Draft Version

RECORD OF DISCUSSIONS BETWEEN JAPAN INTERNATIONAL COOPERATION AGENCY AND AUTHORITIES CONCERNED OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES ON JAPANESE TECHNICAL COOPERATION PROJECT ON STRENGTHENING OF FLOOD FORECASTING AND WARNING SYSTEM FOR DAM OPERATION

In response to the request of the Government of the Republic of the Philippines, the Government of Japan has decided to conduct the technical cooperation project on Strengthening of Flood Forecasting and Warning System for Dam Operation (hereinafter referred to as "the Project").

The Japanese International Cooperation Agency (hereinafter referred to as "JICA"), the official agency responsible for the implementation of the technical cooperation scheme of the Government of Japan, will cooperate with the authorities concerned of the Government of the Republic of the Philippines for the Project.

JICA and the Philippine authorities concerned had a series of discussions on the framework of the Project. As a result of the discussions, JICA and the Philippine authorities concerned agreed on the matters referred to in the documents attached hereto.

November 16 2007 Manila, Philippines

Mr. Norio Matsuda
Resident Representative
JICA Philippines Office
Japan International Cooperation Agency

Dr. Graciano P. Yumul, JR.
Undersecretary
Department of Science and Technology
Republic of the Philippines

ATTACHED DOCUMENT

I. COOPERATION BETWEEN JICA AND THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES

- 1. The Government of the Republic of the Philippines will implement the Project for Strengthening of Flood Forecasting and Warning System for Dam Operation (hereinafter referred to as "the Project") in cooperation with JICA.
- 2. The Project will be implemented in accordance with the Master Plan shown in Annex 1.

II. MEASURES TO BE TAKEN BY JICA

In accordance with the laws and regulations in force in Japan, JICA will take, at its own expense, the following measures according to the normal procedures under the Colombo Plan Technical Cooperation Scheme.

- Dispatch of Japanese Experts
 JICA will provide the services of the Japanese experts as listed in Annex II.
- 2. Provision of machinery and equipment JICA will provide equipment and other materials (hereinafter referred to as "the Equipment") necessary for the implementation of the Project. The Equipment will become the property of the Government of the Republic of the Philippines upon being delivered C.I.F.(cost, insurance and freight) to the Philippine authorities concerned at the ports and/or airports of disembarkation.
- Training of Philippine personnel in Japan
 JICA will receive the Philippine personnel connected with the Project for technical training in Japan.

III. MEASURES TO BE TAKEN BY THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES

- The Government of the Republic of the Philippines will take necessary measures to ensure that
 the self-reliant operation of the Project will be sustained during and after the period of Japanese
 technical cooperation through full and active involvement in the Project by all related
 authorities, beneficiary groups and institutions.
- 2. The Government of the Republic of the Philippines will ensure that the technologies and knowledge acquired by the Philippine nationals as a result of Japanese technical cooperation will contribute to the economic and social development of the Republic of the Philippines.

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- 3. The Government of the Republic of the Philippines will grant privileges, exemptions and benefits to the Japanese experts mentioned in Annex II and their families, under the Colombo Plan Technical Cooperation Scheme.
- 4. The Government of the Republic of the Philippines will ensure that the Equipment will be utilized effectively for the implementation of the Project in consultation with the Japanese experts referred to in Annex II.
- 5. The Government of the Republic of the Philippines will take necessary measures to ensure that the knowledge and experience acquired by Philippine personnel from technical training in Japan will be utilized effectively in the implementation of the Project.
- 6. In accordance with the laws and regulations in force in the Republic of the Philippines, the Government of the Republic of the Philippines will take necessary measures to provide at its own expense:
 - (1) Assignment of the Philippines counterpart personnel and administrative personnel as listed in the Annex III;
 - (2) Office and its equipment; and
 - (3) Supply or replacement of machinery, equipment, instruments, vehicles, tools, spare parts, and any other materials necessary for the implementation of the Project except for the Equipment provided by JICA.
- 7. In accordance with the laws and regulations in force in the Republic of the Philippines, the Government of the Republic of the Philippines will take necessary measures to meet:
 - (1) Expenses necessary for the transportation within the Republic of the Philippines of the Equipment as well as for the installation, operation and maintenance thereof;
 - (2) Customs duties, internal taxes and any other charges, imposed in the Republic of the Philippines on the Equipment;
 - (3) Value added tax and other fiscal charges of any kind imposed in the Republic of the Philippines on the Equipment in case of local purchase; and
 - (4) Running expenses necessary for the implementation of the Project.

IV. ADMINISTRATION OF THE PROJECT

 The Director, Philippine Atmospheric, Geophysical and Astronomical Services Administration (hereinafter referred to as "PAGASA") will bear overall responsibility for the administration and coordination of the Project.

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- The Administrator, National Irrigation Administration (hereinafter referred to as "NIA" and President, National Power Corporation (hereinafter referred to as "NPC"), will be responsible for the managerial and technical matters of the Project.
- The Leader of the Japanese expert team will provide necessary recommendations and advice to the Director and Manager of the Project on any matters pertaining to the implementation of the Project.
- 4. The Japanese experts will provide necessary technical guidance and advice to the Philippine counterpart personnel on technical matters pertaining to the implementation of the Project.
- Counterpart personnel and Japanese experts will hold monthly meeting for smooth implementation of the Project. The results of the meeting will be reported to the Director of the Project.
- 6. For the effective and successful implementation of the Project, a Joint Coordinating Committee (hereinafter referred to as "JCC") will be established whose functions and composition are described in Annex IV. The overall policy decision, coordination and progress monitoring of the Project will be conducted through the JCC jointly by JICA and the Philippine authorities concerned.

V. JOINT EVALUATION

Evaluation of the Project will be conducted jointly by JICA and the Philippine authorities concerned at the middle and during the last six months of the cooperation term in order to evaluate the level of achievement and monitor the progress of the Project.

VI. CLAIMS AGAINST JAPANESE EXPERTS

The Government of the Republic of the Philippines undertakes to bear claims, if any arises, against the Japanese experts engaged in the technical cooperation for the Project resulting from, occurring in the course of, or otherwise connected with the discharge of their official functions in the Republic of the Philippines except for those arising from the willful misconduct or gross negligence of the Japanese experts.

VII. MUTUAL CONSULTATION

There will be mutual consultation between JICA and the Government of the Republic of the Philippines on any major issues arising from, or in connection with this Attached Document.

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VIII. MEASURES TO PROMOTE UNDERSTANDING OF AND SUPPORT FOR THE TECHNICAL COOPERATION

For the purpose of promoting support for the Project among the people of the Philippines, the Government of the Republic of the Philippines will take appropriate measures to make the Technical Cooperation widely known to the people of the Philippines.

IX. TERM OF COOPERATION

The duration of the Project under this Attached Document will be three (3) years from March 2008 to February 2011 tentatively.

List of Annex

Annex I. Master Plan

Annex II. List of Japanese Experts

Annex III. List of Philippine Counterpart and Administrative Personnel

Annex IV. Joint Coordinating Committee

Annex I. Master Plan

1. Overall Goal

Loss and damage caused by floods within Pampanga, Agno, and Cagayan River Basins are reduced.

2. Project Purpose

Capability in flood forecasting and warning for proper dam operation in the dam target areas along Pampanga, Agno, Angat and Magat/Cagayan Rivers is improved.

3. Outputs

- 1) Collect, accumulate, process and analyze meteorological and hydrological data for inflow analysis and basic data at downstream of Pampanga, Agno, Angat and Magat/Cagayan Rivers.
- 2) Strengthen information and knowledge sharing among JOMC members and stakeholders.
- 3) Strengthen capability in operation and maintenance of meteorological and hydrological equipment of Pampanga, Agno, Angat and Magat/Cagayan Rivers.

4. Activities

- 1.1 Collecting, accumulating, processing and analyzing observation data of rainfall and inflow
- 1.2 Reviewing inflow prediction model
- 1.3 Conducting basic survey on the downstream of the target dams and analyzing proportion of outflow to water level in downstream
- 2.1. Reviewing and improving information flow among JOMC members and stakeholders
- 2.2. Training of staff to strengthen communication and information sharing
- 2.3. Strengthening information and knowledge sharing among JOMC members and relevant organizations
- 3.1. Confirming current condition of observation and warning equipment and formulating maintenance and replacement plan
- 3.2. Conducting maintenance and replacement of observation and warning equipment
- 3.3. Training of staff for operation and maintenance system for observation and warning equipment

Note: In case the Master Plan needs to be modified, both sides will agree on and confirm such modifications in minutes of meetings.

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Annex II. List of Japanese Experts

- 1. Organization and System
- 2. Flood Modeling
- 3. Meteorology and Hydrology
- 4. Equipment Plan and Maintenance

Notes: Field, number and term of assignment of experts will be decided through mutual consultation at the beginning of each Japanese fiscal year.

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Annex III. List of Philippine Counterparts and Administrative Personnel

1.	Project Director:			
	Dr. Prisco D. Nilo, Director, PAGASA			

2. Project Manager

NIA

NPC

- 3. Counterpart Staff
- 4. Assistants/ Supporting Staff
- 5. Other personnel mutually agreed upon if necessary

Notes: The Philippine side will identify each counterpart personnel by the commencement of the Project.

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Annex IV. Joint Coordinating Committee

1. Function

For the effective and successful implementation for the Project, the Joint Coordination Committee will be established in order to make decisions relevant to the Project. The Joint Coordination Committee will meet when necessary and at least twice a year in order to fulfill the following functions:

- (1) To supervise the annual work plan of the Project in line with the Project Design Matrix and the Plan of Operations;
- (2) To review the annual and overall progress of the Project and to evaluate the accomplishment of the annual targets and achievement of the objectives;
- (3) To find out proper ways and means of solution of the major issues arising from in connection with the Project;
- (4) To evaluate PDM during the course of the Project and suggest revision, if necessary; and
- (5) Any other related issues.

2. Committee members

The committee will be composed of the chairperson and the members. The rules and guidelines for the management of the committee will be determined at the initial stage of the Project. The agreed composition is as follows:

- (1) Chairperson:
- (2) Members on Philippine side:
- (3) Members on Japanese side:
- 1. Resident Representative of JICA Philippine Office
- 2. JICA experts
- 3. Member of missions dispatched by JICA
- 4. Other person(s) concerned appointed by JICA

Note: Official(s) of the Embassy of Japan may attend the Committee meetings as observer(s).

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Annex IV. List of Counterpart Personnel

Agency	Chief Advisor/ Organization & System	Flood Modeling	Meteorology & Hydrology	Equipment Planning & Maintenance
PAGASA	Susan R. Espinueva	Maximo F. Peralta	Heraclio Borja, Jr.	Mario Dungca
		Socrates Paat, Jr.	Socrates Paat, Jr.	Berlin Mercado
		Roy Badilla	Rosendo Pascua	Remilio Bautista
			Rosalie Pagulayan	Jose Perin
				Antonio Villegas
NIA	Freddie Toquero	Zoilo U. Micla	Ronald Mallari	Ronaldo Salazar
	Pelagio Gamad	Ronald Mallari	Zoilo U. Micla	Ben Roger Lucas
	Saturnino Tenedor	Edwin Pasion	Edwin Pasion	Jones Gacutan
		Wilson Agustin	Wilson Agustin	
NPC	Alexander Palada	Russel Rigor	Onofre Ponse	Roel Dalisay
		Onofre Ponce	Valeriano Barro, Jr.	Frederick Mata
		Ramon Araja. Jr.	Russel Rigor	Ronilo Yadao
	-	Valeriano Barro, Jr.	Ramon Araja, Jr.	Crispin Balmeo
		Godofredo	Antonio Salvador	Sherwin Ronduen
		Tolentino, Jr.		