



RESOLUTION NO. 01-2018

APPROVING THE ISSUANCE OF A CIRCULAR ENUMERATING THE ACTS PROHIBITED DURING THE 2018 BARANGAY AND SANGGUNIAN KABATAAN ELECTIONS

WHEREAS, Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act” and its 2016 revised Implementing Rules and Regulations (IRR) took effect on 26 January 2003 and 28 October 2016, respectively;

WHEREAS, Section 63 of RA 9184 mandates the Government Procurement Policy Board (GPPB) to protect national interest in all matters affecting public procurement;

WHEREAS, Section 261, paragraphs (v) and (w) of Batas Pambansa Bilang (BP) 881¹ prohibits certain transactions pertaining to the release, disbursement or expenditure of public funds, construction of public works, delivery of materials for public works, and issuance of treasury warrants and similar devices;

WHEREAS, Section 3 of RA 6679², as amended by RA 10923³, mandates that the construction or maintenance of barangay-funded roads and bridges shall be prohibited for a period of ten (10) days immediately preceding the date of election, the provisions of Section 261, paragraphs (v) and (w), of the Omnibus Election Code to the contrary notwithstanding;

WHEREAS, the Commission on Elections (COMELEC) issued Resolution No. 10246 dated 15 January 2018 reiterating the prohibited activities during the election period for the 2018 Barangay and Sanggunian Kabataan (SK) Elections, one of which is the construction or maintenance of barangay-funded roads and bridges pursuant to Section 3 of RA 6679, as amended by RA 10923;

WHEREAS, the Election Period for the 2018 Barangay and Sanggunian Kabataan Elections shall run from 14 April to 21 May 2018 with the day of election scheduled on 14 May 2018;

WHEREAS, in the previous Barangay and Sanggunian Kabataan Elections, the GPPB issued guidelines and clarifications to guide agencies on the conduct of procurement activities during the election period with reference to the provisions of the Omnibus Election Code, RA 6679 and COMELEC Resolutions;

WHEREAS, during the 1st Inter-Agency Technical Working Group (IATWG) on 27 February 2018, the GPPB-TSO proposed the issuance of a Circular providing clarification on the conduct of procurement activities in relation to the 14 May 2018 Barangay and Sanggunian Kabataan Elections and after due consideration, the IATWG adopted the recommendation;

¹ Omnibus Election Code.

² An Act to Amend Republic Act No. 6653 to Postpone the Barangay Elections to March 28, 1989, Prescribing Additional Rules Governing the Conduct of Barangay Elections and for other Purposes.

³ An Act Postponing the October 2016 Barangay and Sangguniang Kabataan Elections, amending for the purpose Republic Act No. 9164, as amended by Republic Act No. 9340 and Republic Act No. 10656 Prescribing Additional Rules Governing The Conduct Of Barangay and Sangguniang Kabataan Elections And For Other Purposes

WHEREAS, in the 1st GPPB Meeting held on 9 March 2018, the GPPB agreed to approve the recommendation of the IATWG to issue a Circular providing clarification on the conduct of procurement activities in relation to the 14 May 2018 Barangay and Sanggunian Kabataan Elections consistent with the previous issuances of the GPPB and resolutions of the COMELEC;

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 **ISSUANCE** of a Circular to guide government agencies on the conduct of procurement activities during the election period for the 2016 Barangay and Sanggunian Kabataan Elections attached hereto as **Annex “A”**.

This Resolution shall take effect immediately.

APPROVED this 9th day of March 2018 at Pasig City, Philippines.

(SGD)

**DEPARTMENT OF BUDGET AND
MANAGEMENT**

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

(SGD)

DEPARTMENT OF EDUCATION

DEPARTMENT OF ENERGY

(SGD)

DEPARTMENT OF FINANCE

DEPARTMENT OF HEALTH

(SGD)

(SGD)

**DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY**

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

(SGD)

(SGD)

**DEPARTMENT OF NATIONAL
DEFENSE**

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

(SGD)

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

**DEPARTMENT OF TRADE AND
INDUSTRY**

(SGD)

DEPARTMENT OF TRANSPORTATION

PRIVATE SECTOR REPRESENTATIVE