



Unit 2506 Raffles Corporate Center,
F. Ortigas Jr. Road, Ortigas Center,
Pasig City, Philippines 1605

CIRCULAR 10-2017

21 December 2017

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 : Submission of Blacklisting Order

1.0 Purpose

This Circular is being issued to reiterate to all procuring entities the requirement for the submission of Blacklisting Orders to the GPPB.

2.0 Coverage

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 Submission of Blacklisting Order

3.1 Unless otherwise provided, the blacklisting agency concerned shall submit to the GPPB, within seven (7) calendar days after the issuance of the blacklisting order/delisting order made by the agency, the following documents:

3.1.1 Blacklisting Order duly signed by the Head of the Procuring Entity/appellate authority containing, among others, Department/Office Order or Board Resolution number, name and address of the blacklisted person/entity, license number, if applicable, Authorized Managing Officer (“AMO”), name of project/contract and location/amount, specific ground(s)/offense(s) committed as provided in Section 4 hereof, sanction imposed and its specific duration, that is, “start” date and “end” date, and date of issuance of the order to blacklist.

3.1.2 Delisting Order duly signed by the blacklisting agency containing, among others, Department/Office Order or Board

Resolution number, name and address of the blacklisted person/entity, name of project/contract and location, specific sanction being lifted and the number of previously issued blacklisting Department/Office Orders or Board Resolutions, effectivity date of delisting, and date of delisting approval.

- 3.2 The GPPB shall prepare the Consolidated Blacklisting Report every quarter, based on the submitted Blacklisting Orders as provided for in Section 9.1(a) hereof and disseminate the same to procuring entities and the Commission on Audit (“COA”). The report shall be further posted in the GPPB website and the Government Electronic Procurement System (“G-EPS”) and shall indicate the number of times a person/entity has been blacklisted, the type of offense/violation committed, the penalty imposed, and the blacklisting agency concerned.

The GPPB shall delist from such report those whose sanctions are lifted automatically after serving the given penalty.

- 3.3 The ministerial authority of the GPPB and its Technical Support Office is limited to the receipt and posting of Blacklisting Orders in its website and the preparation of the Consolidated Blacklisting Report based on submitted Blacklisting Orders. The blacklisting order submitted to the office carries with it the presumption that the provisions of the Blacklisting Guidelines and the Contract Termination Guidelines were duly complied with and that due process was afforded the blacklisted manufacturer, supplier, distributor, contractor or consultant.

Non-posting of the Blacklisting Order in the GPPB Website or the non-inclusion of the name of the blacklisted manufacturer, supplier, distributor, contractor or consultants in the GPPB Consolidated Blacklisting Report does not affect the status of the blacklisted entity in as much as the operative act of the blacklisting is the issuance of the Blacklisting Order by the agency concerned, and not the submission thereof to the GPPB.

- 3.4 In the case of procurement of infrastructure projects, should a blacklisting agency decide to refer the case of its blacklisted person/entity to the Philippine Contractors Accreditation Board (“PCAB”) for license suspension/revocation, it shall submit to PCAB a copy of the decision accompanied with supporting documents.

4.0 This Circular shall take effect immediately.

5.0 For guidance and compliance.

(SGD)
BENJAMIN E. DIOKNO
Chairperson