

GOVERNMENT PROCUREMENT POLICY BOARD

RESOLUTION NO. 09-2004

WHEREAS, Republic Act No. 9184 (“R.A. 9184”) entitled “An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and for Other Purposes,” otherwise known as the “Government Procurement Reform Act” (“GPRA”) was enacted on January 10, 2003, and took effect on January 26, 2003;

WHEREAS, Section 75 of R.A. 9184 provides that the Government Procurement Policy Board (“GPPB”) and the members of the Joint Congressional Oversight Committee (“JCOC”) shall formulate the necessary rules and regulations for the proper implementation of its provisions, to wit:

Section 75. Implementing Rules and Regulations and Standard Forms. – Within sixty (60) days from the promulgation of this Act, the necessary rules and regulations for the proper implementation of its provisions shall be formulated by the GPPB, jointly with the members of the Oversight Committee created under Section 74 hereof. The said rules and regulations shall be approved by the President of the Philippines. For a period not later than thirty (30) days upon the approval of the implementing rules and regulations, the standard forms for Procurement shall be formulated and approved;

WHEREAS, pursuant to Section 75 of R.A. 9184, the GPPB and JCOC drafted the Implementing Rules and Regulations Part A (“IRR-A”) of R.A. 9184 and endorsed the same for the approval and signature of Her Excellency, President Gloria Macapagal Arroyo, through Joint Resolution No. 01-2003 of the GPPB and the JCOC, dated July 11, 2003;

WHEREAS, the IRR-A of R.A. 9184 was approved and signed by Her Excellency on September 18, 2003 and took effect on October 8, 2003;

WHEREAS, pursuant to Section 69.4 of the IRR-A of R.A. 9184, the GPPB shall issue the guidelines for the blacklisting of manufacturers, suppliers, distributors, contractors or consultants for Government projects;

WHEREAS, the GPPB tasked the GPPB-Technical Support Office (“GPPB-TSO”) to make an initial draft of the said guidelines to be submitted to and reviewed by the GPPB;

WHEREAS, the first draft of the Uniform Guidelines for Blacklisting of Manufacturers, Suppliers, Distributors, Contractors and Consultants was presented by the GPPB-TSO to the GPPB during its 6th meeting held on October 20, 2003,

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however, the GPPB decided to submit the same to other government agencies for further comments;

WHEREAS, the draft Uniform Guidelines for Blacklisting was again presented to the GPPB for deliberation on its 7th Meeting on December 11, 2003 along with the comments coming from the government agencies and after extensive discussions thereof, the GPPB again tasked the GPPB-TSO to revise the same in accordance with the suggestions of the members of the Board;

WHEREAS, the draft Uniform Guidelines for Blacklisting has undergone several revisions based on the instructions of the GPPB and in consultation with the Technical Working Group, as well as with the lawyers from different legal offices of various government agencies and the private sector;

WHEREAS, the GPPB has reviewed the final draft of the Uniform Guidelines for Blacklisting submitted by the GPPB-TSO during its 6th meeting held on August 20, 2004, at Unit 1103, The Taipan Place, Emerald Avenue, Ortigas Center, Pasig City, a copy of which is attached hereto as Annex "A" to form an integral part hereof;

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the **Government Procurement Policy Board**, by virtue of the powers vested in **US** by law, hereby **RESOLVE** to confirm, adopt and approve, as **WE** hereby confirm, adopt and approve the Uniform Guidelines for Blacklisting of Manufacturers, Suppliers, Distributors, Contractors and Consultants as referred to **US** and revised according to **OUR** instructions.

This resolution shall take effect immediately.

APPROVED this 20th day of August, 2004 at Pasig City, Philippines

HON. EMILIA T. BONCODIN
Secretary
Department of Budget and Management

HON. ROMULO L. NERI
Director General
National Economic and Development
Authority

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**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

**DEPARTMENT OF NATIONAL
DEFENSE**

DEPARTMENT OF EDUCATION

DEPARTMENT OF HEALTH

**DEPARTMENT OF INTERIOR AND
LOCAL GOVERNMENT**

DEPARTMENT OF ENERGY

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

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INDUSTRY**

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

**DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS**

PRIVATE SECTOR REPRESENTATIVE