



RESOLUTION NO. 01-2019

AFFIRMING THE AUTHORITY GRANTED TO THE CHAIRPERSON OF THE GPPB, THE EXECUTIVE DIRECTOR OF THE GPPB-TSO, AND WHOMSOEVER ANY OF THEM MAY DESIGNATE TO ACT AS REPRESENTATIVES OF THE GPPB UNDER RESOLUTION NO. 06-2011

WHEREAS, Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act” and its 2016 revised Implementing Rules and Regulations (IRR) took effect on 26 January 2003 and 28 October 2016, respectively;

WHEREAS, Section 63 of RA No. 9184 mandates the Government Procurement Policy Board (GPPB) to protect national interest in all matters affecting public procurement;

WHEREAS, on 01 July 2011, the GPPB issued Resolution No. 06-2011 delegating authority to the Chairperson of the GPPB, the Executive Director of the Government Procurement Policy Board-Technical Support Office (GPPB-TSO) or whomsoever any of them may designate, name, constitute or appoint to act as the representative/attorney-in-fact of the GPPB;

WHEREAS, on 16 January 2019, the Chairperson of the GPPB received from the Office of the Solicitor General (OSG) a request for a Special Power of Attorney (SPA) authorizing the solicitors named in the SPA to enter into pre-trial and/or amicable settlement, to submit to alternative modes of dispute resolution, and to enter into stipulations or admissions of facts and documents on behalf of the GPPB for Injunction, Annulment of Termination Order and Blacklisting Order, and Damages, with Application for Temporary Restraining Order and/or Writ of Preliminary Injunction case against St. Gerrard Construction General Contractor and Development Corporation (formerly St. Gerrard Construction, represented by Pacifico F. Discaya II), filed before the Regional Trial Court, National Capital Judicial Region, Branch 67, Pasig City, docketed as Civil Case No. R-PSG-18-01838-CV;

WHEREAS, on 17 January 2019, the Chairperson of the GPPB referred the request of the OSG to the Executive Director of the GPPB-TSO for proper action;

WHEREAS, there is a need to restate and affirm the delegation of authority to the Chairperson of the GPPB, the Executive Director of the GPPB-TSO, or whomsoever any of them may designate, name, constitute or appoint to act as the representative/attorney-in-fact of the GPPB under Resolution No. 06-2011 considering that the GPPB has been impleaded in a considerable number of cases and that the GPPB and GPPB-TSO has undergone several organizational changes since the aforementioned resolution was issued in 2011;

WHEREAS, during the 1st GPPB and Inter-Agency Technical Working Group (IATWG) Joint Meeting held on 07 February 2019, the GPPB-TSO proposed for the issuance of a Resolution restating and affirming the contents of GPPB Resolution No. 06-2011;

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 and other executive issuances, hereby **RESOLVE**, to confirm, adopt, and approve, as **WE** hereby confirm, adopt, and approve to restate and affirm the authority granted to the Chairperson of the GPPB, the Executive Director of the GPPB-TSO, and whomsoever any of them may designate, name, constitute or appoint to act as the representative/attorney-in-fact of the GPPB under Resolution No. 06-2011, thus:

NOW, THEREFORE, We, the Members of the Government Procurement Policy Board (GPPB), hereby **RESOLVE** that its Chairperson, Secretary of the Department of Budget and Management, the Executive Director of the Government Procurement Policy Board-Technical Support Office (GPPB-TSO) or whomsoever any of them may designate, name, constitute or appoint, were individually authorized to be the representative/attorney-in-fact of the GPPB and in the Board's stead and behalf, to do and perform any and all of the following:

1. To initiate, file and prosecute any action or proceeding, or file and prosecute and defense and counterclaim, in any suit, action or proceeding against the GPPB with or before any court, tribunal, administrative or quasi-judicial bodies;
2. To sign, execute, verify, serve and file with the relevant tribunal any and all pleadings, papers or documents, in connection with any case;
3. To enter into compromise agreement, or act on any and all matters in respect to the possibility of an amicable settlement or of a submission to alternative modes of dispute resolution, the simplification of issues, the necessity or desirability of amendments to the pleadings, the possibility of obtaining stipulations or making admission of facts and of documents to avoid unnecessary proof, the limitation of the number of witnesses, and such other matters as may aid in the prompt disposition of any case pending before any tribunal; and
4. To sign, execute, verify, serve and file any and all pleadings, papers or documents, for purposes of seeking a reconsideration or annulment of, appealing or enforcing, any decision or judgment rendered in any case by the relevant tribunal.

APPROVED this 7th day of February 2019 at Quezon City, Philippines.

This resolution shall take effect immediately.

(SGD)

**DEPARTMENT OF BUDGET AND
MANAGEMENT**

(SGD)

DEPARTMENT OF EDUCATION

DEPARTMENT OF FINANCE

**DEPARTMENT OF INFORMATION AND
COMMUNICATION TECHNOLOGY**

**DEPARTMENT OF NATIONAL
DEFENSE**

(SGD)

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

DEPARTMENT OF TRANSPORTATION

(SGD)

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

(SGD)

DEPARTMENT OF ENERGY

(SGD)

DEPARTMENT OF HEALTH

**DEPARTMENT OF INTERIOR AND
LOCAL GOVERNMENT**

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

(SGD)

**DEPARTMENT OF TRADE AND
INDUSTRY**

(SGD)

PRIVATE SECTOR REPRESENTATIVE