

**AMENDING SECTION 53 OF THE IMPLEMENTING RULES AND
REGULATIONS PART A OF REPUBLIC ACT 9184 TO INCLUDE
LEASE OF PRIVATELY OWNED REAL ESTATE FOR OFFICIAL USE**

WHEREAS, Republic Act No. 9184 (R.A. 9184) and its Implementing Rules and Regulations Part A (IRR-A) took effect on January 26, 2003 and October 8, 2003 respectively;

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

WHEREAS, under R.A. 9184 and its IRR-A, all procurement of goods, including lease of office space, shall be done through competitive bidding except only under highly exceptional cases where the procuring entity may resort to alternative modes of procurement;

WHEREAS, reports from other agencies indicate that the conduct of public bidding for lease of office space does not result to the most advantageous terms for the government;

WHEREAS, there is need to provide an alternative mode of procurement for lease of office space to grant procuring entities the necessary flexibility to consider factors such as location and building structure while at the same time providing control measures to ensure reasonableness of rental rates;

WHEREAS, the GPPB, in its 4th regular meeting held on 4 May 2007, duly considered and agreed to include lease of privately owned real estate for official use as one of the instances when an agency can resort to negotiated procurement, subject to guidelines to be approved by the GPPB;

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 amend Section 53 of IRR-A to include lease of privately owned real estate for official use as one of the instances when the procuring entity may enter into Negotiated Procurement, as follows:

Section 53. Negotiated Procurement

Negotiated Procurement is a method of procurement of goods, infrastructure projects, and consulting services, whereby the procuring entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant only in the following cases:



RESOLUTION NO. 04-2007

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- (i) **Lease of privately owned real estate for official use, subject to guidelines to be issued by the GPPB.**

This resolution shall take effect fifteen (15) days from its publication in the Official Gazette or a newspaper of general circulation.

APPROVED this 4th day of May, 2007 at Pasig City, Philippines

(Sgd.)

ROLANDO G. ANDAYA, JR.
Secretary
Department of Budget and Management

(Sgd.)

ROMULO L. NERI
Secretary
National Economic and Development
Authority

(Sgd.)

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

**DEPARTMENT OF NATIONAL
DEFENSE**

(Sgd.)

DEPARTMENT OF EDUCATION

(Sgd.)

DEPARTMENT OF HEALTH

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

DEPARTMENT OF ENERGY

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

DEPARTMENT OF FINANCE

(Sgd.)

**DEPARTMENT OF TRADE AND
INDUSTRY**

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**



RESOLUTION NO. 04-2007

(Sgd.)

**DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS**

PRIVATE SECTOR REPRESENTATIVE

Attested by:

(Sgd.)

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