.1.3 Together with an authorized representative of DTI, inspect and receive the machinery, equipment, and tools that were procured upon delivery by the supplier thereof to ensure that they meet all specifications as defined in the Purchase Order;
- 6.1.4 Operate, perform, repair and maintain, and ensure safekeeping of the machines/ equipment in the facility including responsible property custodianship and turn over the above to DTI in the event that compliance to the stipulations in the Business Manual of Operations can no longer be achieved;
- 6.1.5 Periodically submit to the Provincial Office reports of physical accomplishments and financial records and all other monitoring and evaluation instruments.

6.2 DTI-Regional Office (DTI-ROs) shall:

- 6.2.1 Initiate procurement of equipment necessary for the setting up of the SSF in their respective regions. The Regional Director as Head of Procuring Entity (HOPE) shall ensure that procurement is in accordance with RA 9184.
- 6.2.2 Turnover the machines/equipment, once delivered, to designated project site in accordance with prescribed procedure, to Cooperator and the latter shall acknowledge in writing receipt thereof.
- 6.2.3 DTI shall provide insurance for two (2) years from the date of execution of the usufruct agreement to cover loss or damage to the machinery/equipment due to but not limited to fire, theft, flood, earthquake or other fortuitous event. The Cooperator may also take out insurance to cover its loss in case of loss or damage to SSF.
- 6.2.4 Provide technical support and assistance to the beneficiaries relative to the implementation of the program, such as but not limited to entrepreneurship, productivity enhancement, product development, marketing assistance, product diversification and other relevant social services;
- 6.2.5 Coordinate with partner agencies for both technical and financial support to ensure cooperator's success
- 6.2.6 Conduct periodic inspection of the facilities to monitor its condition. This is intended to identify any problem that may arise so that appropriate actions may be undertaken immediately.
- 6.2.7 Institute appropriate actions against the concerned cooperator which may include, among others, suspension or termination of the project in case of violation of the provision of this MOA and/ or legal action for misuse of approved and release funds, the legal costs of which shall be shouldered by the accredited conduit;
- 6.2.8 Oversee the implementation of the SSF and assist the cooperator in managing the SSF in their area in a sustained manner and ensure that the SSF shall be used exclusively for the purpose stated in the approved proposal; and
- 6.2.9 Consolidate and evaluate accomplishment reports submitted by the Provincial Offices

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6.3 DTI-Provincial Office (DTI-PO) shall:

- 6.3.1 Prepare project proposals based on the set criteria.
- 6.3.2 Submit proposals with TORs with individual cost up to PhP 3.0 million to the RTWG and projects with amount in excess of PhP3.0 million to NTWG.
- 6.3.3 Conduct a thorough inspection of the location, with the DTI-RO and Cooperator to check its condition, safe energy supply (if feasible include renewable energy source or at least hybrid solutions as back up) and disaster robustness (safe against flooding, landslides, natural hazards). This is intended to identify any problem that may arise so that appropriate actions may be immediately undertaken
- 6.3.4 The Provincial Director shall be responsible for the inspection and receipt of all machines/ equipment upon delivery by the vendors to ensure that they meet all specifications defined in the Purchase Order. A representative of the project Cooperator shall be present during the inspection.
- 6.3.5 Jointly with the Cooperator, prepare a Business Manual of Operations which shall include among others:
 - 6.3.5.1 Organizational/ Functional Structure for the facility
 - 6.3.5.2 Procedure for accessing the services
 - 6.3.5.3 Business plan
 - 6.3.5.4 Schedule of fees which balances the need for sustainability and affordability
 - 6.3.5.5 Promotion/Marketing plan to promote use of the facility
 - 6.3.5.6 Reportorial procedures, etc.
- 6.3.6 Monitor and evaluate the progress of the SSF particularly in terms of its physical accomplishment and finances. The operation of the SSF may be considered as successful based on any of the following criteria:
 - 6.3.6.1 at least 10% increase in the number of beneficiaries assisted;
or
 - 6.3.6.2 at least 10% increase in sales and/or income generated.The ownership of the equipment may be transferred by DTI to the Cooperator depending on the physical accomplishments and that can only be established by observing the said criteria.
- 6.3.7 Identify emerging capability building needs of the Cooperators;
- 6.3.8 Provide, when necessary, additional expertise, services, and technical support required for capacitating the Cooperator and eventually other prospective Cooperators to sustainably operate and manage the facility in accordance with the Project objectives.
- 6.3.9 Pull out the equipment if and when the Cooperator fails to comply with the Terms and Conditions stipulated in the Business Manual of Operations with the end in view of working with another Cooperator.
- 6.3.10 Submit regular accomplishment reports to RO who shall consolidate all provincial reports for submission to SSF-PMO.

6.4 SSF-PMO shall provide the following services:

- 6.4.1 Provide secretariat support to the NTWG
- 6.4.2 Provide technical support or designate an alternate to work with the Central Procurement Agency in the review of bidding documents, and identification of potential suppliers/ bidders. The SSF-PMO or its alternate may be asked to sit as part of BAC-TWG to help assist, evaluate, and assess technical component of bids, e.g., equipment specifications, resource and energy efficiency, inter-operability, capacities and applications.

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- 6.4.3 Generate and consolidate periodic reports from the DTI Regional Offices.
- 6.4.4 Coordinate the monitoring and evaluation of the project.
- 6.5 **National Technical Working Group (NTWG) shall:**
- 6.5.1 Evaluate project proposals with TORs with individual cost in excess of PhP3.0 million.
- 6.5.2 If evaluation is deemed positive, endorse projects to the Undersecretary for ROG for clearance and approval (Sections 5.4.2.3 and 5.4.2.4 refers to the required action of the Undersecretary for ROG).
- 6.5.3 Proposals that are disapproved shall be returned to the SSF-PMO for dispositive action.
- 6.6 **Regional Technical Working Group (RTWG) shall:**
- 6.6.1 Evaluate all project proposals and TORs
- 6.6.2 Transmit to the NTWG Chair copies of RTWG approved proposals. Furnish SSF-PMO with copies of approved proposals.
- 6.6.3 Recommend to ROG Undersecretary, through NTWG, projects consonant to Section 6.5.2
- 6.6.4 Recommend to proponent (PO) to commence procurement process of approved proposals.
- 6.6.5 Return to proponent (PO) disapproved proposals for appropriate actions.

7. **MISCELLANEOUS PROVISIONS.** The Supervising Undersecretary of the ROG shall issue further guidelines covering the monitoring and evaluation of all SSF projects as deemed necessary.
8. **REPEALING CLAUSE.** All laws, orders instructions or other similar issuances inconsistent herewith are hereby repealed or amended accordingly.
9. **EFFECTIVITY.** This Order shall take effect immediately upon signing.

Date Issued: 20 January 2015



Undersecretary ZENAIDA CUISSON MAGLAYA
Supervising Undersecretary for Regional Operations Group

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