

TERMS OF REFERENCE

Appropriation of a Substantial Budget for Anti-illegal Drug Programs Relative to Section 51 of Republic Act No. 9165: A Policy Review

I. Rationale

In support of the Duterte Administration's campaign against illegal drugs, local government units (LGUs) have begun stepping up their efforts to curb the drug menace from the provincial level down to the barangays. Given the anti-illegal drug priority of the government, it is only understandable that the number of programs, projects, and activities (PPAs) being implemented to address the drug problem has also increased.

To ensure the sustainability of these PPAs, the Republic Act (RA) No. 9165 or the "Comprehensive Dangerous Drugs Act of 2002" mandates LGUs to devote a "substantial portion" of their annual budget for the implementation of the PPAs. The problem lies, however, in the exact definition of the term "substantial", as there are various considerations that LGUs make in the provision of a budget specifically for anti-illegal drugs programs, due mainly to the different priorities they have and the total budget they receive from the national government yearly. This gray area in the law led to dissimilar interpretations by the LGUs, although some agencies, like the Department of the Interior and Local Government (DILG) in Iloilo City, have taken the initiative to define the parameters of a "substantial" budget.

Citing the difficulty in determining a "substantial amount", Lawyer Ferdinand Panes, DILG director for Iloilo City, explained that they pegged the amount at one percent (1%) for all the barangays within the City (Politiko Visayas, 2018).

In view of the possibility of setting a benchmark for the appropriation of a budget for the anti-illegal drugs drive, the conduct of a consultative study on the matter is hereby proposed.

II. Objectives of the Study

General Objective: To revisit existing policy documents on the provision of a substantial budget specifically for the implementation of PPAs relative to the anti-illegal drugs campaign and to assess the capacity of the different LGUs to comply with a standardized budgetary allocation for the same

Specific Objectives:

1. To review existing legislation and such other policy documents related to the allocation of a substantial amount for anti-illegal drug PPAs;
2. To gather inputs from the representatives of the different strata of the governmental structure with regard to their ability to comply with a standardized budget for the implementation of said PPAs, should one be created; and

3. To explore the viability of drafting a nationwide policy document defining the term “substantial amount” and ensuring compliance at the local level

III. Scope and Methodology Requirements

- a. The proponent shall determine and propose the appropriate areas which will serve as research locale;
- b. The proponent shall also develop the research instrument and provide the statistical technique to be utilized;
- c. The alternative method and procedure of data gathering shall be determined given the current/prevaling health situation in the country;
- d. Risk management plan

The proposal to be submitted shall contain the following:

1. Project Title
2. Project Leader
3. Project Team Composition
4. Project Duration
5. Introduction
6. Objectives
7. Literature Review
8. Significance of the Study
9. Methodology (sampling technique, population, and sample size)
10. Statistical Technique
11. Plans for Data Processing and Analysis
12. Risk Management Plan
13. Work Plan/ Schedule
14. Estimated Budgetary Requirements
15. Bibliography

IV. Duration of the Project: 6 months - May to October 2021

V. Scope of Work and Delivery Requirements

Pre-Phase	Month 1	Month 2-3	Month 4-5	Month 6
<ul style="list-style-type: none"> • Proposal and Methodology • Submission of credentials • Submission of proposal, including 	<ul style="list-style-type: none"> • Data-gathering • Submission of inception report 	<ul style="list-style-type: none"> • Data-gathering • Encoding and processing of data 	<ul style="list-style-type: none"> • Analysis of data • Report-writing • Final draft report to be submitted to DDB-TWG for review 	<ul style="list-style-type: none"> • Submission of three (3) hard copies and a soft copy of the completed report • Preparation of PowerPoint Presentation on the summary of the

<p>schedule of implementation</p> <ul style="list-style-type: none"> • Preparation of the data-gathering instrument • Pre-testing of instrument • Review and revision of instrument (if needed) • BAC Preliminaries/ Activities 		<ul style="list-style-type: none"> • Submission of progress report and partial liquidation report 		<p>report</p> <ul style="list-style-type: none"> • Presentation of the findings with the representatives of PSRSD, DDBS Officials and Board • Submission of soft copy of the raw data in Excel and CSV file formats, as well, extracted raw data from the online forms (if applicable) • Submission of filled-up questionnaires used in the data gathering
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VI. Exclusion and Inclusion Criteria

Interested reputable consulting entities can submit proposals to posting of this project found on www.philgeps.gov.ph. Proponents must have at least three (3) years of experience in the conduct of studies/researches, with particular focus on policy review and/or local governance.

The final output shall be the sole property of the Dangerous Drugs Board.

VII. Liquidated Damages

The amount of liquidated damages shall be at least equal to one-tenth of one percent at the cost of the unperformed portion for every day of delay. Once the cumulative amount of liquidated damages reaches ten percent (10%) of the amount of the contract, DDB may rescind or terminate the contract, without prejudice to other courses of action and remedies provided under R.A. 9184. (See Sec. 68 IRR R.A. 9184)

VIII. On Liability

DDB shall not be liable or responsible for any personal injury or damage of any nature whatsoever, however, caused, that may be suffered or sustained by the service provider during the entire duration of the research activity.

IX. Funding

The Dangerous Drugs Board shall allot **Three Million Pesos (Php3,000,000.00)** subject to government tax for the cost of the project under the approved 2020 Work and Financial Plan of the Policy Studies, Research and Statistics Division.

The amount shall cover all the activities relevant in the conduct of this study.

No award of contract shall be made until the General Appropriations Act (GAA) has been approved or enacted.