



RESOLUTION NO. 03-2011

APPROVING AMENDMENTS TO THE GUIDELINES ISSUED BY THE GOVERNMENT PROCUREMENT POLICY BOARD, AND THE REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9184

Republic Act (R.A.) No. 9184, entitled “An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and For Other Purposes,” took effect on 26 January 2003, while its Implementing Rules and Regulations (IRR) Part A took effect on 8 October 2003.

The Government Procurement Policy Board (GPPB), under Section 63 of the RA 9184 and its IRR-A, is mandated to formulate and amend public procurement policies, rules and regulations, and amend the IRR, whenever necessary.

After extensive consultation and deliberations, the GPPB approved the Revised IRR of RA 9184 through GPPB Resolution 03-2009 during its meeting held last 22 July 2009. It was published in a Supplemental Issue of the Official Gazette last 3 August 2009, and took effect on 2 September 2009.

The issuance of the Revised IRR of RA 9184 affected some provisions and references in various Guidelines issued by the GPPB prior to the Revised IRR. There were also notable errors discovered in the Revised IRR which may sow confusion on the implementation of the affected provisions.

In a meeting held last 28 January 2011, the GPPB and its Inter Agency Technical Working Group (IATWG) discussed all of the affected provisions and references and deliberated on the corrections necessary to harmonize the Guidelines with the Revised IRR.

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law, hereby **RESOLVE** to confirm, adopt and approve, as **WE** hereby confirm, adopt and approve, the following:

1. Change all references to “IRR-A” into “IRR” in all of the affected GPPB Guidelines, as may be appropriate; and
2. Revisions as shown in Annex “A” attached hereto and made an integral part of this Resolution.

This resolution shall take effect immediately.

APPROVED this 28th day of January 2011 at Pasig City, Philippines

Sgd.

**DEPARTMENT OF BUDGET AND
MANAGEMENT**
By:

Sgd.

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**
By:

Sgd.

DEPARTMENT OF NATIONAL DEFENSE
By:

Sgd.

**DEPARTMENT OF PUBLIC WORKS AND
HIGHWAYS**
By:

Sgd.

DEPARTMENT OF EDUCATION
By:

Sgd.

DEPARTMENT OF HEALTH
By:

Sgd.

**DEPARTMENT OF THE INTERIOR AND
LOCAL GOVERNMENT**
By:

Sgd.

DEPARTMENT OF ENERGY
By:

Sgd.

**DEPARTMENT OF TRADE AND
INDUSTRY**
By:

Sgd.

DEPARTMENT OF FINANCE
By:

Sgd.

**DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS**
By:

Sgd.

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**
By:

Sgd.

PRIVATE SECTOR REPRESENTATIVE
By:

Attested by:

Sgd.

DENNIS LORNE S. NACARIO
Board Secretary, GPPB
OIC-Executive Director, GPPB-TSO



ANNEX “A”

ORIGINAL PROVISIONS	REVISED PROVISIONS
GPPB Resolution No. 09-2004: Uniform Guidelines for Blacklisting of Manufactures, Suppliers, Distributors, Contractors and Consultants	
<p><u>Section 4.1.3</u></p> <p>Unauthorized use of one’s name, or using the name of the name of another for purpose of public bidding.</p>	<p><u>Section 4.1.3</u></p> <p>Unauthorized use of one’s name Allowing the use of one’s name, or using the name of another for purposes of public bidding.</p>
<p><u>Section 4.1.8</u></p> <p>All other acts that tend to defeat the purpose of the competitive bidding, such as but not limited to: an eligible contractor not buying bid documents or not complying with the requirements during bid evaluation, and contractors habitually withdrawing from bidding or submitting letters of non-participation for at least three (3) times within a year, except for valid reasons.</p>	<p><u>Section 4.1.8</u></p> <p>All other acts that tend to defeat the purpose of the competitive bidding, such as but not limited to: an eligible contractor not buying bid documents or not complying with the requirements during bid evaluation, and contractors habitually withdrawing from bidding or submitting letters of non-participation for at least three (3) times within a year, except for valid reasons habitually withdrawing from bidding or submitting letters of non-participation submitting late bids or patently insufficient bids, for at least three (3) times within a year, except for valid reasons.</p>
<p><u>Section 5.7</u></p> <p>A Motion for Reconsideration may be filed by the suspended person/entity within seven (7) calendar days from receipt of the notice of decision and shall be for either or both of the following causes, provided that only one (1) Motion for Reconsideration shall be filed with the blacklisting agency:</p> <p style="text-align: center;">xxx xxx xxx</p> <p>The Head of the Procuring Entity shall resolve with finality the motion for reconsideration within fifteen (15) calendar days from the filing thereof and furnish suspended contractor a copy of the resolution immediately from its promulgation.</p>	<p><u>Section 5.7</u></p> <p>A Motion for Reconsideration may be filed by the suspended person/entity within seven (7) three (3) calendar days from receipt of the notice of decision and shall be for either or both of the following causes, provided that only one (1) Motion for Reconsideration shall be filed with the blacklisting agency:</p> <p style="text-align: center;">xxx xxx xxx</p> <p>The Head of the Procuring Entity shall resolve with finality the motion for reconsideration within fifteen (15) seven (7) calendar days from the filing thereof and furnish suspended contractor a copy of the resolution immediately from its promulgation.</p>
<p><u>Section 5.8</u></p> <p>A protest may be filed under Section 55.1 of the IRR-A of R.A. 9184 by the suspended contractor with the appellate authority within seven (7) calendar days from receipt of the resolution on the Motion for Reconsideration.</p>	<p><u>Section 5.8</u></p> <p>A protest may be filed under Section 55.1 of the IRR-A Section 55.3 of the IRR of R.A. 9184 by the suspended contractor with the appellate authority within seven (7) calendar days from receipt of the resolution on the Motion for Reconsideration of the BAC denying its request for reconsideration.</p>
GPPB Resolution No. 18-2004: Guidelines on Termination of Contracts	
<p><u>Section IV.1.7</u></p> <p>Take-over of Contracts. If a Procuring Entity terminates the</p>	<p><u>Section IV.1.7</u></p> <p>Take-over of Contracts. If a Procuring Entity terminates</p>

contract due to default, insolvency, or for cause, it may enter into Negotiated Procurement pursuant to Sec. 53 (c) R.A. 9184 and its IRR.	the contract due to default, insolvency, or for cause, it may enter into Negotiated Procurement pursuant to Sec. 53 (c) of R.A. 9184 and Sec. 53.3 of its IRR.
GPPB Resolution No. 06-2005: Guidelines on the Use of Ordering Agreement	
<u>Section 5.1</u> The procuring entity shall package the contract for Ordering Agreements in the most practicable manner and conduct the bidding using the single stage, three-envelope procedure as prescribed in Sections 23 and 25 of R.A. 9184 and its IRR-A, whereby bidders are to bid on a per item basis as presented in the Ordering Agreement List. xxx xxx	<u>Section 5.1</u> The procuring entity shall package the contract for Ordering Agreements in the most practicable manner and conduct the bidding using the single stage, three-envelope two-envelope procedure as prescribed in Sections 23 and 25 of R.A. 9184 and its IRR-A IRR , whereby bidders are to bid on a per item basis as presented in the Ordering Agreement List. xxx xxx
<u>Section 5.4</u> Within a period of fifteen (15) calendar days, in case of NGAs, and thirty (30) calendar days, in case of GOCCs, from the determination/declaration of the winning bidders, the head of the procuring entity or his duly authorized representative shall approve or disapprove the recommendation for award. In case of approval, a Notice of Award shall be issued in favor of the winning bidder. xxx xxx	<u>Section 5.4</u> Within a period of fifteen (15) seven (7) calendar days, in case of NGAs, and thirty (30) fifteen (15) calendar days, in case of GOCCs, from the determination/declaration of the winning bidders, the head of the procuring entity or his duly authorized representative shall approve or disapprove the recommendation for award. In case of approval, a Notice of Award shall be issued in favor of the winning bidder. xxx xxx
GPPB Resolution No. 18-2005: Guidelines in the Determination of Eligibility of Foreign Suppliers, Contractors, and Consultants to Participate in Government Procurement Projects	
<u>Section 3.1</u> Foreign Consultant refers to an individual, sole proprietorship, partnership, corporation or joint venture as defined in Section 24.1(2) of the IRR-A of R.A. 9184.	<u>Section 3.1</u> Foreign Consultant refers to an individual, sole proprietorship, partnership, corporation or joint venture as defined in Section 24.1(2) of the IRR-A other than those provided under Section 24.3.1 of the IRR of R.A. 9184.
<u>Section 3.4</u> Local Consultant refers to an individual, sole proprietorship, partnership, corporation or joint venture satisfying the definition of a consultant under the IRR-A of R.A. 9184 and complying with the relevant requirements therein.	<u>Section 3.4</u> Local Consultant refers to an individual, sole proprietorship, partnership, corporation or joint venture satisfying the definition of a consultant under the IRR-A as provided in Section 24.3.1 of the IRR of R.A. 9184 and complying with the relevant requirements therein.
<u>Section 4.1.3</u> When the foreign supplier, manufacturer and/or distributor is a citizen, corporation or association of a country the laws or regulations of which grant reciprocal rights or privileges to citizens, corporations or associations of the Philippines, irrespective of the availability of goods from local suppliers; or xxx xxx xxx	<u>Section 4.1.3</u> When the foreign supplier, manufacturer and/or distributor is a citizen, corporation or association of a country the laws or regulations of which grant reciprocal rights or privileges to citizens, corporations or associations of the Philippines, irrespective of the availability of goods from local suppliers, subject to Item 7 herein ; or xxx xxx xxx
<u>Section 4.2</u> In the procurement of infrastructure projects, foreign contractors may be eligible to participate in the bidding if they	<u>Section 4.2</u> In the procurement of infrastructure projects, foreign contractors may be eligible to participate in the bidding

<p>form a joint venture with local contractors; provided that their interest in or ownership of the joint venture shall not exceed twenty-five percent (25%). However, where the structures to be built require the application of techniques and/or technologies which are not adequately possessed by a person/entity which meets the seventy-five percent (75%) under Section 23.11.2 of the IRR-A, they may be eligible to participate in the bidding.</p>	<p>when provided for under any treaty or international or executive agreement as provided under Section 23.5.2.2 of the IRR of R.A. 9184 or if they form a joint venture with local contractors; provided that their interest in or ownership of the joint venture shall not exceed twenty-five percent (25%). However, where the structures to be built require the application of techniques and/or technologies which are not adequately possessed by a person/entity which meets the seventy-five percent (75%) under Section 23.11.2 of the IRR-A, Section 23.5.2.1 of the IRR of R.A. 9184, they may be eligible to participate in the bidding.</p>
<p><u>Section 4.3</u></p> <p>In the procurement of consulting services, foreign consultants may be hired if local consultants do not have the sufficient expertise, capability, and capacity to render the services required under the project, as determined by the head of the procuring entity.</p>	<p><u>Section 4.3</u></p> <p>In the procurement of consulting services, foreign consultants may be hired if local consultants do not have the sufficient expertise, capability, and capacity to render the services required under the project, as determined by the head of the procuring entity, in accordance with Section 24.3.3 of the IRR of R.A. 9184.</p>
<p><u>Section 7.2</u></p> <p>The procuring entity shall confirm from the list of countries, maintained by the Department of Foreign Affairs (DFA) and as shown in the GPPB website, with which the Philippines enjoys reciprocal rights on matters of eligibility of its nationals in public procurement abroad. If the country is not in the list, the procuring entity shall require from the said bidder the submission of a sworn statement that the country of which he is a citizen or in which the corporation is organized and registered grants reciprocal rights or privileges to Filipino citizens, corporations or associations, citing its country's relevant laws.</p>	<p><u>Section 7.2</u></p> <p>The procuring entity shall confirm from the list of countries, maintained by the Department of Foreign Affairs (DFA) provided in Annex "I" of the IRR and as shown in the GPPB website, with which the Philippines enjoys reciprocal rights on matters of eligibility of its nationals in public procurement abroad. If the country is not in the list, the procuring entity shall require from the said bidder the submission of a sworn statement that the country of which he is a citizen or in which the corporation is organized and registered grants reciprocal rights or privileges to Filipino citizens, corporations or associations, citing its country's relevant laws. Pending the issuance of the list or in case the foreign bidder's country is not in said list, the bidder claiming eligibility by reason of their country's extension of reciprocal rights to Filipinos shall submit a certification from the relevant government office of their country stating that Filipinos are allowed to participate in their government procurement activities for the same item/product.</p>
<p><u>Section 7.3</u></p> <p>The sworn statements mentioned above shall be validated during post-qualification of bidders.</p>	<p><u>Section 7.3</u></p> <p>The sworn statements mentioned above certification shall be validated during post-qualification of bidders.</p>
<p>GPPB Resolution No. 020-2005: Guidelines on Procurements Involving Foreign-Denominated Bids, Contract Prices and Payment Using Letters of Credit</p>	
<p><u>Section 1</u></p> <p>Pursuant to Section 61 of Republic Act No. 9184 and its counterpart provision in the Implementing Rules and Regulations Part A, for the given scope of work in procurement contracts as awarded, all bid prices shall be</p>	<p><u>Section 1</u></p> <p>Pursuant to Section 61 of Republic Act No. 9184 and its counterpart provision in the Implementing Rules and Regulations Part A, Implementing Rules and Regulations (IRR), for the given scope of work in</p>

<p>considered as fixed prices and, therefore, not subject to price escalation during contract implementation, except under extraordinary circumstances. Thus, to ensure that this policy is carried out, it is required, as a matter of general rule and procedure, that all contracts be denominated and paid in Philippine currency; except when the procuring entity agrees that obligations shall be settled in any other currency at the time of payment, subject to conditions provided for under these guidelines.</p>	<p>procurement contracts as awarded, all bid prices shall be considered as fixed prices and, therefore, not subject to price escalation during contract implementation, except under extraordinary circumstances. Thus, to ensure that this policy is carried out, it is required, as a matter of general rule and procedure, that all contracts be denominated and paid in Philippine currency; except when the procuring entity agrees that obligations shall be settled in any other currency at the time of payment, subject to conditions provided for under these guidelines.</p>
<p>GPPB Resolution No. 19-2006: Guidelines on Procurement of Water, Electricity, Telecommunications and Internet Service Providers</p>	
<p><u>Section 3.2.1.4</u></p> <p>Repeat Order under Section 51 of R.A. 9184 may be resorted to by the procuring entity if additional lines are needed during the year. For this purpose, the requirement under Section 51 (c) of the IRR that the Repeat Order may only be availed of within six (6) months from Notice to Proceed may be dispensed with.</p>	<p><u>Section 3.2.1.4</u></p> <p>Repeat Order under Section 51 of R.A. 9184 may be resorted to by the procuring entity if additional lines are needed during the year. For this purpose, the requirement under Section 51 (c) of the IRR that the Repeat Order may only be availed of within six (6) months from Notice to Proceed from the effectivity period stated in the Notice to Proceed arising from the original contract may be dispensed with.</p>
<p>GPPB Resolution No. 12-2007: Guidelines on Non-Governmental Organization Participation in Public Procurement</p>	
<p><u>Section 3.2</u></p> <p>If the procuring entity decides to enter into negotiated procurement under Section 53 (j) of the Implementing Rules and Regulations Part A (IRR-A) of Republic Act No. 9184 (R.A. 9184), xxx.</p>	<p><u>Section 3.2</u></p> <p>If the procuring entity decides to enter into negotiated procurement under Section 53 (j) of the Implementing Rules and Regulations Part A (IRR-A) Section 53.11 of the Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (R.A. 9184), xxx.</p>
<p><u>Section 4.1</u></p> <p>When an appropriation law or ordinance specifically earmarks an amount for projects to be specifically contracted out to NGOs, the procuring entity may select an NGO through competitive public bidding or negotiated procurement under Section 53.j of the IRR-A.</p>	<p><u>Section 4.1</u></p> <p>When an appropriation law or ordinance specifically earmarks an amount for projects to be specifically contracted out to NGOs, the procuring entity may select an NGO through competitive public bidding or negotiated procurement under Section 53.j of the IRR-A Section 53.11 of the IRR.</p>
<p><u>Section 5.1</u></p> <p>If the procuring entity decides to select the NGO through competitive public bidding, it shall advertise and post the Invitation to Apply for Eligibility and to Bid in accordance with Section 21.2.1 of the IRR-A.</p>	<p><u>Section 5.1</u></p> <p>If the procuring entity decides to select the NGO through competitive public bidding, it shall advertise and post the Invitation to Apply for Eligibility and to Bid Invitation to Bid/Request for Expression of Interest in accordance with Section 21.2.1 of the IRR-A IRR.</p>
<p><u>Section 5.2</u></p> <p>In addition to the information enumerated under Section 21.1 of the IRR-A, the Invitation to Apply for Eligibility and to Bid shall also include (i) the legal basis or appropriation law or ordinance which earmarks a specific amount or project to NGOs; and (ii) a statement that the project shall be limited to NGOs.</p>	<p><u>Section 5.2</u></p> <p>In addition to the information enumerated under Section 21.1 of the IRR-A IRR, the Invitation to Apply for Eligibility and to Bid Invitation to Bid/Request for Expression of Interest shall also include (i) the legal basis or appropriation law or ordinance which earmarks a specific amount or project to NGOs; and (ii) a statement that the project shall be limited to NGOs.</p>

<p><u>Section 5.3</u></p> <p>The determination of an NGO's eligibility shall be based on the submission of the documents enumerated under Sections 23.6 and 24.7.1 of IRR-A.</p>	<p><u>Section 5.3</u></p> <p>The determination of an NGO's eligibility shall be based on the submission of the documents enumerated under Sections 23.6 and 24.7.1 of IRR-A. Sections 23.1 and 24.1 of the IRR.</p>
<p><u>Section 5.3.3</u></p> <p>To establish the financial stability of the participating NGO, audited financial statements for the past three (3) years must be submitted under Section 23.6 (1) (i) of the IRR-A.</p>	<p><u>Section 5.3.3</u></p> <p>To establish the financial stability of the participating NGO, audited financial statements for the past three (3) years must be submitted under Section 23.6 (1) (i) Section 23.1 (a) (v) of the IRR-A. IRR.</p>
<p><u>Section 5.3.4</u></p> <p>Participating NGOs need not submit the financial document prescribed under Section 23.6 (1) (j) of the IRR-A.</p>	<p><u>Section 5.3.4</u></p> <p>Participating NGOs need not submit the financial document prescribed under Section 23.6 (1) (j) Section 23.1 (a) (vi) of the IRR-A. IRR.</p>
<p><u>Section 6.1</u></p> <p>To ensure transparency in the selection of NGO through negotiated procurement, posting shall be done in accordance with Section 21.2.4 of the IRR-A of R.A. 9184.</p>	<p><u>Section 6.1</u></p> <p>To ensure transparency in the selection of NGO through negotiated procurement, posting shall be done in accordance with Section 21.2.4 of the IRR-A Sections 54.2 and 54.3 of the IRR of R.A. 9184.</p>
<p><u>Section 6.5</u></p> <p>After determination that the proposal submitted by the NGO with the Lowest Calculated Bid complies with the technical requirements of the project, xxx:</p> <p>Legal Documents</p> <ol style="list-style-type: none"> a) SEC or CDA registration certificate; b) Latest articles of incorporation c) Valid and current mayor's permit/municipal license; d) Certificate of G-EPS registration; e) Taxpayer's Identification Number; and f) Latest tax returns and tax clearance pursuant to Executive Order No. 398, s. of 2005; <p>Technical Documents</p> <ol style="list-style-type: none"> g) Statement of all its ongoing and completed government and private contracts within the relevant period, where applicable, including contracts awarded but not yet started, if any in accordance with Section 23.6 (f) of the IRR-A of R.A. 9184; <p style="text-align: center;">xxx xxx xxx</p> <p>Financial Documents</p> <ol style="list-style-type: none"> h) Audited financial statements for the past three (3) years, stamped "received" by the BIR or its duly accredited and authorized institutions, for the immediately preceding 	<p><u>Section 6.5</u></p> <p>After determination that the proposal submitted by the NGO with the LCB complies with the technical requirements of the project, xxx:</p> <p>Legal Documents</p> <ol style="list-style-type: none"> a) SEC or CDA registration certificate; b) Latest articles of incorporation c) Valid and current mayor's permit/municipal license from the NGO's principal place of business; d) Certificate of G-EPS PhilGEPS registration; e) Taxpayer's Identification Number; and f) Latest tax returns and tax clearance pursuant to Executive Order No. 398, s. of 2005; <p>Technical Documents</p> <ol style="list-style-type: none"> g) Statement of all its ongoing and completed government and private contracts within the relevant period, where applicable, including contracts awarded but not yet started, if any, in accordance with Section 23.6 (f) of the IRR-A Section 23.1 (a) (iii) of the IRR of R.A. 9184; <p style="text-align: center;">xxx xxx xxx</p> <p>Financial Documents</p> <ol style="list-style-type: none"> h) Audited financial statements for the past three (3) years, stamped "received" by the BIR or its duly

calendar year, showing, among others, its total and current assets and liabilities.	accredited and authorized institutions, for the immediately preceding calendar year, showing, among others, its total and current assets and liabilities.
GPPB Resolution No. 18-2007: Implementing Guidelines on Agency-to-Agency Agreements	
IMPLEMENTING GUIDELINES ON AGENCY-TO-AGENCY AGREEMENTS Negotiated Procurement under Section 53 (e) of IRR-A	IMPLEMENTING GUIDELINES ON AGENCY-TO-AGENCY AGREEMENTS Negotiated Procurement under Section 53 (e) of IRR-A Section 53.5 of the IRR
<u>Section 1, 2nd Paragraph</u> Thus, in accordance with Section 10 of Republic Act No. (R.A.) 9184 and its Implementing Rules and Regulations Part A (IRR-A), all procurement shall be done through open and competitive public bidding. Only in highly exceptional cases, and when justified by the conditions prescribed under these guidelines, can the procuring entity procure from another government agency under the 1 st paragraph of Section 53(e) of the IRR-A of R.A. 9184.	<u>Section 1, 2nd Paragraph</u> Thus, in accordance with Section 10 of Republic Act (R.A.) No. 9184 and its Implementing Rules and Regulations Part A (IRR-A) Implementing Rules and Regulations (IRR) , all procurement shall be done through open and competitive public bidding. Only in highly exceptional cases, and when justified by the conditions prescribed under these guidelines, can the procuring entity procure from another government agency under the 1st paragraph of Section 53(e) of the IRR-A Section 53.5 of the IRR of R.A. 9184.
<u>Section 2</u> These guidelines are being issued to strictly prescribe the conditions when a government agency may procure from another government agency without need of public bidding pursuant to the 1 st paragraph of Section 53 (e) of the IRR-A of R.A. 9184 (hereinafter, referred to as Agency-to-Agency Agreements).	<u>Section 2</u> These guidelines are being issued to strictly prescribe the conditions when a government agency may procure from another government agency without need of public bidding pursuant to 1st paragraph of Section 53 (e) of the IRR-A Section 53.5 of the IRR of R.A. 9184 (hereinafter, referred to as Agency-to-Agency Agreements).
<u>Section 4 (c)</u> Servicing Agency shall refer to the agency which delivers the goods, undertakes the infrastructure project, or provide consulting services. However, in accordance with Section 53 (e) of the IRR-A of R.A. 9184, as amended, GOCCs incorporated under Batas Pambansa Blg. 168 or the Corporation Code of the Philippines, which are vested with proprietary functions to enable them to compete with the private sector, are excluded from the definition of Servicing Agency, and thus, not qualified to act as Servicing Agency under the 1 st paragraph of Section 53 (e) of the IRR-A of R.A. 9184.	<u>Section 4 (c)</u> Servicing Agency shall refer to the agency which delivers the goods, undertakes the infrastructure project, or provide consulting services. However, in accordance with Section 53 (e) of the IRR-A Section 53.5 of the IRR of R.A. 9184, as amended, GOCCs incorporated under Batas Pambansa Blg. 168 or the Corporation Code of the Philippines, which are vested with proprietary functions to enable them to compete with the private sector, are excluded from the definition of Servicing Agency, and thus, not qualified to act as Servicing Agency under the 1st paragraph of Section 53 (e) of the IRR-A Section 53.5 of the IRR of R.A. 9184.
<u>Section 6 (f)</u> For purposes of transparency, the Procuring Agency shall post for a period of seven (7) calendar days, general information pertaining to the procurement activity conducted, in the following areas: i. Philippine Government Electronic Procurement System or (PhilGEPS);	<u>Section 6 (f)</u> For purposes of transparency information, the Procuring Agency shall post for a period of seven (7) calendar days, general information pertaining to the procurement activity conducted, the Notice of Award in the following areas: i. Philippine Government Electronic Procurement

<p>ii. Website of the Procuring Agency and its electronic service provider, if any; and iii. Any conspicuous place in the premises of the Procuring Agency.</p>	<p>System or (PhilGEPS); ii. Website of the Procuring Agency and its electronic service provider, if any; and iii. Any conspicuous place in the premises of the Procuring Agency.</p>
<p>GPPB Resolution No. 24-2007: Guidelines on the Procurement of Security and Janitorial Services</p>	
<p><u>Section 1.0</u> Under Section 5 (h) of Republic Act No. 9184 (R.A. 9184), as reiterated in Section 5 (k) of its Implementing Rules and Regulations Part A (IRR-A), procurement of general support services, including non-personal or contractual services, xxx.</p>	<p><u>Section 1.0</u> Under Section 5 (h) of Republic Act No. 9184 (R.A. 9184), as reiterated in Section 5 (k) of its Implementing Rules and Regulations Part A (IRR-A) Section 5 (r) of its Implementing Rules and Regulations (IRR), procurement of general support services, including non-personal or contractual services, xxx.</p>
<p><u>Section 4.2</u> To determine compliance with these parameters, procuring entity may require additional documents or materials as part of the bidder's technical proposal. These additional documents or materials must be expressly stated in Item 14.1 (j) of the Bid Data Sheet consistent with Item 11, Section 25.3 (A) of the IRR-A of R.A. 9184.</p>	<p><u>Section 4.2</u> To determine compliance with these parameters, procuring entity may require additional documents or materials as part of the bidder's technical proposal. These additional documents or materials must be expressly stated in Item 14.1 (j) of the Bid Data Sheet consistent with Item 11, Section 25.3 (A) of the IRR-A of R.A. 9184 Section VII: Technical Specifications of the PBDs for the Procurement of Goods consistent with Section 25.2. (a) (iii) of the IRR of R.A. 9184.</p>
<p>Revised Guidelines on Contract Price Escalation</p>	
<p><u>Section 5.6</u> <u>Recommendation/Approval.</u> Pursuant to Section 61.2 of the IRR-A of R.A. 9184, the burden of proving the occurrence of extraordinary circumstances that will allow for price escalation shall rest with the procuring entity requesting for such escalation. NEDA shall only respond to such request after receiving the necessary proof and documentation. xxx xxx</p>	<p><u>Section 5.6</u> <u>Recommendation/Approval.</u> Pursuant to Section 61.2 Section 61.3 of the IRR-A IRR of R.A. 9184, the burden of proving the occurrence of extraordinary circumstances that will allow for price escalation shall rest with the procuring entity requesting for such escalation. NEDA shall only respond to such request after receiving the necessary proof and documentation. xxx xxx</p>
<p>Sec. 37.4.2 of the Revised IRR</p>	
<p>The procuring entity, through the BAC Secretariat, shall post a copy of the Notice to Proceed and the approved contract in the PhilGEPS or the website of the procuring entity, if any, within fifteen (15) calendar days from the issuance of the Notice to Proceed.</p>	<p>The procuring entity, through the BAC Secretariat, shall post a copy of the Notice to Proceed and the approved contract in the PhilGEPS or and the website of the procuring entity, if any, within fifteen (15) calendar days from the issuance of the Notice to Proceed.</p>
<p>Sec. 54.2 of the Revised IRR</p>	
<p>For alternative methods of procurement, advertisement and posting as prescribed in Section 21.2.1 of this IRR may be dispensed with: Provided, however, That the BAC, through its Secretariat, shall post the invitation or request for submission of price quotations for Shopping under Sections 52.1 (b) and Negotiated Procurement under Sections 53.1 (two-failed biddings) and 53.9 (small value procurement) of this IRR in the PhilGEPS website, the website of the procuring entity concerned, if available, and at any conspicuous place reserved for this purpose in the premises of the procuring entity for a period of seven (7) calendar days.</p>	<p>For alternative methods of procurement, advertisement and posting as prescribed in Section 21.2.1 of this IRR may be dispensed with: Provided, however, That the BAC, through its Secretariat, shall post the invitation or request for submission of price quotations for Shopping under Sections 52.1 (b) and Negotiated Procurement under Sections 53.1 (two-failed biddings), 53.9 (small value procurement); and 53.11 (NGO Participation) of this IRR in the PhilGEPS website, the website of the procuring entity concerned, if available, and at any conspicuous place reserved for this purpose in the premises of the procuring entity for a period of seven (7) calendar days.</p>

Annex “E” of the Revised IRR: Contract Implementation Guidelines for the Procurement of Infrastructure Projects

<p><u>Section 1.5 (b)</u></p> <p>The Head of the Procuring Entity or his duly authorized representative, upon receipt of the proposed Change Order or Extra Work Order shall immediately instruct the technical staff to conduct an on-the-spot investigation to verify the need for the work to be prosecuted. A report of such verification shall be submitted directly to the Head of the Procuring Entity or his duly authorized representative.</p>	<p><u>Section 1.5 (b)</u></p> <p>The Head of the Procuring Entity or his duly authorized representative, procuring entity’s representative/Project Engineer, upon receipt of the proposed Change Order or Extra Work Order shall immediately instruct the technical staff of the Region to conduct an on-the-spot investigation to verify the need for the work to be prosecuted. A report of such verification shall be submitted directly to the Head of the Procuring Entity or his duly authorized representative. procuring entity’s representative/Project Engineer.</p>
<p><u>Section 1.5 (c)</u></p> <p>The Head of the Procuring Entity or his duly authorized representative, after being satisfied that such Change Order or Extra Work Order is justified and necessary, shall review the estimated quantities and prices and forward the proposal with the supporting documentation to the Head of the Procuring Entity for consideration.</p>	<p><u>Section 1.5 (c)</u></p> <p>The Head of the Procuring Entity or his duly authorized representative, procuring entity’s representative/Project Engineer, after being satisfied that such Change Order or Extra Work Order is justified and necessary, shall review the estimated quantities and prices and forward the proposal with the supporting documentation to the Head of the Procuring Entity or his duly authorized representative for consideration.</p>
<p><u>Section 3.1 (a)</u></p> <p>The Head of the Procuring Entity or his duly authorized representative may, subject to the availability of funds, xxx.</p> <p style="text-align: center;">xxx xxx xxx</p> <p>Provided, however, That such approval is valid on work done up to the point where the cumulative increase in value of work on the project which has not yet been dully fully approved does not exceed five percent of the adjusted original contract price whichever is less;</p>	<p><u>Section 3.1 (a)</u></p> <p>The Head of the Procuring Entity or his duly authorized representative procuring entity’s representative/Project Engineer may, subject to the availability of funds, xxx.</p> <p style="text-align: center;">xxx xxx xxx</p> <p>Provided, however, That such approval is valid on work done up to the point where the cumulative increase in value of work on the project which has not yet been dully fully approved does not exceed five percent of the adjusted original contract price whichever is less;</p>
<p><u>Section 3.1 (b)</u></p> <p>For a Change Order or Extra Work Order involving a cumulative amount exceeding five percent (5%) of the original contract price, no work thereon may be commenced unless said Change Order or Extra Work Order has been approved by the Head of the Procuring Entity or his duly authorized representative.</p>	<p><u>Section 3.1 (b)</u></p> <p>For a Change Order or Extra Work Order involving a cumulative amount exceeding five percent (5%) of the original contract price, no work thereon may be commenced unless said Change Order or Extra Work Order has been approved by the Head of the Procuring Entity or his duly authorized representative. procuring entity’s representative/Project Engineer.</p>