



## RESOLUTION NO. 07-2016

### **ADOPTING AN OFFICIAL POSITION TO PROPOSED AMENDMENTS TO REPUBLIC ACT (RA) NO. 10121 AND ITS IMPLEMENTING RULES AND REGULATIONS, OTHERWISE KNOWN AS THE PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT ACT OF 2010**

**WHEREAS**, Section 63(a) of RA No. 9184 and its IRR, the Government Procurement Policy Board (GPPB) is mandated to protect national interest in all matters affecting public procurement;

**WHEREAS**, the Government Procurement Policy Board – Technical Support Office (GPPB-TSO) received a request from the National Disaster Risk Reduction and Management Council (NDRRMC) for comment regarding the proposed amendments to RA 10121 and its IRR in relation to procurement for disaster response;

**WHEREAS**, the proposed amendments to RA 10121 and its IRR seek to enumerate the Alternative Methods of Procurement as provided under RA 9184 and its IRR, and Executive Order No. 423, Series of 2005, as amended by EO 645, Series of 2007.

**WHEREAS**, during the 3<sup>rd</sup> Inter-Agency Technical Working Group (IATWG) Meeting on 22 March 2016, the IATWG adopted the recommendations of the GPPB-TSO. Instead of re-stating the provisions of RA 9184 and EO 423, RA 10121 and its IRR may simply provide a general statement and/or reference on the applicability of RA 9184 and its IRR and EO 423, thus:

**“FOR THE PROCUREMENT FOR DISASTER PREVENTION AND MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY AND REHABILITATION, PROCURING ENTITIES SHALL OBSERVE REPUBLIC ACT NO. 9184 AND ITS ASSOCIATED RULES AND GUIDELINES.**

**FOR PROCUREMENT PROJECTS WITH APPROVED BUDGET FOR THE CONTRACT OF AT LEAST PHP 500,000,000.00, TO BE UNDERTAKEN THROUGH ANY OF THE ALTERNATIVE METHODS OF PROCUREMENT, PROCURING ENTITIES SHALL OBSERVE THE PROVISIONS OF EXECUTIVE ORDER (EO) NO. 423, SERIES OF 2005, AS AMENDED BY EO 645, SERIES OF 2007”**

**WHEREAS**, during the 6<sup>th</sup> GPPB and 4<sup>th</sup> IATWG Joint Meeting on 20 April 2016, the GPPB resolved to adopt the earlier comments of the IATWG and GPPB-TSO. The Board also directed the GPPB-TSO inform NDRRMC that Annex “H” of the proposed of 2016 Revised IRR of RA 9184 already provides for the Delegation of Authority during emergency cases; and to provide the NDRRMC with a compendium of all alternative methods of procurement that can be resorted to during emergency cases.

**NOW, THEREFORE**, for and in view of all 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 the following:

1. Issue a Position Paper relative to the proposed amendments to RA 10121 and its IRR, thus:

“FOR THE PROCUREMENT FOR DISASTER PREVENTION AND MITIGATION, PREPAREDNESS, RESPONSE AND RECOVERY AND REHABILITATION, PROCURING ENTITIES SHALL OBSERVE REPUBLIC ACT NO. 9184 AND ITS ASSOCIATED RULES AND GUIDELINES.

FOR PROCUREMENT PROJECTS WITH APPROVED BUDGET FOR THE CONTRACT OF AT LEAST PHP 500,000,000.00, TO BE UNDERTAKEN THROUGH ANY OF THE ALTERNATIVE METHODS OF PROCUREMENT, PROCURING ENTITIES SHALL OBSERVE THE PROVISIONS OF EXECUTIVE ORDER (EO) NO. 423, SERIES OF 2005, AS AMENDED BY EO 645, SERIES OF 2007”

2. Direct the GPPB-TSO to:

a. Inform NDRRMC that the proposed Annex “H” of the proposed 2016 IRR of RA 9184 already provides for the Delegation of Authority during emergency cases;

b. Provide NRRRMC a compendium of all alternative methods of procurement that can be resorted to during emergency cases.

This Resolution shall take effect immediately.

**APPROVED** this 20<sup>th</sup> day of April 2016 at Pasig City, Philippines.

(SGD)

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**DEPARTMENT OF BUDGET AND  
MANAGEMENT**

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**NATIONAL ECONOMIC AND  
DEVELOPMENT AUTHORITY**

(SGD)

(SGD)

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**DEPARTMENT OF EDUCATION**

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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**

(SGD)

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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**

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**DEPARTMENT OF TRANSPORTATION  
AND COMMUNICATIONS**

(SGD)

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**PRIVATE SECTOR REPRESENTATIVE**

Attested by:

(SGD)

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