



TESDA

TECHNICAL
EDUCATION
AND SKILLS
DEVELOPMENT
AUTHORITY

PANGASIWAAN
SA EDUKASYONG
TEKNIKAL AT
PAGPAPAUNLAD
NG KASANAYAN

RESOLUTION NO. 2002 - 01

AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE LOAN & PROJECT AGREEMENT, THE ARBITRATION AGREEMENT, THE SEPARATE AGREEMENT AND THE AGENCY CONTRACT FOR THE EXPANSION OF DUAL EDUCATION AND TRAINING (EDET) PROJECT

WHEREAS, Section 8, paragraph 3 of the Republic Act No. 7796, otherwise known as the "Technical Education and Skills Development Act of 1994" grants the TESDA Board power to enter into, make, execute, perform and carry-out domestic and foreign contracts subject to existing laws, rules and regulations;

WHEREAS, in the exercise of this power, the TESDA Board shall approve all contracts, both local and foreign, of the Technical Education and Skills Development Authority (TESDA);

WHEREAS, during the during the 32nd TESDA Board Meeting, 6 July 2001 the TESDA Board approved the Board Resolution No. 2001-01 "Defining the Power of the Chairperson of the TESDA Board and the Director-General of the TESDA Secretariat" to enter into, make and execute domestic and foreign contracts in behalf of the TESDA Board;

WHEREAS, the TESDA Secretariat was able to source and mobilize development funds from the Federal Republic of Germany to expand the adoption of dual education and training in the Philippines through the development of sustainable models in priority sectors identified by the TESDA Board and the strengthening of dual partnership arrangements and schemes;

WHEREAS, this Expansion of Dual Education and Training (EDET) Project entails development funding from the German government through two sources: technical cooperation (grant) through the Deutsche Gesellschaft fur Technische Zusammenarbeit (GTZ) and financial cooperation (loan) through the Kreditanstalt fur Wiederaufbau (KfW);

WHEREAS, the project was approved by the NEDA Board last May 29, 2001 and presented to the TESDA Board - Finance Committee last July 16, 2001 with a project cost of P564.40 million, P126.00 million from grant monies, P289.00 million from loan proceeds and P149.400 million as GOP counterpart;

WHEREAS, negotiations for the grant component of the project were successfully concluded by Philippine & German government representatives in 1999;



WHEREAS, negotiations between KfW and GOP (through the Department of Finance) for the loan component were completed only in November 2001 and, as agreed between KfW and DoF, must be signed before the last working day of December, 2001 to ensure that the loan will be effective by the 2nd quarter of 2002.

WHEREAS, DoF signed the Loan & Project Agreement as well as the Arbitration Agreement on December 21, 2001 but forwarded the said documents to TESDA only on 3 January 2002

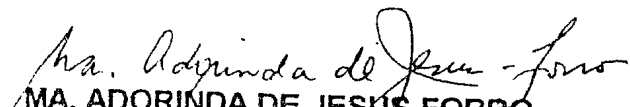
WHEREAS, to enable the conclusion and submission of the said Agreements to KfW, **TESDA** is being requested by DoF **to countersign the above cited Loan & Project Agreement** as well as the **Arbitration Agreement**.

WHEREAS, TESDA, as Project Implementing Agency, is also requested **to sign the Separate Agreement and the Agency Contract**. The former details the technical aspects of the project as reflected in the NEDA-approved project proposal, while the latter is a formal arrangement for KfW to assist TESDA in selecting and contracting the services of a qualified Consultancy Firm to identify, package, and assist in the procurement, installation and acceptance of training-related equipment for the project beneficiary institutions.

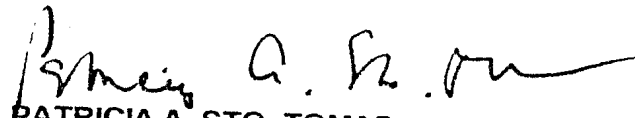
WHEREAS, in recognition of these conditions, the TESDA Board - Finance Committee, represented by its Chairperson, after studying the matter, favorably endorsed to the members of the TESDA Board, the authorization for the Chair of the TESDA Board to sign the said Agreements in behalf of the organization.

BE IT RESOLVED FINALLY, that copies of this resolution and Agreements be furnished to concerned parties for their information and implementation and earnestly soliciting their support on the implementation of the Project.

Adopted this 8th day February 2002


MA. ADORINDA DE JESUS-FORRO
Board Secretary VI

ATTESTED BY:


PATRICIA A. STO. TOMAS
Secretary, Department of Labor and Employment
Chair, TESDA Board

RAUL S. ROCO

Secretary, Department of Education, Culture and Sports
Co-Chair, TESDA Board

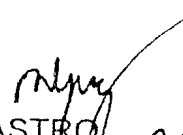
MANUEL A. ROXAS III

Secretary, Department of Trade and Industry (DTI)
Co-Chair, TESDA Board

LEONARDO Q. MONTEMAYOR

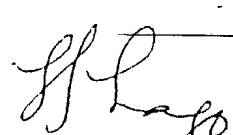
Secretary, Department of Agriculture (DA)
TESDA Board Member

① JOSE D. LINA, JR.  (ASSEC AAFP AmADOEN, 11 Jan)
Secretary, Department of Interior and Local Government (DILG)
TESDA Board Member

② ESTRELLA F. ALABASTRO  *APR. MANIPAZ C. PERAZ*
Secretary, Department of Science and Technology (DOST) *at Jom mZ*
TESDA Board Member

DR. ESTER A. GARCIA

Chairperson, Commission on Higher Education (CHED)
TESDA Board Member

③ 
LUCITA S. LAZO

Director General, Technical Education and Skills
Development Authority (TESDA)
TESDA Board Member

RESOLUTION NO. 2002-01 AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE LOAN &
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AGENCY CONTRACT FOR THE EXPANSION OF DUAL EDUCATION AND TRAINING (EDET) PROJECT.

④ 

CONCEPCION G. DODD

National President, CLASS – Trade Union Congress of the Philippines
TESDA Board Member

⑤ 

TERESITA M. BORDOÑOS

National Treasurer, Alliance for Progressive Labor (APL)
TESDA Board Member

ATTY. IBARRA A. MALONZO
Chair, EXCOM-TESDA Board
TESDA Board Member

⑥ 

ISIDRO ANTONIO C. ASPER

Vice President for International Affairs,
Federation of Free Workers
TESDA Board Member

RENE LUIS M. TADLE
Executive Director, UST - Faculty Union
Sec. Gen. Federation of Faculty Association of the Phils.
TESDA Board Member

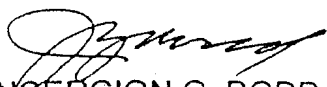
ZENAIDA G. GORDON
President, Gordon Enterprises
TESDA Board Member

⑦ 

DR. JOSELITO S. SANDEJAS

Chairman/President, Professional Managers, Inc.
TESDA Board Member

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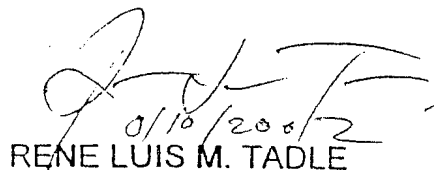
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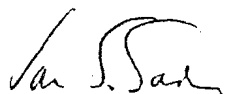


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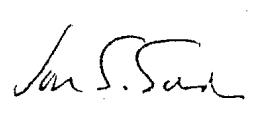
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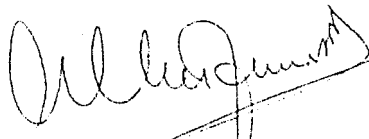
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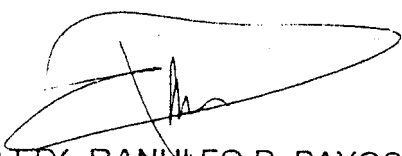
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TESDA Board Member

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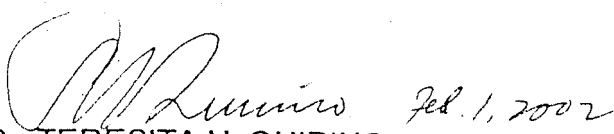
10

Dr. ALBERTO VICTOR P. FENIX, JR.
President, New Tech Pulp, Inc.
TESDA Board Member



11

ATTY. RANULFO P. PAYOS
President and Chairman of the Board
Change Management International, Inc.
TESDA Board Member



12

Dr. TERESITA U. QUIRINO *Feb. 1, 2002*
President, Technological Institute of the Philippines (TIP)
TESDA Board Member

PRECIOSO D. CANTILLAS
Most Rev. Bishop
TESDA Board Member

Dr. ALBERTO VICTOR F. FENIX JR.
President, New Tech Pulp Inc.
TESDA Board Member

ATTY. RANULFO F. PAYOS
President and Chairman of the Board
Change Management International Inc.
TESDA Board Member

Dr. TERESITA U. QUIRINO
President, Technological Institute of the Philippines (TIP)
TESDA Board Member

(17)

Precioso D. Cantillas

off 12.10.02

PRECIOSO D. CANTILLAS
Most Rev. Bishop
TESDA Board Member

CERTIFIED TRUE COPY
Vivian F. Caguicla
VIVIAN F. CAGUICLA
HEAD, Records Section
GSD, OCSA
TECHNICAL EDUCATION & SKILLS DEV. AUTHORITY

**REFEREDUM RESULTS : AUTHORIZING THE CHAIRMAN OF THE TESDA BOARD TO
SIGN THE LOAN AND PROJECT AGREEMENT, THE ARBITRATION AGREEMENT, THE
SEPARATE AGREEMENT AND THE AGENCY CONTRACT FOR THE EXPANSION OF DUAL
EDUCATION AND TRAINING PROJECT (EDET)**

As of January 17, 2002

BOARD MEMBERS	DATE SENT/ RECEIVED	DATE SIGNED
1. Sec. P.A.Slo .Tomas	All Documents were sent out on 4 January 2002 and TBMs were given ample time to review said documents	
2. Sec. R.S. Roco		
3. Sec. M. A. Roxas III		
4. Sec. L. Q. Montemayor		
5. Sec. J. D. Lina, Jr.		Endorsed by ASEC Panadero 14 January (original signed)
6. Sec. E. F. Alasbastro		2 Jan Orig Signed Asec M. Perez
7. Dr. E. A. Garcia		
8. DG L. S. Lazo		2 Feb signed
9. Ms. Concepcion G. Dodd		2 Feb signed
10. Ms. Teresita M. Borgoños		2 Feb signed
11. Mr. Isidro Antonio C. Asper		4 January (original signed ,visited TESDA
12. Atty. Ibarra A. Malonzo		10 January (original signed,visited TESDA)
14. Mr. Rene Luis M. Tadle		10 January faxed copy
15. Ms. Zenaída G. Gordon		
16. Dr. Joselito S. Sandejas		2 Feb signed
17. Dr. Alberto P. Fenix, Jr.		11 January faxed copy
18. Atty. R Benulfo P. Payos		2 Feb signed
19. Dr. Teresita U. Quirino		2 Feb signed
20. Bishop Precioso D. Cantillas		17 January faxed copy



TESDA

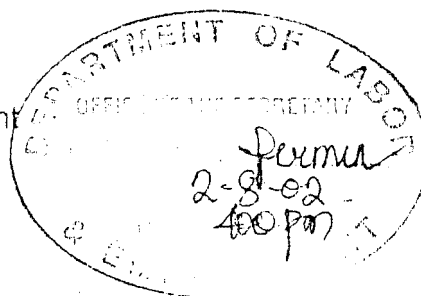
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04 February 2002

HON. PATRICIA A. STO. TOMAS

Secretary, Department of Labor and Employment
Chair, TESDA Board
DOLE Executive Offices
Intramuros, Manila



Dear Secretary Sto. Tomas:

May we forward for your signature/approval the referendum on Board Resolution 2002-01 '*Authorizing the Chair of the TESDA Board to Sign the Loan and Project Agreement, the Arbitration Agreement, the Separate Agreement and the Agency Contract for the Expansion of Dual Education and Training (EDET) Project*'.

We have attached for your information, summary of Board members who have signed the referendum and other documents relative to the project.

May we reiterate our invitation in the signing of the Loan and Project Agreement and the Separate Agreements for the EDET Project on 14 February 2002 at 1:00 p.m. at the DOF Board Room, 6/F DOF Building, Roxas Boulevard.

Your positive feedback on this request is appreciated.

Thank you.

Very truly yours,


LUCITA SOLAZO
Director General



MEMORANDUM



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FOR: THE TESDA BOARD MEMBERS
THRU: THE HONORABLE CHAIRMAN OF THE BOARD
FROM: THE CHAIR, TESDA BOARD - FINANCE COMMITTEE
SUBJECT: **EXPANSION OF DUAL EDUCATION AND TRAINING
(EDET) PROJECT**
DATE: 4 January 2002

Attached, please find communication from the Director-General requesting the **Board's instructions on who would sign the Loan & Project Agreement, the Arbitration Agreement, the Separate Agreement and the Agency Contract** for the above cited project on behalf of TESDA.

This representation was done in consideration of the following:

- the project entails development funding from the German government through two sources: technical cooperation (grant) through the Deutsche Gesellschaft fur Technische Zusammenarbeit (GTZ) and financial cooperation (loan) through the Kreditanstalt fur Wiederaufbau (KfW)
- the project was approved by the NEDA Board last May 29, 2001 and presented to the TESDA Board - Finance Committee last July 16, 2001
- the project costs P564.400 million with P126.000 million coming from grant monies, P289.000 million from loan proceeds and P149.400 million as GOP counterpart**
- negotiations for the grant component of the project were successfully concluded by representatives of the Philippine and German governments as early as 1999
- while a separate/updated agreement based on the NEDA Board approval was not required for the bulk of the grant component of the project, the sub-grant of approximately P16.000 million pesos specifically for the SZOPAD area required a separate Financing Agreement. Authorization to sign this Agreement covering the TESDA-GTZ SZOPAD sub-project was granted to the Director-General by the TESDA Board on September 6, 2001



2004

- negotiations between KfW and GOP (through the Department of Finance) for the loan component of approximately P289.000 million were completed only in November 2001 and, as agreed between KfW and DoF, must be signed before the last working day of December, 2001 to ensure that the loan will be effective by the 2nd quarter of 2002.
- DoF signed the Loan & Project Agreement as well as the Arbitration Agreement on December 21, 2001 **but forwarded the said documents to TESDA only on 3 January 2002**
- to enable the conclusion and submission of the said Agreements to KfW, TESDA is being requested by DoF **to countersign the above cited Loan & Project Agreement, as well as the Arbitration Agreement.** Upon TESDA's request DOF is in the process of securing authority to sign for TESDA
- TESDA, as Project Implementing Agency, is also requested **to sign the Separate Agreement and the Agency Contract.** The former details the technical aspects of the project as reflected in the NEDA-approved project proposal, while the latter is a formal arrangement for KfW to assist TESDA in selecting and contracting the services of an independent, qualified Consultancy Firm, domiciled in the Federal Republic of Germany and awarded on the basis of competitive bidding to identify, package, and assist in the procurement, installation and acceptance of training-related equipment for the project beneficiary institutions.

In this regard, and in consideration of the reduced credibility should the Agreements not be concluded by the agreed deadline, I am endorsing before the members of the TESDA Board for your approval, through a referendum, the attached pre-dated **Board Resolution No. 2001 - 01 Authorizing the Chairman of the TESDA Board to sign the Loan & Project Agreement, the Arbitration Agreement, the Separate Agreement and the Agency Contract for the Expansion of Dual Education and Training Project.**

Attached are the following documents for your information:

1. Loan and Project Agreement
2. Arbitration Agreement
3. German Financial Cooperation with the Republic of the Philippines on EDET and Annexes 1-6
4. Proposed Resolution
5. ~~Forward~~ Obligation Authority (FOA) _____

For your consideration, please. Thank you.


ISIDRO ANTONIO C. ASPER
 Chair, TESDA Board - Finance Committee

TESDA Complex, East Service Road, South Superhighway, Fort Bonifacio, Taguig, Metro Manila

Telephone Numbers: **Administrative Bldg. Offices** - 81740-76-82, Fax No. 817-40-80, **NITVET Offices** - 893-51-10



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