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Pasig City, Philippines 1605

CIRCULAR 01- 2021

4 March 2021

TO : All Procuring Entities

SUBJECT : Transparency, Accountability and Good Governance in the Procurement Process

1.0 OBJECTIVE

This Circular is being issued to remind all Procuring Entities (PEs) to strictly comply with the existing rules on transparency, accountability, and good governance policies and measures in the procurement process.

2.0 SCOPE AND APPLICATION

This Circular shall apply to all PEs or any branch, agency, department, bureau, office, or instrumentality of the Government of the Philippines, National Government Agencies, including Government-Owned and/or Controlled Corporations, Government Financial Institutions, State Universities and Colleges, and Local Government Units.

3.0 TRANSPARENCY REQUIREMENTS FOR ALL PROCURING ENTITIES

All PEs are reminded of the following transparency and accountability requirements under the Republic Act (RA) No. 9184 and its 2016 revised Implementing Rules and Regulations (IRR), the General Appropriations Act (GAA), Resolutions issued by the Government Procurement Policy Board (GPPB) and other relevant laws, rules and regulations.

Table 1

Legal Basis	Document or Information	Philippine Government Electronic Procurement System (PhilGEPS) website	Conspicuous place reserved for this purpose in the premises of the PE	PE’s website, if any	Others
Competitive Bidding:					
Sec. 8.4.2, IRR of RA No. 9184	Invitation to Bid (Goods and Infrastructure Projects)	✓	✓	✓	
Sec. 8.4.2, IRR of RA No. 9184	Request for Expression of Interest (Consulting Services)	✓	✓	✓	

Secs. 8.4.2 and 17.4, IRR of RA No. 9184	Downloadable complete Bidding Documents	✓	✓	✓	
Sec. 8.4.3, IRR of RA No. 9184	Supplemental Bid Bulletin, <i>if applicable</i>	✓	✓	✓	Send to all those who have properly secured the Bidding Documents
Sec. 29, IRR of RA No. 9184	Notice of Postponement	✓	✓	✓	
Sec. 33.2.4, IRR of RA No. 9184	Results of the evaluation, as approved by the Head of the Procuring Entity (Consulting Services)	✓		✓	Furnish all participating shortlisted consultants
Sec. 37.1.6, IRR of RA No. 9184	Notice of Award (NOA)	✓	✓	✓	
Sec. 37.4.2, IRR of RA No. 9184	Notice to Proceed (NTP)	✓		✓	
Sec. 37.4.2, IRR of RA No. 9184	Approved Contract	✓		✓	
Alternative Methods of Procurement					
Sec. 54.2, IRR of RA No. 9184	Invitation or Request for Submission of Price Quotations or Proposals	✓	✓	✓	
Item V(C)(2)(b)(v), Annex "H", IRR of RA No. 9184	Extension of the deadline in Shopping	✓	✓	✓	
Item IV(L)(2) Annex "H", IRR of RA No. 9184	NOA, Contract or Purchase Order (PO), including NTP if necessary, except for contracts with Approved Budget for the Contract (ABC) of PhP50,000 and below	✓	✓	✓	
GPPB Reso. No. 09-2020	Notice of suspension of the conduct of procurement activities			✓	

GPPB Reso. No. 09-2020	Notice of the lifting of the suspension			✓	
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4.0 ADDITIONAL TRANSPARENCY REQUIREMENTS FOR ALL AGENCIES AND INSTRUMENTALITIES OF THE EXECUTIVE DEPARTMENT UNDER ADMINISTRATIVE ORDER 34, SERIES OF 2020

- 4.1. The PhilGEPS, as the primary source and repository of information on government procurement shall be user- and mobile-friendly, up-to-date, and compliant with relevant policies on website content and web accessibility prescribed by the Department of Information and Communications Technology.
- 4.2. Official websites and social media platforms maintained and used by the PEs shall serve as the secondary source of critical procurement information. For this purpose, agencies under the Executive Department that do not have existing social media platforms are directed by the President under Section 2 of Administrative Order (AO) No. 34 to establish the same.
- 4.3 All agencies and instrumentalities under the Executive Department shall post the following information on their official websites and social media platforms in an organized manner and shall ensure its security and integrity:
- a. All the advertising¹ and post-award information² of Procurement Projects under Table 1, as well as the transparency requirements under Section 94 of RA No. 11465 (Transparency Seal).
 - b. For infrastructure projects, the following information pursuant to Section 93 of RA No. 11465:
 - i. Project title, location and detailed description; ABC; and winning contractor and the detailed estimates of the bid as awarded, within thirty (30) calendar days from entering into the contract;
 - ii. Start of construction, target date of completion, completion rate, project status and the reason/s in case of delay;
 - iii. Source of fund, implementing office, responsible official, contact number and electronic mail address; and
 - iv. Detailed actual cost of the project, variations issued, if any, within thirty (30) calendar days from the issuance of a certificate of completion.
- 4.4 In procurements involving and affecting national security, the disclosure of the specific components of the procurement documents may be dispensed with, as may be determined by the Head of the Procuring Entity, on the basis of its nature, classification, sensitivity and confidentiality in accordance with Section 19 of the 2016 revised IRR of RA No. 9184 and Item IV(D) of its Annex "H."
- 4.5 For PEs under the Executive Department whose projects have an ABC of Fifty Million Pesos (PhP 50,000,000.00) and above, the post-award information under Item 4.3(a) shall also be published once in a newspaper of general circulation pursuant to Section 4 of AO No. 34.

¹ Shall refer to the Invitation to Bid or Request for Expression of Interest pursuant to Section 8.4.2 of the 2016 revised IRR of RA No. 9184, in relation to Section 21, and to Invitation or Request for submission of price quotations or proposals pursuant to Section 54.2 of the 2016 revised IRR of RA No. 9184.

² Shall refer to the Notice of Award pursuant to Section 37.1.6 and Section 37.4.2 of the 2016 revised IRR of RA No. 9184, and to the Notice of Award, Contract or Purchase Order, including the Notice to Proceed, if necessary under Item IV(L)(2), Annex "H", of the 2016 revised IRR of RA No. 9184.

5.0 ONLINE ACCESS TO OBSERVERS

- 5.1 The PhilGEPS shall provide a facility for observers, duly authorized by the Bids and Awards Committee, to monitor the procurement proceedings online, pursuant to Section 8.7 and Section 13 of the 2016 revised IRR of RA No. 9184.
- 5.2 PEs shall provide their duly-authorized observers online access to monitor all stages of the procurement process through the modernized PhilGEPS. Until such time that the modernized PhilGEPS becomes operational and is able to provide said facility, PEs shall provide said observers online access to monitor the conduct of procurement proceedings through their own facilities.
- 5.2 PEs that are unable to provide the said online access shall inform the GPPB-TSO in writing by emailing observers@gppb.gov.ph, together with the reasons therefor, and shall be considered in the performance evaluation of the PE through the Agency Procurement Compliance and Performance Indicator System and the Procurement Monitoring Report.

6.0 ONLINE BLACKLISTING PORTAL

- 6.1. All PEs must observe the rules and procedures provided under the Uniform Guidelines for Blacklisting of Manufacturers, Suppliers, Distributors, Contractors and Consultants as provided under GPPB Resolution No. 40-2017 and GPPB Resolution No. 14-2020 on the Prescribed Form of Blacklisting Order, Implementation of the Online Blacklisting Portal (OBP) for Posting and Updating of Status of Blacklisted Entities.
- 6.2 With the creation and mandatory use of the OBP which can be accessed through <https://www.gppb.gov.ph/OnlineBlacklistingPortal/pages/1111d0b57dxx4fddse96812839a349e18>, the Consolidated Blacklisting Report (CBR) can now be generated and updated real time, providing up-to-date information that is readily accessible to all interested parties, including the Commission on Audit. Likewise, the OBP provides automatic notification to the PE, through its BAC Chairperson, and the PhilGEPS of every posting and updating of the status of blacklisted entities made in the OBP.
- 6.3 Pursuant to Section 5 of AO No. 34, the PhilGEPS shall post the CBR found in this link [<https://www.gppb.gov.ph/ConsolidatedBlacklistingReport.php>] on its website and all PEs under the Executive Department are directed to post the said CBR on their official website and social media platforms.

7.0 This Circular shall take effect immediately.

8.0 For guidance and compliance.

Sgd.

WENDEL E. AVISADO

*Chairperson
GPPB*