



RESOLUTION NO. 015-2006

APPROVING THE LIST OF MINIMUM DOCUMENTS TO BE SUBMITTED PURSUANT TO THE INTERNAL RULES FOR THE EXERCISE BY THE GPPB OF ITS APPROVAL POWER UNDER EO 423

WHEREAS, Executive Order No. (EO) 423, s. 2005 prescribes the rules and procedures on the review and approval of all government contracts in conformity with Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act”;

WHEREAS, Section 4 of EO 423 provides that where the head of the procuring entity has made a determination that a government contract involving an amount of at least Five Hundred Million (P 500 Million) falls under any of the exception from public bidding, the head of the procuring entity shall, before proceeding with the alternative method of procurement, obtain an opinion from the Government Procurement Policy Board (GPPB) that said contract falls within the exceptions from public bidding, and an approval from the Director-General of National Economic and Development Authority (NEDA) to proceed with a specific alternative method of procurement;

WHEREAS, the GPPB in its Resolution No. 01-2006 dated January 20, 2006 recommended to the President of the Republic of the Philippines the amendment of Section 4 of EO 423 making the GPPB the sole body to approve proposed procurement undertaking pursuant to EO 423;

WHEREAS, the GPPB in its 3rd meeting held on June 14, 2006 approved and adopted the Internal Rules for the Exercise by the GPPB of its Approval Power pursuant to EO 423;

WHEREAS, pursuant to Section 12 of the approved internal rules, the GPPB shall issue the list of minimum documents to be submitted by requesting agencies which are necessary in the review of the GPPB of the proposed procurement undertaking;

NOW, THEREFORE, premises considered, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law, hereby **RESOLVE** to approve and adopt, as **WE** hereby approve and adopt the “List of Minimum Documents to be submitted pursuant to the Internal Rules for the Exercise by the GPPB of its Approval Power under Executive Order No. 423”, attached hereto as Annex “A” and made an integral part hereof.

This resolution shall take effect immediately.



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APPROVED this 25th day of October 2006 at Pasig City, Philippines.

(Sgd.)

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

(Sgd.)

ROMULO L. NERI
Secretary
National Economic and Development
Authority

(Sgd.)

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

**DEPARTMENT OF NATIONAL
DEFENSE**

(Sgd.)

DEPARTMENT OF EDUCATION

(Sgd.)

DEPARTMENT OF HEALTH

(Sgd.)

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

DEPARTMENT OF ENERGY

(Sgd.)

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

(Sgd.)

DEPARTMENT OF FINANCE

(Sgd.)

**DEPARTMENT OF TRADE AND
INDUSTRY**

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**



RESOLUTION NO. 015-2006

(Sgd.)

**DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS**

(Sgd.)

PRIVATE SECTOR REPRESENTATIVE

Attested by:

(Sgd.)

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

**LIST OF MINIMUM DOCUMENTS PURSUANT TO THE
INTERNAL RULES FOR THE EXERCISE OF APPROVAL POWER OF THE GPPB
UNDER EO 423**

The Letter-Request shall be accompanied by the following documents as may be appropriate:

A. Limited Source Bidding:

1. Bids and Awards Committee (BAC) resolution recommending to the Head of the Procuring Entity (HOPE) to resort to this alternative method of procurement;
2. Approval by the HOPE of the said BAC recommendation; and
3. A copy of the Official List of pre-selected suppliers/consultants maintained by the relevant government authority that has expertise in the type of procurement at hand

B. Direct Contracting:

1. Under Sec. 50 (a) of IRR-A

- a) BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
- b) Approval by the HOPE of the said BAC recommendation; and
- c) A copy of the Letter of Patent, Copyright or any other document establishing proprietary nature and exclusivity of the source of the items/goods intended to be procured.

2. Under Sec. 50 (b) of IRR-A

- a) BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
- b) Approval by the HOPE of the said BAC recommendation; and
- c) Copy of the subject contract, specifically underscoring the clause which requires that procurement of critical plant component from a specific manufacturer, supplier or distributor is a condition precedent to hold the contractor to guarantee its performance under said contract.

3. Under Sec. 50 (c) of IRR-A

- a) BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
- b) Approval by the HOPE of the said BAC recommendation; and

- c) Proof of exclusive dealership/manufacture of the specific items sought to be procured; and a list of sub-dealers, if any, and their sale prices for the said items.

C. Repeat Order:

1. BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
2. Approval by the HOPE of the said BAC recommendation;
3. Copy of subsisting procurement contract reflecting the number of items procured, the quantities per item, their unit costs, and the total contract price;
4. Copy of the Notice to Proceed issued in favor of the incumbent supplier;
5. Copy of the canvass of prices of the same goods offered by other suppliers in the market.

D. Negotiated Procurement:

1. Under Sec. 53 (a) of IRR-A

- a) BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
- b) Approval by the HOPE of the said BAC recommendation;
- c) A specimen copy or clipping of a newspaper publication of the Invitation to Apply for Eligibility and to Bid for the failed biddings, or a certification from the G-EPS that the bidding opportunity was posted in the G-EPS website within the relevant period; and
- d) A copy of the BAC Resolutions declaring failure of biddings.

2. Under Sec. 53 (b) of IRR-A

- a) BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
- b) Approval by the HOPE of the said BAC recommendation; and
- c) Proof of the official declaration of a state of calamity by the President or the Local Chief Executive concerned, if applicable; or proof of the occurrence of a natural or man-made calamity or of other causes by reason of which immediate action by the procuring entity is necessary to prevent damage to or loss of life or property, or to restore vital public services, infrastructure facilities and other public utilities.

3. Under Sec. 53 (c) of IRR-A

- a) BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
- b) Approval by the HOPE of the said BAC recommendation;

- c) A copy of the contract which was rescinded or terminated; and
- d) A copy of the notice of termination of the contract or any other document establishing the fact of rescission or termination.

4. Under Sec. 53 (d) of IRR-A

- a) BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
- b) Approval by the HOPE of the said BAC Recommendation;
- c) A copy of the contract including a duly approved program of work and contract costs; and
- d) BAC Resolution recommending the award of the existing contract and the approval of the HOPE.

5. Under Sec. 53 (g) of IRR-A

- a) BAC resolution recommending to the HOPE to resort to this alternative method of procurement;
- b) Approval by the HOPE of the said BAC Recommendation;
- c) Approval of the President; and
- d) A copy of the relevant defense cooperation agreement, if applicable.

In any case, the letter-request shall also be accompanied by a copy of the Annual Procurement Plan, the Project Procurement Management Plan, and the procurement request or technical specification/Terms of Reference for the given procurement project.