



RESOLUTION NO. 11-2018

RATIFYING THE ISSUANCE OF GOVERNMENT PROCUREMENT POLICY BOARD (GPPB) CIRCULAR NO. 04-2018 CLARIFYING GPPB CIRCULAR NO. 01-2018

WHEREAS, Republic Act (RA) 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 2016 revised Implementing Rules and Regulations (IRR) took effect on 28 October 2016;

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

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;

WHEREAS, the Election Period for the 2018 Barangay and SK Elections was set from 14 April to 21 May 2018 with the day of election scheduled on 14 May 2018;

WHEREAS, the Government Procurement Policy Board (GPPB) issued GPPB Circular No. 01-2018 dated 9 March 2018 providing for clarification on the conduct of procurement activities in relation to the 2018 Barangay and SK Elections pursuant to the aforementioned COMELEC Resolution;

WHEREAS, various requests for clarification were received by the GPPB-Technical Support Office (GPPB-TSO) concerning certain provisions of GPPB Circular No. 01-2018 *vis-a-vis* provisions of COMELEC Resolution No. 10246;

WHEREAS, the GPPB-TSO proposed to the Honorable Secretary and GPPB Chairperson Benjamin E. Diokno the issuance of GPPB Circular No. 04-2018 stating that the COMELEC has the jurisdiction to interpret the provisions of election laws, rules and regulations and that the GPPB submits and defers to the position and opinion of the former on matters pertaining to the proper interpretation of applicable provisions on prohibited activities during the 2018 Barangay and SK Elections, subject to the ratification of the GPPB;

WHEREAS, considering the urgency of providing clarification on the conduct of procurement activities during the election period, the GPPB Circular No. 04-2018, dated 30 April 2018, was issued and thereafter published on 10 May 2018;

WHEREAS, during the 2nd Regular Inter-Agency Technical Working Group (IATWG) Meeting held on 10 May 2018, the GPPB-TSO presented GPPB Circular No. 04-2018, which was approved and recommended by the IATWG for GPPB’s ratification;

WHEREAS, during the 2nd Regular GPPB meeting held on 18 May 2018, the GPPB upon careful review and deliberation, adopted the recommendation of the IATWG to ratify GPPB Circular No. 04-2018 clarifying the previously issued GPPB Circular No. 01-2018 *vis-à-vis* COMELEC Resolution No. 10246;

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 adopt, approve and ratify, as **WE** hereby adopt, approve and **RATIFY** GPPB Circular No. 04-2018, copy of which is hereto attached as **Annex “A”** and made integral part hereof.

This Resolution shall take effect immediately.

APPROVED this 18th day of May 2018 at Pasig City, Philippines.

(SGD)

**DEPARTMENT OF BUDGET AND
MANAGEMENT**

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

(SGD)

DEPARTMENT OF EDUCATION

DEPARTMENT OF ENERGY

(SGD)

(SGD)

DEPARTMENT OF FINANCE

DEPARTMENT OF HEALTH

(SGD)

**DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY**

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

(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