



**LIFTING THE SUSPENSION ON THE IMPLEMENTATION OF THE MANDATORY SUBMISSION OF PHILGEPS CERTIFICATE OF PLATINUM REGISTRATION AND MEMBERSHIP IN COMPETITIVE BIDDING AND LIMITED SOURCE BIDDING; AMENDING SECTIONS 8.5.2, 23.1(a)(ii), 23.3, 24.1(a)(ii), 24.4.3, 34.3 AND 54.6 OF THE 2016 REVISED IRR OF RA NO. 9184, ITEMS IV(G)(1) AND V(D)(1)(b) AS WELL AS APPENDIX "A" OF ANNEX "H" THEREOF, ITEMS 4 AND 6 OF THE GUIDELINES FOR THE USE OF THE GOVERNMENT OF THE PHILIPPINES - OFFICIAL MERCHANTS REGISTRY, AND ITEM 1 OF SECTIONS VIII AND IX OF THE 6TH EDITION OF THE PHILIPPINE BIDDING DOCUMENTS FOR GOODS AND INFRASTRUCTURE PROJECTS**

**WHEREAS**, Republic Act (RA) No. 9184, otherwise known as the "Government Procurement Reform Act" and the 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 and its 2016 revised IRR authorizes the Government Procurement Policy Board (GPPB) to formulate public procurement policies, and rules and regulations, and amend its IRR, whenever necessary;

**WHEREAS**, Section 8.5.2 of the 2016 revised IRR of RA No. 9184 mandates all prospective bidders to upload in the Philippine Government Electronic Procurement System (PhilGEPS) and maintain current and updated the following Class "A" Eligibility Documents under Section 23.1(a) and 24.1(a) of the same IRR:

1. Registration Certificate;
2. Mayor's/ Business Permit or its Equivalent Document;
3. Tax Clearance;
4. Philippine Contractors Accreditation Board (PCAB) license and registration;  
and
5. Audited Financial Statements;

**WHEREAS**, the same Section provides that upon receipt of the said documents, the PhilGEPS shall process the same in accordance with the Guidelines for the Use of the Government of the Philippines-Official Merchants Registry (GoP-OMR), which requires the PhilGEPS, among others, to develop a merchant's membership classification that will define the extent of a merchant's access to and use of the PhilGEPS website and generate a Certificate of Registration and Membership, valid and effective for a period of one (1) year from the date of its issuance, for which the merchant is entitled to receive depending on the chosen classification and payment of the corresponding membership fee;

**WHEREAS**, Sections 23.1(a)(ii) and 24.1(a)(ii) of the 2016 revised IRR of RA No. 9184 allow the submission of a recently expired Mayor's permit together with the official receipt as proof that the prospective bidder has applied for renewal within the period prescribed by the concerned local government unit for the purpose of eligibility check, subject to the submission of the renewed Mayor's Permit as a post-qualification requirement;

**WHEREAS**, Section 24.4.3 of the 2016 revised IRR of RA No. 9184 provides that the Bids and Awards Committee (BAC) of a Procuring Entity (PE) shall use the contents of the PhilGEPS electronic registry of manufacturers, suppliers, distributors, contractors, and/or

consultants, in accordance with Section 8.5.2 of the IRR to facilitate determination of eligibility of the prospective bidders;

**WHEREAS**, Sections 25.2(a)(i) and 25.2(b)(i) of the 2016 revised IRR of RA No. 9184 provide that the first envelope shall contain the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the same revised IRR for the procurement of goods and infrastructure projects, respectively;

**WHEREAS**, Item I of Sections VIII and IX of the 6th Edition of the Philippine Bidding Documents (PBDs) for Goods and Infrastructure Projects, respectively, the use of which became effective on 6 October 2020, provides that the legal documents included in the Checklist of Technical and Financial Documents shall be the valid PhilGEPS Certificate of Platinum Registration and Membership or any of the Class “A” Eligibility Documents;

**WHEREAS**, Section 54.6 of the 2016 revised IRR of RA No. 9184, provides that for purposes of Limited Source Bidding under Section 49 and Negotiated Procurement under Two-Failed Biddings under Section 53.1, the BAC shall require the submission of a PhilGEPS Certificate of Platinum Registration and Membership following Section 8.5.2 of the said IRR. The same provision was reiterated for Negotiated Procurement under Two-Failed Biddings under Item IV(G) of Annex “H” of the said IRR;

**WHEREAS**, Item V(D)(1)(b)(1) of Annex “H” of the 2016 revised IRR of RA No. 9184 provides that for Negotiated Procurement under Two-Failed Biddings, after the conduct of the mandatory review of the terms, conditions, specifications, and cost estimates, the BAC, based on its findings, may revise and agree on the technical, legal, and financial eligibility requirements and technical specifications or terms of reference, and if necessary, adjust the ABC, subject to the required approvals;

**WHEREAS**, during its 11<sup>th</sup> Regular Meeting on 27 October 2016, the GPPB, through Resolution No. 26-2016, approved the issuance of Circular No. 03-2016 informing all PEs about the deferred implementation of the mandatory submission of the PhilGEPS Certificate of Platinum Registration and Membership in Competitive Bidding under the 2016 revised IRR of RA No. 9184 from 28 October 2016 until 30 April 2017 to allow ample time to all prospective bidders to register with the PhilGEPS under the Platinum Registration and Membership category and provide a transitory period to all PEs;

**WHEREAS**, during its 4<sup>th</sup> Regular Meeting on 31 July 2017, the GPPB, through Resolution No. 26-2017, approved the issuance of Circular No. 07-2017 providing for the following:

1. Deferment of the implementation of the mandatory submission of PhilGEPS Certificate of Platinum Registration and Membership in the 2016 revised IRR of RA No. 9184 until further notice; and
2. Clarification that the deferment of implementation of the mandatory submission of PhilGEPS Certificate of Platinum Registration and Membership under the 2016 revised IRR of RA No. 9184 likewise applies to Limited Source Bidding and Negotiated Procurement under Two-Failed Biddings modalities;

**WHEREAS**, pursuant to the above-stated deferment, the same Circular directed prospective bidders to submit either their PhilGEPS Certificate of Platinum Registration and Membership in lieu of the uploaded file of Class “A” Eligibility Documents; or their Class “A” Eligibility Documents in lieu of the PhilGEPS Certificate of Platinum Registration and Membership, if unable to obtain such; or a combination thereof;

**WHEREAS**, taking into account the ongoing PhilGEPS Modernization and review of the Electronic Bidding Guidelines, the GPPB - Technical Support Office (TSO) met with the PhilGEPS on 25 June 2021 to discuss, among others, the status of the implementation of the PhilGEPS Certificate of Platinum Registration and Membership, particularly the capacity of PhilGEPS to timely process the updating of the Platinum Certificate once the renewed or updated Class "A" Eligibility Documents have been uploaded;

**WHEREAS**, the PhilGEPS, in response thereto, represented that its system and management capacities have improved such that they are better equipped and capable to handle the updating of the PhilGEPS Certificate of Platinum Registration and Membership, which includes the uploading of Class "A" Eligibility Documents, more efficiently. Accordingly, the PhilGEPS supported to lift the suspension of the implementation of mandatory submission of the PhilGEPS Certificate of Platinum Registration and Membership;

**WHEREAS**, to validate the effectiveness, efficiency, and capacity of the PhilGEPS to implement the mandatory submission of the PhilGEPS Certificate of Platinum Registration and Membership, the GPPB-TSO requested for: (i) agency and merchant test accounts to validate the process of registration and issuance of Certificates of Platinum Registration and Membership as well as verify the number of issued certificates; (ii) data on the number of registrants from 2017 to present for comparison; and (iii) other relevant information to show the capacity of the PhilGEPS in the issuance of Certificates of Platinum Registration and Membership;

**WHEREAS**, after evaluation and validation of the data submitted and the registration process, the following were noted:

1. For 4 years, from 2017 until 8 May 2021, the number of Platinum registrations processed by PhilGEPS totalled to 104,075 registrations. An assessment of the volume of registrations per year shows an increasing trend of registrations. PhilGEPS processed 19,533 Platinum Registrations in 2017; 22,522 Platinum Registrations in 2018; 25,488 Platinum Registrations in 2019; 23,631 Platinum Registrations in 2020; and 12,901 Platinum Registrations as of 31 May 2021;
2. The 2021 Updated Citizen's Charter, process flowcharts, and instructional videos of the PhilGEPS reveal that the processing period to upgrade the PhilGEPS Registration from Red to Platinum, from application stage to issuance of the Platinum Certificate, whether made online or through walk-in, is completed within a maximum of 3 working days;
3. A test run of the Modernized PhilGEPS accounts provided by PhilGEPS shows that the uploading time for the audited financial statements is around 18 to 21 minutes, while for the other Class "A" Eligibility Documents, around 2 to 4 minutes per file. It was also found that an updated Certificate of Platinum Registration and Membership is processed after uploading the documents and entering the data on PhilGEPS and once completed, the Certificate of Platinum Registration and Membership can be automatically downloaded with the updated information as reflected under Annex A. The entire process may be accomplished in as fast as an hour and a half; and
4. Moreover, the 2019 Client Feedback Report states that 75% of PhilGEPS' total number of surveyed clients found its service "Excellent", while 21% found the same service "Very Good". Similarly, survey responses as reflected in the Client Feedback Summaries for the Year 2020 and as of May 31, 2021 also show that the excellent satisfactory rating given by clients have been maintained;

**WHEREAS**, during the 2<sup>nd</sup> Joint Meeting of the GPPB and its Inter-Agency Technical Working Group (IATWG) held on 28 July 2021, some of the members echoed the persisting issues on the updating of the PhilGEPS Certificate of Platinum Registration and Membership, such as: (i) the policy of allowing the submission of the recently expired Mayor's permit together with the official receipt as proof that the prospective bidder has applied for renewal of the Mayor's Permit within the period prescribed by the concerned local government unit; and (ii) the requirement for PEs to verify, validate and ascertain during post-qualification the veracity, authenticity and validity of all the Class "A" Eligibility Documents attached to the PhilGEPS Certificate of Platinum Registration and Membership of the Bidder;

**WHEREAS**, in addressing the first issue, the GPPB-TSO recommended that with the lifting of the suspension in the implementation of the mandatory submission of the PhilGEPS Certificate of Platinum Registration and Membership, prospective bidders need only to submit with PhilGEPS their recently expired Mayor's Permit together with the official receipt, as proof that they have applied for renewal of the permit for the purpose of updating their Certificate of Platinum Registration and Membership. Notably, according to PhilGEPS, the acceptability of the official receipt as a legal eligibility requirement to prove the renewal of the requirement for a Mayor's Permit has been its practice based on an earlier Resolution No. 02-2015 issued by the GPPB;

**WHEREAS**, in addressing the second issue, the GPPB-TSO recommended the inclusion of an additional caveat in the PhilGEPS Certificate of Platinum Registration and Membership to reflect that that through the submission of said Certificate, the Bidder certifies (i) the authenticity, genuineness, validity, and completeness of the copy of the original eligibility documents submitted; (ii) the veracity of the statements and information contained therein; (iii) that the Certificate is neither a guaranty that the named registrant will be declared eligible without first being determined to be such for that particular bidding nor is it evidence of validation; and (iv) that any finding of concealment, falsification or misrepresentation on the part of the Bidder of any of the eligibility documents submitted or the contents thereof shall be a ground for disqualification from further participation in the bidding process, without prejudice to the imposition of appropriate administrative, civil and criminal penalty in accordance with the laws;

**WHEREAS**, in the interest of administrative due process, the GPPB-TSO further recommended to direct the PhilGEPS to issue an Advisory informing all PEs and prospective bidders regarding the new PhilGEPS Certificate of Platinum Registration and Membership using the revised caveat, and requiring all PhilGEPS Certificate of Platinum Registration and Membership merchants to update and reprint their Platinum Certificate to reflect the revised caveat on or before 2 November 2021;

**WHEREAS**, in consideration of the foregoing, the GPPB-TSO, during the same Joint Meeting held on 28 July 2021, recommended to the Board the following:

1. Lift the suspension on the implementation of mandatory submission of the PhilGEPS Certificate of Platinum Registration and Membership and necessarily amend Sections 8.5.2, 23.1(a)(ii), 23.3, 24.1(a)(ii), 24.4.3 and 54.6 of the 2016 revised IRR of RA 9184 and Items IV(G) and V(D)(1)(b) as well as Appendix "A" of Annex H thereof, Item I of Sections VIII and IX of the 6<sup>th</sup> Edition of the PBDs for Goods and Infrastructure Projects, respectively, and Items 4 and 6 of the Guidelines for the Use of the GoP-OMR;
2. Revise the PhilGEPS Certificate of Platinum Registration and Membership to reflect the abovementioned additional caveat;

3. Direct the PhilGEPS to issue an Advisory in the interest of administrative due process; and
4. Set the effectivity of the foregoing amendments on 2 November 2021;

**WHEREAS**, the Board, after its careful review and deliberation, likewise resolved to approve the foregoing recommendations on the same Joint Meeting held on 28 July 2021;

**WHEREAS**, during the 2nd Joint Meeting of the GPPB and its IATWG on 12 August 2021, the GPPB-TSO requested the Board for the adjustment of the implementation of the foregoing approved recommendations from 2 November 2021 to 15 November 2021, to conduct further validation of the updating process of the PhilGEPS Certificate, which the Board likewise approved on the same Joint Meeting;

**WHEREAS**, the GPPB-TSO, in order to conduct further validation, requested the PhilGEPS data on the expected number of merchants that would need to update their Certificate of Platinum Registration and Membership. The data gathered reveals that approximately 24,686 merchants, or 18% of the total number of registered merchants, are expected to upgrade their registrations from Red to Platinum and 109,981 Platinum Certificate holders, or 82% of the total number of registered merchants, will be required to regularly update their merchant information upon full implementation of the approved recommendation;

**WHEREAS**, the GPPB-TSO found it necessary to further adjust the implementation of the approved recommendations from 15 November 2021 to 01 January 2022 to address the influx of expected applications for updating of the PhilGEPS Certificate of Platinum Registration and Membership and give PhilGEPS more time to properly transition in view of the changes required to be done in the PhilGEPS website to reflect the additional caveat in the Certificate of Platinum Registration and Membership, as well as inform all PEs and prospective bidders regarding the required updating and reprinting of Platinum Certificates on or before 01 January 2022;

**WHEREAS**, during the 8th Meeting of the GPPB held on 14 October 2021, the GPPB-TSO sought the approval of the GPPB to adjust the period of implementation from 15 November 2022 to 01 January 2022. In the course of the discussion, some members of the GPPB raised additional concerns and proposed further amendments, as follows:

1. Clarify and improve the language used in the revised caveat in the Certificate of Platinum Registration and Membership specifically part *iii* thereof to reflect that by submitting the PhilGEPS Certificate of Platinum Registration and Membership the Bidder certifies that the same is neither a guaranty that the named registrant will be declared eligible without first being determined to be such for that particular bidding nor is it evidence that the Bidder has passed the post-qualification stage;
2. Include an additional clause in the 2016 revised IRR of RA 9184 and the PhilGEPS Certificate of Platinum Registration and Membership to state that for the purpose of updating the PhilGEPS Certificate of Platinum Registration and Membership, all Class "A" Eligibility Documents attached to the Certificate shall remain current and updated, and that failure by the prospective bidder to update its PhilGEPS Certificate of Platinum Registration and Membership with the current and updated Class "A" Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 shall result in the automatic suspension of the validity of its Certificate of Platinum Registration and Membership until such time that any of the expired Class "A" Eligibility Documents has been updated. The implementation of which should be

monitored by the PhilGEPS, the representatives of which are present during the meeting;<sup>1</sup> and

3. Strengthen the provision on post-qualification in the revised IRR of RA 9184 by emphasizing that notwithstanding the submission of the PhilGEPS Certificate of Platinum Registration and Membership, the PEs must validate the veracity, authenticity and validity of Class “A” Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 attached to the Certificate;

**WHEREAS**, in consideration of the foregoing, the GPPB-TSO, during the 8th Meeting of the GPPB held on 14 October 2021, recommended to the Board the following:

1. Lift the suspension on the implementation of mandatory submission of the PhilGEPS Certificate of Platinum Registration and Membership in Competitive Bidding and Limited Source Bidding; thus, fully enforcing Sections 8.5.2 and 54.6 of the 2016 revised IRR of RA No. 9184 starting 01 January 2022;
2. Approve the amendments in Section 8.5.2 of the 2016 revised IRR of RA 9184 and Items 4 and 6 of the Guidelines for the Use of the GoP-OMR to include the following additional *caveat* in the Platinum Certificate of Registration and Membership: (i) that for the purpose of updating the PhilGEPS Certificate of Platinum Registration and Membership, all Class “A” Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 supporting the veracity, authenticity and validity of the Certificate shall remain current and updated, and that failure by the prospective bidder to update its PhilGEPS Certificate of Platinum Registration and Membership with the current and updated Class “A” Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 shall result in the automatic suspension of the validity of its Certificate of Platinum Registration and Membership until such time that all of the expired Class “A” Eligibility Documents has been updated; and (ii) to reflect that through the submission of said Certificate, the Bidder certifies:
  - a. the authenticity, genuineness, validity, and completeness of the copy of the original eligibility documents submitted;
  - b. the veracity of the statements and information contained therein;
  - c. that the Certificate is neither a guaranty that the named registrant will be declared eligible without first being determined to be such for that particular bidding nor is it evidence that the Bidder has passed the post-qualification stage; and
  - d. that any finding of concealment, falsification or misrepresentation on the part of the Bidder of any of the eligibility documents submitted or the contents thereof shall be a ground for disqualification from further participation in the bidding process, without prejudice to the imposition of appropriate administrative, civil and criminal penalty in accordance with the laws;
3. Amend Sections 23.3 and 24.4.3 of the 2016 revised IRR of RA 9184 and the Checklist of the Technical and Financial Documents listed under Item I of Sections VIII and IX of the 6<sup>th</sup> Edition of the PBD for Goods and the PBD for Infrastructure Projects, respectively, in order to reflect that in lieu of the Class “A” Eligibility Documents mentioned in Section 8.5.2 of the 2016 revised IRR of RA 9184, the

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<sup>1</sup> The following are the representatives of the PhilGEPS who attended the 8<sup>th</sup> Joint Meeting of the GPPB and its IATWG held on 14 October 2021: 1. Executive Director Rosa Maria M. Clemente; 2. Mr. Ron Obniala; 3. Ms. Joanna Makalinaw; 4. Ms. Princess Sabio; and 5. Mr. Brian Gerona.

Bidder shall only submit a valid and updated PhilGEPS Certificate of Platinum Registration and Membership for purposes of determining eligibility;

4. Amend Sections 23.1(a)(ii) and 24.1(a)(ii) of the 2016 revised IRR of RA No. 9184 to reflect that the submission of the recently expired Mayor's Permit together with the official receipt as proof that the prospective bidder has applied for renewal within the period prescribed by the concerned local government unit shall be accepted by the PhilGEPS for the purpose of updating the PhilGEPS Certificate of Platinum Registration and Membership in accordance with Section 8.5.2 of the 2016 revised IRR of RA 9184;
5. Amend Section 54.6 of the 2016 revised IRR of RA No. 9184 and Items IV(G) and V(D)(1)(b) as well as Appendix "A" of Annex "H," otherwise known as the Consolidated Guidelines for the Alternative Methods of Procurement in order to reflect that if after the conduct of the mandatory review, the BAC finds that there is no need to revise the Class "A" Eligibility Documents covered by Section 8.5.2 for the Procurement Project, the submission of the PhilGEPS Certificate of Platinum Registration and Membership shall be mandatory in accordance with Section 8.5.2 of the IRR for the purpose of Negotiated Procurement under Two-Failed Bidding;
6. Strengthen the provision on post-qualification in the revised IRR of RA 9184 by incorporating in Section 34.3 of the 2016 revised IRR of RA No. 9184 that the conduct of post-qualification includes the verification, validation and ascertainment of the veracity, authenticity and validity of all the Class "A" Eligibility Documents attached to the PhilGEPS Certificate of Platinum Registration and Membership;
7. Direct the PhilGEPS to issue an Advisory informing all PEs and prospective bidders regarding the new PhilGEPS Certificate of Platinum Registration and Membership using the revised caveat, and requiring all PhilGEPS Certificate of Platinum Registration and Membership merchants to update and reprint their Platinum Certificate to reflect the revised caveat on or before 01 January 2022; and
8. Set the effectivity of the foregoing amendments on 01 January 2022 to address the influx of expected applications for updating of the PhilGEPS Certificate of Platinum Registration and Membership and give PhilGEPS more time to properly transition in view of the changes required to be done in the PhilGEPS website to reflect the additional caveat in the Certificate of Platinum Registration and Membership, as well as inform all PEs and prospective bidders regarding the required updating and reprinting of Platinum Certificates on or before 01 January 2022;

**NOW, THEREFORE**, for and in view of all the foregoing, **We**, the Members of the **Government Procurement Policy Board**, by 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 the following:

1. **LIFT** the suspension on the implementation of mandatory submission of the PhilGEPS Certificate of Platinum Registration and Membership in Competitive Bidding and Limited Source Bidding; thus, fully enforcing Sections 8.5.2 and 54.6 of the 2016 revised IRR of RA No. 9184 starting 01 January 2022;
2. **APPROVE** the amendments in Section 8.5.2 of the 2016 revised IRR of RA 9184 and Items 4 and 6 of the Guidelines for the Use of the GoP-OMR to include the following additional *caveat* in the Platinum Certificate of Registration and Membership: (i) to state that for the purpose of updating the PhilGEPS Certificate of Platinum Registration and Membership, all Class "A" Eligibility Documents covered

by Section 8.5.2 of the 2016 revised IRR of RA 9184 supporting the veracity, authenticity and validity of the Certificate shall remain current and updated, and that failure by the prospective bidder to update its PhilGEPS Certificate of Platinum Registration and Membership with the current and updated Class "A" Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 shall result in the automatic suspension of the validity of its Certificate of Platinum Registration and Membership until such time that all of the expired Class "A" Eligibility Documents has been updated; and (ii) to reflect that through the submission of said Certificate, the Bidder certifies:

- a. the authenticity, genuineness, validity, and completeness of the copy of the original eligibility documents submitted;
  - b. the veracity of the statements and information contained therein;
  - c. that the Certificate is neither a guaranty that the named registrant will be declared eligible without first being determined to be such for that particular bidding nor is it evidence that the Bidder has passed the post-qualification stage; and
  - d. that any finding of concealment, falsification or misrepresentation on the part of the Bidder of any of the eligibility documents submitted or the contents thereof shall be a ground for disqualification from further participation in the bidding process, without prejudice to the imposition of appropriate administrative, civil and criminal penalty in accordance with the laws;
3. **AMEND** Sections 23.3 and 24.4.3 of the 2016 revised IRR of RA 9184 and the Checklist of the Technical and Financial Documents listed under Item I of Sections VIII and IX of the 6<sup>th</sup> Edition of the PBD for Goods and the PBD for Infrastructure Projects, respectively, in order to reflect that in lieu of the Class "A" Eligibility Documents mentioned in Section 8.5.2 of the 2016 revised IRR of RA 9184, the Bidder shall only submit a valid and updated PhilGEPS Certificate of Platinum Registration and Membership for purposes of determining eligibility;
  4. **AMEND** Sections 23.1(a)(ii) and 24.1(a)(ii) of the 2016 revised IRR of RA No. 9184 to reflect that the submission of the recently expired Mayor's Permit together with the official receipt as proof that the prospective bidder has applied for renewal within the period prescribed by the concerned local government unit shall be accepted by the PhilGEPS for the purpose of updating the PhilGEPS Certificate of Platinum Registration and Membership in accordance with Section 8.5.2 of the 2016 revised IRR of RA 9184;
  5. **AMEND** Section 54.6 of the 2016 revised IRR of RA No. 9184 and Items IV(G) and V(D)(1)(b) as well as Appendix "A" of Annex "H," otherwise known as the Consolidated Guidelines for the Alternative Methods of Procurement ~~to~~ in order to reflect that if after the conduct of the mandatory review, the BAC finds that there is no need to revise the Class "A" Eligibility Documents covered by Section 8.5.2 for the Procurement Project, the submission of the PhilGEPS Certificate of Platinum Registration and Membership shall be mandatory in accordance with Section 8.5.2 of the IRR for the purpose of Negotiated Procurement under Two-Failed Bidding;
  6. **STRENGTHEN** the provision on post-qualification in the revised IRR of RA 9184 by incorporating in Section 34.3 of the 2016 revised IRR of RA No. 9184 that the conduct of post-qualification includes the verification, validation and ascertainment of the veracity, authenticity and validity of all the Class "A" Eligibility Documents attached to the PhilGEPS Certificate of Platinum Registration and Membership;



7. **DIRECT** the PhilGEPS to issue an Advisory informing all PEs and prospective bidders regarding the new PhilGEPS Certificate of Platinum Registration and Membership using the revised caveat, and requiring all PhilGEPS Certificate of Platinum Registration and Membership merchants to update and reprint their Platinum Certificate to reflect the revised caveat on or before 01 January 2022; and
8. **SET** the effectivity of the foregoing amendments on 01 January 2022 to address the influx of expected applications for updating of the PhilGEPS Certificate of Platinum Registration and Membership and give PhilGEPS more time to properly transition in view of the changes required to be done in the PhilGEPS website to reflect the additional caveat in the Certificate of Platinum Registration and Membership, as well as inform all PEs and prospective bidders regarding the required updating and reprinting of Platinum Certificates on or before 01 January 2022.

A list of the pertinent provisions and their amendments is attached as Annex "A."

This Resolution shall take effect immediately.

**APPROVED** this 14<sup>th</sup> day of October 2021 at Pasig City, Philippines.

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**TINA ROSE MARIE L. CANDA**  
*GPPB, Chairperson*  
**DEPARTMENT OF BUDGET AND  
MANAGEMENT**

Sgd.

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**ROLANDO U. TOLEDO**  
*Alternate to the Chairperson*  
**DEPARTMENT OF BUDGET AND  
MANAGEMENT**

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**NATIONAL ECONOMIC AND  
DEVELOPMENT AUTHORITY**

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**DEPARTMENT OF EDUCATION**

Sgd.

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**DEPARTMENT OF ENERGY**

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**DEPARTMENT OF FINANCE**

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**DEPARTMENT OF HEALTH**

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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**

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**DEPARTMENT OF TRADE AND INDUSTRY**

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**DEPARTMENT OF TRANSPORTATION**

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**DEPARTMENT OF INFORMATION AND  
COMMUNICATIONS TECHNOLOGY**

Sgd.

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**PHILIPPINE SPACE AGENCY**

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**PRIVATE SECTOR REPRESENTATIVE**

## 2016 REVISED IRR OF RA NO. 9184

ORIGINAL	AMENDED
<p>Section 8.5. Registration, Eligibility Requirements and Submission of Bids under the PhilGEPS</p> <p>xxx</p> <p>8.5.2. All bidders shall upload and maintain in PhilGEPS a current and updated file of the following Class "A" eligibility documents under Sections 23.1(a) and 24.1(a):<sup>17</sup></p> <p>a) Registration Certificate;</p> <p>b) Mayor's/Business Permit or its Equivalent Document;</p> <p>c) Tax Clearance;</p> <p>d) Philippine Contractors Accreditation Board (PCAB) license and registration; and</p> <p>e) Audited Financial Statements.</p> <p>xxx</p> <p>xxx</p> <p>xxx</p> <p>xxx</p> <p>These documents shall be accompanied by a Sworn Statement in a form prescribed by the GPPB stating that the documents submitted are complete and authentic copies of the original, and all statements and information provided therein are true and correct. Upon receipt of the said documents, the PhilGEPS shall process the same in accordance with the guidelines on the Government of the Philippines – Official Merchants Registry (GoP-OMR).<sup>22</sup> (a) 8.5.3. Registered bidders determined to be</p>	<p>Section 8.5. Registration, Eligibility Requirements, and Submission of Bids under the PhilGEPS</p> <p>xxx</p> <p>8.5.2. All bidders shall upload and maintain in PhilGEPS a current and updated file of the following Class "A" eligibility documents under Sections 23.1(a) and 24.1(a):</p> <p>a) Registration Certificate;</p> <p>b) Mayor's/Business Permit or its Equivalent Document;</p> <p>c) Tax Clearance;</p> <p>d) Philippine Contractors Accreditation Board (PCAB) license and registration; and</p> <p>e) Audited Financial Statements.</p> <p>xxx</p> <p>xxx</p> <p>xxx</p> <p>xxx</p> <p>These documents shall be accompanied by a Sworn Statement in a form prescribed by the GPPB stating that the documents submitted are complete and authentic copies of the original, and all statements and information provided therein are true and correct. Upon receipt of the said documents, the PhilGEPS shall process the same in accordance with the guidelines on the Government of the Philippines – Official Merchants Registry (GoP-OMR) <b><u>and shall issue a Certificate of Platinum Registration</u></b></p>

eligible may submit their bids at any time before the closing date specified in the Bidding Documents. The PhilGEPS shall bar all incoming bids after such prescribed date and time.

**and Membership.**

**The said Certificate shall include the following certification by the Bidder:**

- a. **the authenticity, genuineness, validity, and completeness of the copy of the original eligibility documents submitted;**
- b. **the veracity of the statements and information contained therein;**
- c. **that the Certificate is neither a guaranty that the named registrant will be declared eligible without first being determined to be such for that particular bidding nor is it evidence that the same has passed the post-qualification stage; and**
- d. **that any finding of concealment, falsification, or misrepresentation of any of the eligibility documents submitted, or the contents thereof shall be a ground for disqualification of the Bidder from further participation in the bidding process, without prejudice to the imposition of appropriate administrative, civil and criminal penalty in accordance with the laws.**

**For the purpose of updating the Certificate of Registration and Membership, all Class "A" eligibility documents mentioned in this section supporting the veracity, authenticity and validity of the Certificate shall remain current and updated. The failure by the prospective bidder to update its Certificate with the current and updated Class "A" eligibility documents shall result in the automatic suspension of the validity of its Certificate until such time that all of the expired Class "A" eligibility documents has been updated.**

<p><b>Section 23. Eligibility Requirements for the Procurement of Goods and Infrastructure Projects.</b></p> <p>23.1 For purposes of determining the eligibility of bidders using the criteria stated in Section 23.4 of this IRR, only the following documents shall be required by the BAC, using the forms prescribed in the Bidding Documents:</p> <p>a) Class “A” Documents</p> <p>Legal Documents</p> <p>i) Registration certificate from SEC, Department of Trade and Industry (DTI) for sole proprietorship, or CDA for cooperatives.</p> <p>ii) Mayor’s/Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas.</p> <p>In cases of recently expired Mayor’s/Business permits, it shall be accepted together with the official receipt as proof that the bidder has applied for renewal within the period prescribed by the concerned local government unit, provided that the renewed permit shall be submitted as a post-qualification requirement in accordance with Section 34.2 of this IRR.</p> <p>iii) Tax clearance per E.O. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).</p>	<p><b>Section 23. Eligibility Requirements for the Procurement of Goods and Infrastructure Projects.</b></p> <p>23.1 For purposes of determining the eligibility of bidders using the criteria stated in Section 23.4 of this IRR, only the following documents shall be required by the BAC using the forms prescribed in the Bidding Documents:</p> <p>a) Class “A” Documents</p> <p>Legal Documents</p> <p>i) Registration certificate from SEC, Department of Trade and Industry (DTI) for sole proprietorship, or CDA for cooperatives.</p> <p>ii) Mayor’s/Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas.</p> <p>In <del>cases of</del> <b>A</b> recently expired Mayor’s/Business permits, <del>it shall be accepted together with the official receipt as proof that the</del> <b>prospective bidder</b> has applied for renewal within the period prescribed by the concerned local government unit, <del>provided that the renewed permit shall be submitted as a post-qualification requirement in accordance with Section 34.2 of this IRR.</del> <b><u>accepted by the PhilGEPS for the purpose of updating the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR.</u></b></p> <p>iii) Tax clearance per E.O. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).</p>
<p>23.3. To facilitate the determination of eligibility, the BAC of a Procuring Entity shall use the contents of the PhilGEPS electronic registry of manufacturers, suppliers, distributors, contractors, and/or</p>	<p>23.3. To facilitate the determination of eligibility, the BAC of a Procuring Entity shall use the contents of the PhilGEPS electronic registry of manufacturers, suppliers, distributors, contractors,</p>

<p>consultants, in accordance with Section 8.5.2 of this IRR.</p>	<p>and/or consultants, in accordance with Section 8.5.2 of this IRR.</p> <p><b><u>In lieu of the Class “A” eligibility documents mentioned under Section 8.5.2 of this IRR, the Bidder shall only submit a valid and updated PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR for purposes of determining eligibility.</u></b></p>
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<p><b>Section 24. Eligibility Requirements and Short Listing for Consulting Services</b></p> <p>24.1 For purposes of determining the eligibility and short list of bidders in accordance with Sections 24.4 and 24.5 of this IRR, only the following documents shall be required by the BAC, using the forms prescribed in the Bidding Documents:</p> <p>a) Class “A” Documents</p> <p>Legal Documents</p> <p>i) Registration certificate from SEC, DTI for sole proprietorship, or CDA for cooperatives.</p> <p>ii) Mayor’s/Business permit issued by the city or municipality where the principal place of business of the bidder is located, or the equivalent document for Exclusive Economic Zones or Areas.</p> <p>In cases of recently expired Mayor’s/Business permits, it shall be accepted together with the official receipt as proof that the bidder has applied for renewal within the period prescribed by the concerned local government unit: Provided, That the renewed permit shall be submitted as a post-qualification requirement in accordance with Section 34.2 of this IRR.</p> <p>For individual consultants not registered under a sole proprietorship, a BIR Certificate of Registration shall be submitted, in lieu of DTI registration and Mayor’s/Business permit.</p>	<p><b>Section 24. Eligibility Requirements and Short Listing for Consulting Services</b></p> <p>24.1 For purposes of determining the eligibility and short list of bidders in accordance with Sections 24.4 and 24.5 of this IRR, only the following documents shall be required by the BAC, using the forms prescribed in the Bidding Documents:</p> <p>a) Class “A” Documents</p> <p>Legal Documents</p> <p>i) Registration certificate from SEC, DTI for sole proprietorship, or CDA for cooperatives.</p> <p>ii) Mayor’s/Business permit issued by the city or municipality where the principal place of business of the bidder is located, or the equivalent document for Exclusive Economic Zones or Areas.</p> <p><del>In cases of</del> <b>A</b> recently expired Mayor’s/Business permits, <del>it shall be accepted together with the official receipt as proof that the</del> <b>prospective bidder</b> has applied for renewal within the period prescribed by the concerned local government unit, <del>provided that the renewed permit shall be submitted as a post-qualification requirement in accordance with Section 34.2 of this IRR.</del> <b><u>accepted by the PhilGEPS for the purpose of updating the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR.</u></b></p> <p>For individual consultants not registered under a sole proprietorship, a BIR Certificate of Registration shall be submitted, in lieu of DTI registration and Mayor’s/Business permit.</p>
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<p><b>24.4.3</b> To facilitate the determination of eligibility, the BAC of a Procuring Entity shall use the contents of the PhilGEPS electronic registry of manufacturers, suppliers, distributors, contractors, and/or consultants, in accordance with Section 8.5.2 of this IRR. For procurement to be performed overseas, it shall be subject to the Guidelines to be issued by the GPPB.</p>	<p><b>24.4.3</b> To facilitate the determination of eligibility, the BAC of a Procuring Entity shall use the contents of the PhilGEPS electronic registry of manufacturers, suppliers, distributors, contractors, and/or consultants, in accordance with Section 8.5.2 of this IRR. For procurement to be performed overseas, it shall be subject to the Guidelines to be issued by the GPPB.</p> <p><b><u>In lieu of the Class “A” eligibility documents mentioned under Section 8.5.2 of this IRR, the Bidder shall only submit a valid and updated PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR for purposes of determining eligibility.</u></b></p>
<p><b>Section 34. Objective and Process of Post-Qualification</b></p> <p>xxx</p> <p>34.3 The post-qualification shall verify, validate and ascertain all statements made and documents submitted by the bidder with the Lowest Calculated Bid/ Highest Rated Bid, using non-discretionary criteria, as stated in the Bidding Documents. These criteria shall consider, but shall not be limited to, the following:</p> <p>xxx</p>	<p><b>Section 34. Objective and Process of Post-Qualification</b></p> <p>xxx</p> <p>34.3 The post-qualification shall verify, validate and ascertain <b><u>the veracity, authenticity and validity of all the Class “A” eligibility documents supporting the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR, and</u></b> all <b><u>the other</u></b> statements made and documents submitted by the bidder with the Lowest Calculated Bid/ Highest Rated Bid, using non-discretionary criteria, as stated in the Bidding Documents. These criteria shall consider, but shall not be limited to, the following:</p> <p>xxx</p>
<p><b>Section 54. Terms and Conditions for the Use of Alternative Methods</b></p> <p>54.6 Manufacturers, suppliers, distributors, contractors, and/or consultants are mandated to register with PhilGEPS and provide a PhilGEPS Registration Number in the following</p>	<p><b>Section 54. Terms and Conditions for the Use of Alternative Methods</b></p> <p>54.6 Manufacturers, suppliers, distributors, contractors, and/or consultants are mandated to register with PhilGEPS and provide a PhilGEPS Registration Number in the following</p>



<p>alternative methods of procurement as a condition for award of the contract:</p> <p>a. Section 50 - Direct Contracting</p> <p>xxx</p> <p>For purposes of Limited Source Bidding under Section 49 and Two Failed Biddings under Section 53.1, the BAC shall require the submission of a certificate of PhilGEPS registration in accordance with Section 8.5.2 of this IRR. (a)</p>	<p>alternative methods of procurement as a condition for the award of the contract:</p> <p>a. Section 50 - Direct Contracting</p> <p>xxx</p> <p>For purposes of Limited Source Bidding under Section 49 and <del>Two Failed Biddings under Section 53.1</del>, the BAC shall require the submission of a certificate of PhilGEPS registration in accordance with Section 8.5.2 of this IRR.(a)</p>
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**ANNEX “H” OR CONSOLIDATED GUIDELINES FOR THE ALTERNATIVE METHODS OF PROCUREMENT**

ORIGINAL	AMENDED
<p><b>IV. General Guidelines</b></p> <p>xxx</p> <p><b>G. PhilGEPS Registration</b> Manufacturers, suppliers, distributors, contractors, and/or consultants are mandated to register with the PhilGEPS and provide a PhilGEPS Registration number in the following alternative methods of procurement as a condition for award of the contract:</p> <p>1) Section 50 – Direct Contracting;</p> <p>xxx</p> <p>For purposes of Negotiated Procurement under Section 53.1 (Two Failed Biddings), the BAC shall require the submission of a Certificate of PhilGEPS Registration in accordance with Section 8.5.2 of the IRR of R.A. 9184.</p>	<p><b>IV. General Guidelines</b></p> <p>xxx</p> <p><b>G. PhilGEPS Registration</b> Manufacturers, suppliers, distributors, contractors, and/or consultants are mandated to register with the PhilGEPS and provide a PhilGEPS Registration number in the following alternative methods of procurement as a condition for the award of the contract:</p> <p>1) Section 50 – Direct Contracting;</p> <p>xxx</p> <p><del>For purposes of Negotiated Procurement under Section 53.1 (Two Failed Biddings), the BAC shall require the submission of a Certificate of PhilGEPS Registration in accordance with Section 8.5.2 of the IRR of R.A. 9184.</del></p>

<p><b>V. Specific Guidelines</b></p> <p>xxxx</p> <p><b>D. Negotiated Procurement</b></p> <p><b>1. Two-Failed Biddings</b></p> <p>xxx</p> <p><b>b) Procedures</b></p> <p>i. After the conduct of the mandatory review of the terms, conditions, specifications, and cost estimates, as prescribed in Section 35 of the IRR, the BAC, based on its findings, as assisted by its Secretariat, TWG and End-User unit may revise and agree on the technical, legal and financial eligibility requirements, specifications or terms of reference, and if necessary, adjust the ABC, subject to the required approvals. However, the ABC cannot be increased by more than twenty (20%) of the ABC for the last failed bidding.</p> <p>xxx</p> <p>iv. Following completion of the negotiations, the BAC shall request all suppliers, contractors, or consultants in the proceedings to submit, on a specified date, a best offer based on the final technical and financial requirements. Pursuant to Section IV(G) of this Guidelines, the Procuring Entity shall require the submission of a Certificate of PhilGEPS Registration in accordance with Section 8.5.2 of the IRR of RA 9184.</p>	<p><b>V. Specific Guidelines</b></p> <p>xxxx</p> <p><b>D. Negotiated Procurement</b></p> <p><b>1. Two-Failed Biddings</b></p> <p>xxx</p> <p><b>b) Procedures</b></p> <p>i. After the conduct of the mandatory review of the terms, conditions, specifications, and cost estimates, as prescribed in Section 35 of the IRR, the BAC, based on its findings, as assisted by its Secretariat, TWG and End-User unit may revise and agree on the technical, legal, and financial eligibility requirements, specifications or terms of reference, and if necessary, adjust the ABC, subject to the required approvals. However, the ABC cannot be increased by more than twenty (20%) of the ABC for the last failed bidding. <b><u>In case no revision of the Class “A” Eligibility Document covered by Section 8.5.2 of this IRR is found necessary by the BAC after the conduct of the mandatory review, the submission of the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR shall likewise be mandatory.</u></b></p> <p>xxx</p> <p>iv. Following completion of the negotiations, the BAC shall request all suppliers, contractors, or consultants in the proceedings to submit, on a specified date, the best offer based on the final technical and financial requirements. <del>Pursuant to Section IV(G) of this Guidelines, the Procuring Entity shall require the submission of a Certificate of PhilGEPS Registration in accordance with Section 8.5.2 of the IRR of RA 9184.</del></p>
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**ANNEX “H”, APPENDIX “A,” DOCUMENTARY REQUIREMENT,  
ALTERNATIVE METHODS OF PROCUREMENT**

ORIGINAL	AMENDED
<p>I. This Appendix prescribes for the documents that the BAC shall require from suppliers, contractors and consultants for Alternative Methods of Procurement, except for Repeat Order, Shopping under Section 52.1(a), and Negotiated Procurement under Sections 53.1(Two-Failed Biddings), and 53.5 (Agency-to-Agency) of the IRR of RA 9184.</p> <p>xxx</p>	<p>I. This Appendix prescribes for the documents that the BAC shall require from suppliers, contractors, and consultants for Alternative Methods of Procurement, except for Repeat Order, Shopping under Section 52.1(a), and Negotiated Procurement under <del>Sections 53.1(Two-Failed Biddings), and</del> 53.5 (Agency-to-Agency) of the IRR of RA 9184.</p> <p>xxx</p>

Alternative Modality	Mayor's Permit/ Business Permit	Professional License/ Curriculum Vitae (Consulting Services)	PhilGEPS Reg. Number	PCAB License (Infra.)	NFCC (Infra.)	Income/ Business Tax Return	Omnibus Sworn Statement
I. Direct Contracting [Section 50]	✓		✓			✓  For ABCs above P500K	
II. Shopping [Section [52.1(b)]	✓		✓				
III. Negotiated Procurement							

A. Two-Failed Biddings [(Section 53.1)]			✓  <u>****PhilGEPS Platinum if legal eligibility requirements are not subject to revision after the conduct of the mandatory review</u>				
B. Emergency Cases [(Section 53.2)]	✓			✓	✓	✓	✓
					For ABCs above P500K	For ABCs above P500K	For ABCs above P500K
C. Take-Over of Contracts (Section 53.3.2 for new bidders)	✓	✓	✓	✓	✓		
D. Adjacent/ Contiguous (Section 53.4)				✓	✓		
E. Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services (Section 53.6)	✓	✓	✓			✓	
						For ABCs above P500K	
F. Highly Technical Consultant (Section 53.7)	✓	✓	✓				
G. Small Value Procurement (Section 53.9)	✓	✓	✓	✓			
						For ABC's	For ABC's

						✓ above P500K	✓ above P500K
H. Lease of Real Property or Venue (Section 53.10)	✓  Except for gov't agencies as lessors		✓  Except for gov't agencies as lessors			✓  Except for gov't agencies as lessors	

\* For individuals engaged under Section 53.6, 53.7, and 53.9 of the IRR of RA No. 9184, only the BIR Certificate of Registration shall be submitted in lieu of DTI Registration and Mayor's Permit.

\*\* Requirements under Section 53.6 of the IRR of RA No. 9184 will not apply to artists such as singers, performers, poets, writers, painters, and sculptors who are not engaged in business.

\*\*\* For methods of procurement requiring Mayor's Permit and PhilGEPS Registration, Certificate of Platinum Membership may be submitted in lieu of the said documents.

**\*\*\*\* For purposes of Two-Failed Biddings under Section 53.1 of the IRR of RA No. 9184, the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 shall be submitted pursuant to Item V(D)(1)(b) of this Guidelines, subject to the qualification stated in Item V(D)(1)(b)(i).**

### GUIDELINES FOR THE USE OF THE GOVERNMENT OF THE PHILIPPINES-OFFICIAL MERCHANTS REGISTRY (GoP-OMR)

ORIGINAL	AMENDED
<p><b>4.0 GENERAL PROVISIONS</b></p> <p>4.4 The determination of the eligibility of merchants, whether registered with the GoP-OMR or not, shall remain with the Bids and Awards Committee (BAC). The BAC's determination of validity of the eligibility requirements shall be conclusive to enable the merchant to participate in the public bidding process.</p>	<p><b>4.0 GENERAL PROVISIONS</b></p> <p>4.4 The determination of the eligibility of merchants, whether registered with the GoP-OMR or not, shall remain with the Bids and Awards Committee (BAC). The BAC's determination of the validity <u>of the Certificate of Registration and Membership in accordance with Section 8.5.2 of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, in lieu of the submission of, and supported by, the current and updated Class "A" eligibility requirements covered by the same aforementioned Section of the same IRR and other eligibility documents covered by Section 23 and 24 of the same IRR</u> shall be conclusive to enable the merchant to participate in the public bidding process.</p>

## 6.0 MEMBERSHIP CLASSIFICATION

6.3 A Certificate of Registration and Membership shall be valid and effective for a period of one (1) year from the date of issuance as indicated therein. This Certificate may be renewed; provided, that the merchant maintains its records in the GoP-OMR current and updated at least once a year or more frequently as may be necessary; provided further, that the merchant's failure to maintain its records current and updated shall result in the downgrading of the merchant's membership classification in accordance with the procedures of the PhilGEPS office, notwithstanding the fact that the one-year validity of the Certificate of Membership has not yet expired.

## 6.0 MEMBERSHIP CLASSIFICATION

6.3 **The** Certificate of Registration and Membership **in accordance with Section 8.5.2 of the 2016 revised IRR of RA 9184** shall be valid and effective for a period of one (1) year from the date of issuance as indicated therein. The said Certificate may be **either renewed, in case of expiration, or updated within the period for its validity;** provided, that the merchant maintains its records in the GoP-OMR current and updated at least once a year or more frequently as may be necessary **and complies with the procedures laid down by the PhilGEPS office for processing its renewal or updating, respectively.**

**For the purpose of updating the said Certificate,** the merchant's failure to maintain its records current and updated shall result in the **automatic suspension of validity of its Certificate of Registration and Membership in accordance with Section 8.5.2 of the 2016 revised IRR of RA 9184 until such time that the records have been updated** in accordance with the procedures of the PhilGEPS office, notwithstanding the fact that the one-year validity of the Certificate of Membership has not yet expired.

### **(NEW)**

**6.4 The Certificate of Registration and Membership in accordance with Section 8.5.2 of the 2016 revised IRR of RA 9184 contains the following caveat to reflect that through the submission of said Certificate, the Bidder certifies:**

- a. **the authenticity, genuineness, validity, and completeness of the copy of the original eligibility documents submitted;**
- b. **the veracity of the statements and information contained therein;**
- c. **that the Certificate is not a guaranty that the named registrant will be declared eligible without first being determined to be such for that particular bidding nor is it evidence that the same has passed the post-qualification**

	<p><u>stage; and</u></p> <p>d. <u>that any finding of concealment, falsification, or misrepresentation of any of the eligibility documents submitted, or the contents thereof shall be a ground for disqualification of the Bidder from further participation in the bidding process, without prejudice to the imposition of appropriate administrative, civil and criminal penalty in accordance with the laws.</u></p> <p><u>It shall likewise state that for the purpose of updating the said Certificate, all Class "A" Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 supporting the veracity, authenticity and validity of the Certificate shall remain current and updated, and that failure by the prospective bidder to update its Certificate with the current and updated Class "A" Eligibility Documents covered by the afore-cited Section of the same IRR shall result in the automatic suspension of the validity of its Certificate until such time that all of the expired Class "A" Eligibility Documents has been updated.</u></p>
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**6<sup>th</sup> EDITION PHILIPPINE BIDDING DOCUMENTS FOR GOODS**

ORIGINAL	AMENDED
<b>Section VIII. Checklist of Technical and Financial Documents</b>	
<p>I. TECHNICAL COMPONENT ENVELOPE</p> <p align="center"><b>Class "A" Documents</b></p> <p><u>Legal Documents</u></p> <p>(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages); <b><u>or</u></b></p> <p>(b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document; <b><u>and</u></b></p> <p>(c) Mayor's or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas; <b><u>or</u></b></p> <p>(d) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).</p> <p><u>Technical Documents</u></p> <p>(e) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; <b><u>and</u></b></p> <p>(f) Statement of the bidder's Single</p>	<p>I. TECHNICAL COMPONENT ENVELOPE</p> <p align="center"><b>Class "A" Documents</b></p> <p><u>Legal Document</u></p> <p>(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) <b><i>in accordance with Section 8.5.2 of the IRR;</i></b></p> <p><del>(b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document; <b><u>and</u></b></del></p> <p><del>(c) Mayor's or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;</del></p> <p align="center"><del><b><u>or</u></b></del></p> <p><del>(d) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).</del></p> <p align="center"><b><i>(re-sequenced)</i></b></p> <p><u>Technical Documents</u></p> <p><b>(b)</b> Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; <b><u>and</u></b></p> <p><b>(c)</b> Statement of the bidder's Single</p>



<p>Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; <b><u>and</u></b></p> <p>(g) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; <b><u>or</u></b> Original copy of Notarized Bid Securing Declaration; <b><u>and</u></b></p> <p>(h) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; <b><u>and</u></b></p> <p>(i) Original duly signed Omnibus Sworn Statement (OSS); <b><u>and</u></b> if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.</p> <p><b><u>Financial Documents</u></b></p> <p>(j) The Supplier's audited financial statements, showing, among others, the Supplier's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; <b><u>and</u></b></p> <p>(k) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC); <b><u>or</u></b> A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.</p>	<p>Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; <b><u>and</u></b></p> <p>(d) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; <b><u>or</u></b> Original copy of Notarized Bid Securing Declaration; <b><u>and</u></b></p> <p>(e) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; <b><u>and</u></b></p> <p>(f) Original duly signed Omnibus Sworn Statement (OSS); <b><u>and</u></b> if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.</p> <p><b><u>Financial Documents</u></b></p> <p><del>(g) The Supplier's audited financial statements, showing, among others, the Supplier's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; <b><u>and</u></b></del></p> <p>(g) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC); <b><u>or</u></b> A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.</p>
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<b>Class “B” Documents</b>	<b>Class “B” Documents</b>
<p>(l) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence; <b>or</b> duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.</p>	<p>(h) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence; <b>or</b> duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.</p>

**6<sup>th</sup> EDITION PHILIPPINE BIDDING DOCUMENTS FOR INFRASTRUCTURE PROJECTS**

<b>ORIGINAL</b>	<b>AMENDED</b>
<b>Section IX. Checklist of Technical and Financial Documents</b>	
<p>I. TECHNICAL COMPONENT ENVELOPE</p> <p style="text-align: center;"><b>Class “A” Documents</b></p> <p><u>Legal Documents</u></p> <p>(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages); <b>or</b></p> <p>(b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document; <b>and</b></p> <p>(c) Mayor’s or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas; <b>or</b></p> <p>(e) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal</p>	<p>I. TECHNICAL COMPONENT ENVELOPE</p> <p style="text-align: center;"><b>Class “A” Documents</b></p> <p><u>Legal Documents</u></p> <p>(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) <b>in accordance with Section 8.5.2 of the IRR;</b></p> <p><del>(b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document; <b>and</b></del></p> <p><del>(c) Mayor’s or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas; <b>or</b></del></p> <p><del>(e) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal</del></p>

<p>Revenue (BIR).</p> <p><u>Technical Documents</u></p> <p>(f) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; <b><u>and</u></b></p> <p>(g) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided under the rules; <b><u>and</u></b></p> <p>(h) Philippine Contractors Accreditation Board (PCAB) License; <b><u>or</u></b> Special PCAB License in case of Joint Ventures; <b><u>and</u></b> registration for the type and cost of the contract to be bid; <b><u>and</u></b></p> <p>(i) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; <b><u>or</u></b> Original copy of Notarized Bid Securing Declaration; <b><u>and</u></b></p> <p>(j) Project Requirements, which shall include the following:</p> <ol style="list-style-type: none"> <li>a. Organizational chart for the contract to be bid;</li> <li>b. List of contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen), to be assigned to the contract to be bid, with their complete qualification and experience data;</li> <li>c. List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of</li> </ol>	<p><del>Revenue (BIR).</del></p> <p><b>(re-sequenced)</b></p> <p><u>Technical Documents</u></p> <p><b>(b)</b> Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; <b><u>and</u></b></p> <p><b>(c)</b> Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided under the rules; <b><u>and</u></b></p> <p><b>(d)</b> <del>Philippine Contractors Accreditation Board (PCAB) License;</del> <b><u>or</u></b> Special PCAB License in case of Joint Ventures; <b><u>and</u></b> registration for the type and cost of the contract to be bid; <b><u>and</u></b></p> <p><b>(e)</b> Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; <b><u>or</u></b> Original copy of Notarized Bid Securing Declaration; <b><u>and</u></b></p> <p><b>(f)</b> Project Requirements, which shall include the following:</p> <ol style="list-style-type: none"> <li>a. Organizational chart for the contract to be bid;</li> <li>b. List of contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen), to be assigned to the contract to be bid, with their complete qualification and experience data;</li> <li>c. List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of</li> </ol>
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<p>the project, as the case may be; <b>and</b></p> <p>(k) Original duly signed Omnibus Sworn Statement (OSS); <b>and</b> if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.</p> <p><u>Financial Documents</u></p> <p>(l) The prospective bidder's audited financial statements, showing, among others, the prospective bidder's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; <b>and</b></p> <p>(m) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC).</p> <p><b>Class "B" Documents</b></p> <p>(n) If applicable, duly signed joint venture agreement (JVA) in accordance with RA No. 4566 and its IRR in case the joint venture is already in existence; <b>or</b> duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.</p>	<p>the project, as the case may be; <b>and</b></p> <p>(g) Original duly signed Omnibus Sworn Statement (OSS); <b>and</b> if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.</p> <p><u>Financial Documents</u></p> <p><del>(g) The prospective bidder's audited financial statements, showing, among others, the prospective bidder's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; <b>and</b></del></p> <p>(h) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC).</p> <p><b>Class "B" Documents</b></p> <p>(i) If applicable, duly signed joint venture agreement (JVA) in accordance with RA No. 4566 and its IRR in case the joint venture is already in existence; <b>or</b> duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.</p>
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**REVISED PhilGEPS CERTIFICATE OF PLATINUM REGISTRATION AND MEMBERSHIP  
(First Page Only)**

Republic of the Philippines  
Department of Budget and Management  
PROCUREMENT SERVICE

**CERTIFICATE OF PHILGEPS REGISTRATION  
(Platinum Membership)**

*THIS IS TO CERTIFY THAT*

(NAME OF BIDDER)  
Address

is registered in the Philippine Government Electronic Procurement System (PhilGEPS) on (date of registration) pursuant to Section 8.5.2 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act.

This further certifies that (name of the prospective bidder) has submitted the required eligibility documents in the PhilGEPS Supplier Registry as listed in Annex A which document is attached hereto and made an integral part hereof.

**For the purpose of updating this Certificate, all Class "A" eligibility documents covered by Section 8.5.2 of the Revised Implementing Rules and Regulations of Republic Act No. 9184 supporting the veracity, authenticity and validity of this Certificate shall remain current and updated. The failure by the prospective bidder to update this Certificate with the current and updated Class "A" eligibility documents shall result in the automatic suspension of its validity until such time that all of the expired Class "A" eligibility documents has been updated.**

**By submitting this Certificate, the Bidder certifies:**

- 1. the authenticity, genuineness, validity, and completeness of the copy of the original eligibility documents submitted;**
- 2. the veracity of the statements and information contained therein;**
- 3. that the Certificate is not a guaranty that the named registrant will be declared eligible without first being determined to be such for that particular bidding, nor is it evidence that the Bidder has passed the post-qualification stage; and**
- 4. that any finding of concealment, falsification, or misrepresentation of any of the eligibility documents submitted, or the contents thereof shall be a ground for disqualification from further participation in the bidding process, without prejudice to the imposition of appropriate administrative, civil and criminal penalty in accordance with the laws.**

This Certificate is valid until (date of expiration).

Issued this (date) day of (month), year.  
This is a system-generated certificate. No signature is required.

Documentary Stamp Tax Paid 30.00  
Certificate Reference No:

(QR Code)

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