



## RESOLUTION NO. 02-2008

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### AMENDING SECTION 9.2 (ii) (B) OF ANNEX G OF THE IMPLEMENTING RULES AND REGULATIONS PART A OF REPUBLIC ACT 9184

**WHEREAS**, the Government Procurement Policy Board (GPPB), under Section 63 of Republic Act (R.A.) 9184, is mandated to formulate and amend public procurement policies, rules, and regulations, and amend whenever necessary, the implementing rules and regulations of R.A. 9184;

**WHEREAS**, pursuant to said mandate, the GPPB, through its Resolution No. 22-2007, issued Annex G of IRR-A providing the Guidelines for the Procurement and Implementation of Contracts for Design and Build Infrastructure Projects (“Guidelines”);

**WHEREAS**, under Section 9.2 (ii) (b) of the Guidelines, constructors with no experience in design and build projects may become eligible to bid if they opt to enter into partnerships or joint ventures with design or engineering firms;

**WHEREAS**, during its 6<sup>th</sup> regular meeting held last 27 June 2008, the GPPB, responding to the issue raised by the Department of Public Works and Highways, also determined that subcontracting is also an acceptable form of collaboration that bidders may resort to in order to meet the required services for a particular contract;

**WHEREAS**, subcontractors identified by bidders are subject to the same evaluation process applied to principal bidders; thereby ensuring their eligibility to undertake a government contract;

**WHEREAS**, during the 6<sup>th</sup> GPPB Regular Meeting held last 27 June 2008, the GPPB agreed to amend the Guidelines in order to provide that constructors with no experience in design and build projects may also become eligible to bid if they opt to subcontract the design work to a design or engineering firm;

**NOW, THEREFORE**, for and in consideration of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law, hereby **RESOLVE** to confirm, adopt and approve, as **WE** hereby confirm, adopt and approve, the following amendment to Section 9.2 (ii) (b) of Annex G of the IRR-A of RA 9184:

If the bidder has no experience in design and build projects on its own, it may enter into a subcontracting, partnership, or joint venture agreement with design or engineering firms for the design portion of the contract.

This resolution shall take effect immediately.



## RESOLUTION NO. 02-2008

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**APPROVED** this 27<sup>th</sup> day of June 2008 at Pasig City, Philippines.

*(Original Signed)*

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**DEPARTMENT OF BUDGET AND  
MANAGEMENT**

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**NATIONAL ECONOMIC AND DEVELOPMENT  
AUTHORITY**

*(Original Signed)*

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**DEPARTMENT OF NATIONAL DEFENSE**

*(Original Signed)*

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**DEPARTMENT OF EDUCATION**

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**DEPARTMENT OF HEALTH**

*(Original Signed)*

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**DEPARTMENT OF THE INTERIOR AND LOCAL  
GOVERNMENT**

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**DEPARTMENT OF ENERGY**

*(Original Signed)*

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**DEPARTMENT OF PUBLIC WORKS AND  
HIGHWAYS**

*(Original Signed)*

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**DEPARTMENT OF FINANCE**

*(Original Signed)*

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**DEPARTMENT OF TRADE AND INDUSTRY**

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**DEPARTMENT OF SCIENCE AND  
TECHNOLOGY**

*(Original Signed)*

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**DEPARTMENT OF TRANSPORTATION AND  
COMMUNICATIONS**

*(Original Signed)*

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**PRIVATE SECTOR REPRESENTATIVE**

Attested by:

*(Original Signed)*

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**RUBY U. ALVAREZ**  
*Board Secretary, GPPB*  
*Executive Director III, GPPB-TSO*