



## RESOLUTION NO. 04-2018

### **APPROVING THE ISSUANCE OF CIRCULAR REITERATING THE PRESIDENTIAL ISSUANCES ON GOVERNMENT PROCUREMENT**

**WHEREAS**, Section 63.1(b) of Republic Act (R.A.) No. 9184 and its 2016 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**, Executive Order No. 34, series of 2017 entitled *Further Amending Executive Order No. 423(s. 2005), as Amended, Prescribing the Rules and Procedures on the Review and Approval of All Government Contracts, Pursuant to Republic Act No. 9184, Otherwise Known as the "Government Procurement Reform Act Of 2003"* was issued on 17 July 2017 stating that except for Government contracts required by law to be acted upon and/or approved by the President, the Head of the Procuring Entity shall have full authority to give final approval and/or enter into said Government contracts through alternative methods of procurement allowed by law and applicable rules and regulations, upon issuing the required certificate, when applicable;

**WHEREAS**, Memorandum Circular No. 36, series of 2017 entitled *All Government Offices, Agencies, and Instrumentalities, Including Government-Owned or-Controlled Corporations, State Universities and Colleges, and Local Government Units, to Comply with the Provisions of Republic Act No. 9184 Requiring Publication of Procurement Notices in their Respective Websites* was issued on 29 November 2017 directing all Procuring Entities to comply strictly with the provisions of RA 9184 requiring the publication and posting of the Invitation to Bid/Request for Expression of Interest (ITB/REI) in (i) any conspicuous place in the premises of the Procuring Entity; (ii) PhilGEPS website and the website of the Procuring Entity; and (iii) a newspaper of general nationwide circulation, in such manner and for such length of time as may be necessary under the circumstances or as may be provided for by law or regulations, in order to ensure the widest possible dissemination thereof;

**WHEREAS**, Memorandum Circular No. 39, series of 2018 entitled *Requiring All Heads of National Government Agencies (NGAs), Government Owned and/or Controlled Corporations (GOCCs), State Universities and Colleges (SUCs), and Local Government Units (LGUs) to Submit to the Office of the President (OP) a Report on Funds Transferred to the Department of Budget and Management (DBM) – Procurement Service (PS) for the Purpose of Procuring Various Supplies, Equipment, and Infrastructure Projects* was issued on 26 January 2018 mandating all Procuring Entities to comply with the provisions of RA 9184 and its 2016 IRR, and to submit to Office of the President, for monitoring and evaluation purposes, a report for funds transferred to DBM-PS for the purpose of procuring supplies, equipment and infrastructure projects as of 31 December 2017, to be submitted on/or before 31 March 2018, using the prescribed format, and every year thereafter;

**WHEREAS**, during the 1<sup>st</sup> IATWG Meeting on 28 February 2018, the GPPB-TSO presented the presidential issuances on government procurement and after due consideration, the IATWG agreed to recommend to the GPPB the issuance of a Circular reiterating the aforementioned presidential issuances and enjoining strict compliance therewith;

**WHEREAS**, the draft Circular was presented to the GPPB during its 1<sup>st</sup> Regular Meeting on 9 March 2018 and after due deliberation and careful review, the GPPB approved the issuance of the proposed Circular reiterating the salient provisions of the recent Presidential Issuances on Government Procurement and enjoining strict compliance therewith;

**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 issuance of a Circular on Presidential Issuances on Government Procurement, copy of which is hereto attached as **Annex “A”**.

This resolution shall take effect immediately.

**APPROVED** this 9<sup>th</sup> day of March 2018 at Pasig City, Philippines.

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**DEPARTMENT OF BUDGET AND  
MANAGEMENT**

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**NATIONAL ECONOMIC AND  
DEVELOPMENT AUTHORITY**

(SGD)

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**DEPARTMENT OF EDUCATION**

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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 INFORMATION AND  
COMMUNICATIONS TECHNOLOGY**

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**DEPARTMENT OF THE INTERIOR  
AND LOCAL GOVERNMENT**

(SGD)

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**DEPARTMENT OF NATIONAL  
DEFENSE**

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**DEPARTMENT OF PUBLIC WORKS  
AND HIGHWAYS**

(SGD)

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**DEPARTMENT OF SCIENCE AND  
TECHNOLOGY**

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**DEPARTMENT OF TRADE AND  
INDUSTRY**

(SGD)

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**DEPARTMENT OF TRANSPORTATION**

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**PRIVATE SECTOR REPRESENTATIVE**