
CIRCULAR 04-2019

22 April 2019

TO : Heads of Departments, Bureaus, Offices and Agencies of the National Government including State Universities and Colleges, Government Owned and/or Controlled Corporations, Government Financial Institutions and Local Government Units

SUBJECT : Clarification on the acceptability of a Temporary PCAB License as a requirement in government procurement activities

1.0 PURPOSE

This Circular is issued to clarify the acceptability of a Temporary PCAB License as an eligibility requirement in government procurement either through competitive bidding or any of the alternative modalities of procurement.

2.0 SCOPE

All Departments, Bureaus, Offices and Agencies of the National Government including State Universities and Colleges, Government-Owned and/or Controlled Corporations, Government Financial Institutions and Local Government Units.

3.0 DEFINITION OF TERMS

- 3.1 PCAB License** – License issued by the Philippine Contractors Accreditation Board (PCAB) pursuant to Republic Act (RA) No. 4566¹ that allows an applicant to engage in business as a contractor.
- 3.2 Temporary PCAB License** – refers to the document issued by PCAB to a contractor who has filed for renewal of PCAB license before the 30th of June of each year but have not yet been processed due to high volume of applicants.

4.0 GENERAL CONSIDERATIONS

- 4.1** For purposes of complying with the eligibility requirements as provided under Section 23.1(a)(vi) of the 2016 revised Implementing Rules and Regulations (IRR) of RA No. 9184, bidders must submit a **valid** PCAB License or Special PCAB License in case of Joint Ventures, and registration for the type and cost of the contract to be bid.

¹ An Act Creating the Philippine Licensing Board for Contractors, Prescribing its Powers, Duties and Functions, Providing Funds therefor and For Other Purposes

- 4.2 For the procurement of Goods or Consulting Services with civil works component where PCAB license is likewise required as part of the Technical Specifications or Terms of Reference, bidders must submit a **valid** PCAB License during post-qualification process as one of the licenses or permits required by law.
- 4.3 For purposes of complying with the documentary requirements as provided in Appendix A of Annex "H" or the Consolidated Guidelines for the Alternative Methods of Procurement, bidders must submit a **valid** PCAB License or Special PCAB License, as the case may be.
- 4.4 For purposes of complying with the documentary requirements for Limited Source Bidding and Negotiated Procurement for Non-Governmental Organization Participation under Sections 49 and 53.11 of the 2016 revised IRR of RA No. 9184, respectively, bidders must submit a **valid** PCAB License or Special PCAB License, as the case may be.
- 4.5 In all of the foregoing instances, a Temporary PCAB License **shall not be accepted** as an eligibility or documentary requirement in lieu of a valid PCAB License.

5.0 REMINDER ON RENEWAL OF PCAB LICENSE

5.1 For Contractors intending to participate in Government Procurement:

- a. All prospective bidders, intending to participate in government procurement where a valid PCAB license is required by law to be submitted, are hereby enjoined to renew their PCAB Licenses in accordance with the Mandatory Schedule for Filing of Renewal of Applications under PCAB Board Resolution No. 376 and such other similar or related issuances.
- b. It shall be the duty of the prospective bidder to ensure that it has a valid PCAB license at the time of the submission of bid. The submission of a Temporary PCAB License is a ground for the declaration of the bidder's ineligibility for failure to comply with the requirements of the procurement rules.
- c. Procuring entities are directed to emphasize during the pre-bid conference that only a valid PCAB License shall be accepted as an eligibility requirement and remind all prospective bidders to renew their respective licenses in accordance with the Mandatory Schedule for Filing of Renewal of Applications under PCAB Board Resolution No. 376 and such other similar or related issuances.

5.2 For Contractors implementing government infrastructure projects:

- a. All Contractors implementing government infrastructure projects shall ensure the continuing validity of their PCAB licenses until final completion thereof.
- b. Procuring entities, through their project management office, implementing unit or office or employee/s tasked to monitor the implementation of contract, are enjoined to monitor the continuing

validity of the contractor's PCAB license and remind the latter to renew the same on a timely manner.

6.0 For guidance and compliance.

7.0 This Circular shall take effect immediately.

SGD

LAURA B. PASCUA
Alternate Chairperson