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**CIRCULAR 02-2019**

07 February 2019

- TO : Heads of Departments, Bureaus, Offices and Agencies of the National Government, including State Universities and Colleges, Government-Owned or Controlled Corporations, Government Financial Institutions, and Local Government Units**
- SUBJECT : Extension of Deadline for the Submission of the FY 2019 Annual Procurement Plan (APP) and Reminder to all Procuring Entities on the compliance with the Approval of the APP prior to the Award of Contract**
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**1.0 Purpose**

This Circular is being issued to inform all Procuring Entities of the extension of the deadline for the submission of 2019 APP and to remind them on the compliance with the approval of the APP prior to the award of contract.

**2.0 Coverage**

All Departments, Bureaus, Offices and Agencies of the National Government, including State Universities and Colleges, Government-Owned or Controlled Corporations, Government Financial Institutions, and Local Government Units.

**3.0 Submission of the FY 2019 APP**

- 3.1 Pursuant to Section 7.2 of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, no procurement shall be undertaken unless it is in accordance with the approved APP, including approved changes thereto.
- 3.2 Section 7.3.5 of the 2016 revised IRR of RA No. 9184 provides that the APP shall only be finalized as soon as the General Appropriations Act (GAA), corporate budget, or appropriation ordinance, as the case may be, becomes final.
- 3.3 The same section provides that “[t]he APP shall be submitted to the GPPB on or before the end of January of the budget year, and shall be posted in accordance with E.O. 662, series of 2007, as amended.”

- 3.4 On the other hand, Sec 7.3.1. of the 2016 revised IRR of RA No. 9184 directs Procuring Entities to prepare the indicative APP for the succeeding calendar year upon issuance of the budget call in the case of NGAs, SUCs, Constitutional Commissions or Offices, or similar document for GOCCs, GFIs and LGUs.
- 3.5 This indicative APP shall be used by Procuring Entities in undertaking early procurement activities (EPA) in accordance with Sec. 7.6 of revised IRR of RA No. 9184 and Department of Budget and Management Circular Letter Nos. 2018-08, 2018-12 and 2019-1.
- 3.6 Pending the approval of the FY 2019 General Appropriations Act (GAA), Procuring Entities shall prepare their final and approved FY2019 APP on the basis of the Reenacted Budget.**

The FY 2019 APP shall also include projects funded under the FY 2018 continuing appropriations, if any, to be procured in FY2019.

- 3.7 In consideration of the reenactment of the budget for FY 2019, **Procuring Entities are allowed to submit their final and approved FY 2019 APP to the GPPB on or before 31 March 2019** on the basis of either the Reenacted Budget or the new GAA, if already enacted.

Note that this is only a one-time extension considering the attending circumstances.

- 3.8 Notwithstanding the said extension, Procuring Entities are reminded that the APP shall be approved prior to the award of contracts. Hence, the FY 2019 APP shall be approved prior to the award of contracts for procurement projects undertaken through EPA.**

#### **4.0 Revision and Updating of the FY 2019 APP**

- 4.1 Changes in the FY 2019 APP shall be done every six (6) months or as often as may be required by the Head of the Procuring Entity, which shall be submitted to the GPPB in July or January of the following year pursuant to Section 7.4 of the 2016 revised IRR of RA No. 9184.
- 4.2 Accordingly, once the FY 2019 GAA is approved, the FY 2019 APP shall be revised, modified or updated to include projects and activities funded under the said GAA.

**5.0** For guidance and compliance.

**6.0** This Circular shall take effect immediately.

(SGD)

**BENJAMIN E. DIOKNO**

*Chairperson*