



## RESOLUTION NO. 22-2013

### APPROVING AMENDMENTS TO SECTIONS 25.2(a)(iv), 25.2(b)(iv) AND 25.2(c)(iv) OF THE REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9184

**WHEREAS**, Section 63.1(b) of Republic Act (RA) No. 9184 and its revised Implementing Rules and Regulations (IRR) authorize the Government Procurement Policy Board (GPPB) to formulate public procurement policies, rules and regulations, and amend, whenever necessary, the IRR;

**WHEREAS**, to promote integrity and transparency in public procurement, Sections 25.2(a)(iv), 25.2(b)(iv) and 25.2(c)(iv) of the IRR of RA 9184 mandate the submission of an Omnibus Sworn Statement in the form prescribed by the GPPB in the Philippine Bidding Documents (PBDs);

**WHEREAS**, during the 5<sup>th</sup> Regular GPPB Meeting held on 30 July 2013, the Department of Finance (DOF) proposed the disclosure of prospective bidders of any payment of commission or fee to any person or representative of the government in relation to any procurement project or activity;

**WHEREAS**, the Board thoroughly discussed the matter, and, after careful deliberation, favorably approved, the recommendation of DOF;

**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:

1. **AMEND** Sections 25.2(a)(iv), 25.2(b)(iv) and 25.2(c)(iv) of the IRR of RA 9184, to read as follow:

“The first envelope shall contain the following technical information/documents, at the least:

...

(iv) Sworn statement by the prospective bidder or its duly authorized representative in the form prescribed by the GPPB as to the following:

(1) It is not “blacklisted” or barred from bidding by the GOP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the GPPB;

...

**8) It did not give or pay, directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel**

*or representative of the government in relation to any procurement project or activity.*

2. **AMEND** the prescribed Omnibus Sworn Statement template in the Philippine Bidding Documents, as shown in **Annex “A”** hereof.

This resolution shall take effect immediately.

**APPROVED** this 30<sup>th</sup> day of July 2013 at Pasig City, Philippines

(Sgd.)

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**DEPARTMENT OF BUDGET AND  
MANAGEMENT**

\_\_\_\_\_  
**NATIONAL ECONOMIC AND  
DEVELOPMENT AUTHORITY**

(Sgd.)

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**DEPARTMENT OF EDUCATION**

(Sgd.)

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**DEPARTMENT OF ENERGY**

(Sgd.)

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**DEPARTMENT OF FINANCE**

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**DEPARTMENT OF HEALTH**

(Sgd.)

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**DEPARTMENT OF THE INTERIOR AND  
LOCAL GOVERNMENT**

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**DEPARTMENT OF NATIONAL  
DEFENSE**

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**DEPARTMENT OF PUBLIC WORKS AND  
HIGHWAYS**

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**DEPARTMENT OF SCIENCE AND  
TECHNOLOGY**

(Sgd.)

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**DEPARTMENT OF TRADE AND  
INDUSTRY**

\_\_\_\_\_  
**DEPARTMENT OF TRANSPORTATION  
AND COMMUNICATIONS**

(Sgd.)

**PRIVATE SECTOR REPRESENTATIVE**

Attested by:

(Sgd.)

**DENNIS S. SANTIAGO**  
Board Secretary, GPPB  
Executive Director, GPPB-TSO



REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF \_\_\_\_\_ ) S.S.

**AFFIDAVIT**

I, *[Name of Affiant]*, of legal age, *[Civil Status]*, *[Nationality]*, and residing at *[Address of Affiant]*, after having been duly sworn in accordance with law, do hereby depose and state that:

**1. *Select one, delete the other:***

*If a sole proprietorship:* I am the sole proprietor of *[Name of Bidder]* with office address at *[address of Bidder]*;

*If a partnership, corporation, cooperative, or joint venture:* I am the duly authorized and designated representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

**2. *Select one, delete the other:***

*If a sole proprietorship:* As the owner and sole proprietor of *[Name of Bidder]*, I have full power and authority to do, execute and perform any and all acts necessary to represent it in the bidding for *[Name of the Project]* of the *[Name of the Procuring Entity]*;

*If a partnership, corporation, cooperative, or joint venture:* I am granted full power and authority to do, execute and perform any and all acts necessary and/or to represent the *[Name of Bidder]* in the bidding as shown in the attached *[state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate issued by the corporation or the members of the joint venture)]*;

3. *[Name of Bidder]* is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;
4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. *[Name of Bidder]* is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. **Select one, delete the rest:**

*If a sole proprietorship:* I am not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

*If a partnership or cooperative:* None of the officers and members of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

*If a corporation or joint venture:* None of the officers, directors, and controlling stockholders of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. *[Name of Bidder]* complies with existing labor laws and standards;

8. *[Name of Bidder]* is aware of and has undertaken the following responsibilities as a Bidder:

- a) Carefully examine all of the Bidding Documents;
- b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
- c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
- d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*; and

9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_ day of \_\_, 20\_\_ at \_\_\_\_\_, Philippines.

\_\_\_\_\_  
*[Bidder's Representative/Authorized Signatory]*

*[JURAT]*