



**AMENDING SECTIONS 23.3 AND 24.13 OF THE IMPLEMENTING RULES
AND REGULATIONS PART A OF REPUBLIC ACT 9184**

WHEREAS, Republic Act 9184 (R.A. 9184) and its Implementing Rules and Regulations Part A (IRR-A) took effect on 26 January 2003 and 08 October 2003, respectively;

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

WHEREAS, the prescribed periods for procurement activities, as provided under the relevant provisions of the IRR-A of R.A. 9184, were shortened through GPPB Resolution No. 014-2006 in order to expedite the acquisition of goods, infrastructure projects, and consulting services by government agencies without sacrificing the principle of transparency or competition;

WHEREAS, among the periods shortened is the prescribed number of days for prospective bidders declared ineligible to file a request for reconsideration from seven (7) calendar days to three (3) days;

WHEREAS, Section 24.13 of the IRR-A on procurement of consulting services, which directs prospective bidders declared ineligible to submit their requests for reconsideration within seven (7) calendar days from notification, was inadvertently omitted in the list of implementing rules to be amended under GPPB Resolution No. 014-2006;

WHEREAS, for purposes of standardization, there is need to amend Section 24.13 to reflect the same time period of three (3) calendar days;

WHEREAS, there is also a need to clarify and reflect in Sections 23.3 and 24.13 that the period within which to file a request for reconsideration will commence from the receipt of written notice informing the prospective bidder of its ineligibility;

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 amend Sections 23.3 and 24.13 of the IRR-A of R.A. 9184, as follows:



RESOLUTION NO. 05-2007

Section 23.3, IRR-A, R.A. 9184

The BAC shall inform an eligible prospective bidder that it has been found eligible to participate in the bidding. On the other hand, the BAC shall inform an ineligible prospective bidder that it has been found ineligible to participate in the bidding, and the grounds for its ineligibility. Those found ineligible have three (3) calendar days **upon receipt of** written notice or, if present at the time of opening of eligibility requirements, upon verbal notification, within which to file a request for a reconsideration with the BAC: *Provided, however,* That the BAC shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. *x x x x.*

Section 24.13, IRR-A, R.A. 9184

The BAC shall inform an eligible consultant that he has been found eligible, subject to the short listing of consultants as provided in this IRR-A. On the other hand, the BAC shall inform an ineligible consultant that it has been found ineligible to participate in the bidding, and the grounds for its ineligibility. Those found ineligible have **three (3) calendar days upon receipt of** written notice or, if present at the time of bid opening, upon verbal notification, within which to file a request for a reconsideration with the BAC: *Provided, however,* That the BAC shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. *x x x x.*

This resolution shall take effect fifteen days from its publication in the Official Gazette or a newspaper of general circulation.

APPROVED this 4th day of May, 2007 at Pasig City, Philippines

(Sgd.)

ROLANDO G. ANDAYA, JR.
Secretary
Department of Budget and Management

(Sgd.)

ROMULO L. NERI
Director General
National Economic and Development
Authority

(Sgd.)

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

**DEPARTMENT OF NATIONAL
DEFENSE**



RESOLUTION NO. 05-2007

(Sgd.)

DEPARTMENT OF EDUCATION

(Sgd.)

DEPARTMENT OF HEALTH

**DEPARTMENT OF INTERIOR AND
LOCAL GOVERNMENT**

DEPARTMENT OF ENERGY

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

DEPARTMENT OF FINANCE

(Sgd.)

**DEPARTMENT OF TRADE AND
INDUSTRY**

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

(Sgd.)

**DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS**

PRIVATE SECTOR REPRESENTATIVE

Attested by:

(Sgd.)

RUBY U. ALVAREZ
Board Secretary, GPPB
Executive Director, GPPB-TSO