



RESOLUTION NO. 18-2015

RESOLUTION ON THE DOCUMENTARY REQUIREMENTS FOR CERTAIN ALTERNATIVE METHODS OF PROCUREMENT

WHEREAS, Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act” and its revised Implementing Rules and Regulations (IRR) took effect on 26 January 2003 and 2 September 2009, respectively;

WHEREAS, Section 23.1 and 24.1 of the IRR of RA 9184 mandates the submission of eligibility requirements for the procurement of Goods, Infrastructure Projects and Consulting Services conducted through Competitive Bidding;

WHEREAS, the submission of the eligibility documents enumerated in Section 23.1 and 24.1 of the IRR is a mandatory requirement that must be complied with by prospective bidders, such that failure to submit any of the documents or the submission of an otherwise incomplete or patently insufficient document, will disqualify the bidder based on non-discretionary “pass/fail” criterion under Section 30.1 of the IRR;

WHEREAS, Section 34.2 of the IRR of RA 9184 mandates the submission of post-qualification documents within three (3) calendar days from receipt by the bidder of the notice from the Bids and Awards Committee (BAC) that the bidder has the Lowest Calculated Bid or Highest Rated Bid for procurement done through Competitive Bidding;

WHEREAS, the revised IRR of RA 9184 is silent whether or not eligibility documents mentioned under the above-mentioned provisions must be submitted when resorting to any of the Alternative Methods of Procurement, except those where competitive bidding or a semblance thereof is still present;

WHEREAS, the GPPB-TSO has been receiving inquiries from procuring entities and bidders on what eligibility documents to require or submit for alternative methods of procurement. Thus, there is a need to identify the eligibility documents required for alternative methods of procurement so as to remove discretion and standardize the said requirements in all government agencies;

WHEREAS, during the 2nd Inter-Agency Technical Working Group (IATWG) meeting on 18 February 2015, the Group resolved to approve the recommendation of the GPPB-Technical Support Office (GPPB-TSO) for the GPPB to issue a Circular mandating government procuring entities to require submission of the identified documentary requirements to ensure that the supplier/contractor/consultant is technically, legally, and financially capable to undertake the contract.

WHEREAS, during the 2nd GPPB meeting on 20 March 2015, the Board resolved to:

1. Approve the recommendation of the IATWG subject to the determination of those required to submit the ITR or BTR depending on the threshold of the ABC; and

2. Issue a Circular mandating procuring entities to require submission of the specific documentary requirements to ensure that the supplier/contractor/consultant is technically, legally, and financially capable to undertake the contract.

WHEREAS, in a meeting held on 30 April 2015, the Board agreed to set another meeting to discuss the threshold amount of the ABC at which suppliers, contractors, and consultant should be required to submit their ITR or BTR as part of the eligibility requirements for procurement activities undertaken through AMP.

WHEREAS, during the 3rd IATWG meeting on 19 June 2015, the Group resolved to approve the recommendation of the GPPB-TSO as to the minimum documentary requirements for the identified Alternative Methods of Procurement to be submitted during the deadline for bid submission or at anytime prior to award at the option of the procuring entity, provided, it is specified in the request for quotation/invitation to bid/request for expression of interest, subject to the following modifications:

1. For Shopping, all the requirements are limited to Shopping under Sec. 52.1(b);
2. For Emergency procurement, the ITR or BTR may be submitted anytime prior to payment to the supplier/contractor/supplier; and
3. The NFCC requirement shall be limited to the procurement of Infrastructure projects.

MODALITY	MAYORS PERMIT	SEC/DTI/CDA	Professional License/CV	PHILGEPS Reg	PCAB License	NFCC	ITR/BTR
Shopping (Sec. 52.1b)	✓	✓		✓			
SVP	✓	✓	✓**	✓	✓*		
Direct Contracting	✓	✓		✓			✓ (>P500,000)
Emergency	✓	✓	✓**		✓*	✓* (>P500,000)	✓ (>P500,000) – submitted prior to payment
Take-Over of Contract	✓	✓	✓**	✓	✓*	✓* (>P500,000)	✓ (>P500,000)
Highly Technical Consultant			✓				

* infrastructure; ** consulting

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 following:

1) **APPROVE** the recommendation of the IATWG to issue a Circular mandating procuring entities to require submission of the minimum documentary requirements to ensure that the supplier/contractor/consultant is technically, legally, and financially capable to undertake the contract subject to the following modification:

a. Add the Single Largest Completed Contract (SLCC) requirement to Emergency and Take-Over of Contracts modalities with an ABC of more than P500,000.

MODALITY	MAYORS PERMIT	SEC/DTI/CDA	Professional License/CV	PHILGEPS Reg	PCAB License	NFCC	ITR/BTR	SLCC
Shopping (Sec. 52.1b)	✓	✓		✓				
SVP	✓	✓	✓**	✓	✓*			
Direct Contracting	✓	✓		✓			✓ (>P500,000)	
Emergency	✓	✓	✓**		✓*	✓* (>P500,000)	✓ (>P500,000)	✓ (>P500,000)
Take-Over of Contracts (shortlist)	✓	✓	✓**	✓	✓*	✓* (>P500,000)	✓ (>P500,000)	✓ (>P500,000)
Highly Technical Consultant			✓					

* infrastructure; ** consulting

2) **CLARIFY** that the Procuring Entities must indicate in the Request for Quotation/Invitation to Bid/Request for Expression of Interest at what stage of the procurement process these requirements must be submitted.

APPROVED this 16th day of July 2015 at Pasig City, Philippines.

(SGD)

(SGD)

**DEPARTMENT OF BUDGET AND
MANAGEMENT**

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

(SGD)

(SGD)

DEPARTMENT OF EDUCATION

DEPARTMENT OF ENERGY

(SGD)

DEPARTMENT OF FINANCE

DEPARTMENT OF HEALTH

(SGD)

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

**DEPARTMENT OF NATIONAL
DEFENSE**

(SGD)

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

(SGD)

(SGD)

**DEPARTMENT OF TRADE AND
INDUSTRY**

**DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS**

(SGD)

PRIVATE SECTOR REPRESENTATIVE

Attested by:

(SGD)

DENNIS S. SANTIAGO
Board Secretary, GPPB
Executive Director, GPPB-TSO