



RESOLUTION NO. 18-2017

APPROVING THE ISSUANCE OF A CIRCULAR PROVIDING CLARIFICATION ON THE PROPER IMPLEMENTATION OF THE MANDATORY SUBMISSION OF THE PHILIPPINE GOVERNMENT ELECTRONIC PROCUREMENT SYSTEM (PHILGEPS) CERTIFICATE OF REGISTRATION AND MEMBERSHIP FOR PROCUREMENT CONDUCTED THROUGH COMPETITIVE BIDDING

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 authorizes the Government Procurement Policy Board (GPPB) to formulate public procurement policies, rules and regulations, and amend, whenever necessary, its Implementing Rules and Regulations (IRR);

WHEREAS, Section 8.5.2 of the 2016 Revised IRR of RA 9184 mandates all bidders to upload in PhilGEPS and maintain current and updated the following Class “A” eligibility documents under Sections 23.1(a) and 24.1(a) of the same IRR, thus:

1. Registration Certificate;
2. Mayor’s/Business Permit or its Equivalent Document;
3. Tax Clearance;
4. Philippine Contractors Accreditation Board (PCAB) license and registration; and
5. Audited Financial Statements.

WHEREAS, in lieu of the Class “A” eligibility documents, which were uploaded and maintained current and updated in PhilGEPS, bidders are required to submit their PhilGEPS Certificate of Registration (Platinum Membership) during bid submission, in the case of procurement of goods and infrastructure projects, or during eligibility check, in the case of procurement of consulting services, pursuant to Sections 25.2(a)(i) and (b)(i), and Section 24.4.3, respectively, of the 2016 Revised IRR of RA 9184;

WHEREAS, during its 11th Regular Meeting on 27 October 2016, the GPPB issued Resolution No. 26-2016 approving the issuance of Circular No. 03-2016 informing all procuring entities about the deferred implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership for procurement conducted through Competitive Bidding under the 2016 Revised IRR of RA 9184 until 30 April 2017, to give ample time to all prospective bidders to register with PhilGEPS under the Platinum Membership category and provide a transitory period to all procuring entities;

WHEREAS, during the 2nd GPPB and 3rd Inter-Agency Technical Working Group (IATWG) Joint Meeting on 10 April 2017, in consideration of the forthcoming expiration of the transitory period for the deferred implementation of the mandatory submission of

PhilGEPS Certificate of Registration and Membership for procurement conducted through Competitive Bidding, the GPPB-TSO proposed the issuance of a Circular clarifying to the procuring entities that the date set for the implementation of the mandatory submission of PhilGEPS Certificate of Registration under Platinum Category (**1 May 2017**) shall refer to the date of advertisement and/or posting, thus:

1. For all procurement projects advertised or posted starting 1 May 2017, bidders are mandated to submit their PhilGEPS Certificate of Registration under Platinum Category in lieu of the Class “A” Documents required to be uploaded and maintained current in the PhilGEPS; and
2. In cases where the advertisements or invitations for bids were issued prior to 1 May 2017, Procuring Entities may still allow bidders to submit either their Class “A” Documents or the PhilGEPS Certificate of Registration under Platinum Category.

WHEREAS, the GPPB, after careful review and deliberation, approved the recommendation of the GPPB-TSO;

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 issuance of a Circular, copy of which is attached as **Annex “A”**, reminding all procuring entities about the proper implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership for procurement conducted through Competitive Bidding under the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 starting **1 May 2017**.

This Resolution shall take effect immediately.

APPROVED this 10th day of April 2017 at Pasig City, Philippines.

(SGD)

**DEPARTMENT OF BUDGET AND
MANAGEMENT**

(SGD)

DEPARTMENT OF EDUCATION

(SGD)

DEPARTMENT OF FINANCE

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

(SGD)

DEPARTMENT OF ENERGY

(SGD)

DEPARTMENT OF HEALTH

(SGD)

**DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY**

(SGD)

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

(SGD)

**DEPARTMENT OF NATIONAL
DEFENSE**

(SGD)

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

(SGD)

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

**DEPARTMENT OF TRADE AND
INDUSTRY**

(SGD)

DEPARTMENT OF TRANSPORTATION

PRIVATE SECTOR REPRESENTATIVE



CIRCULAR 05-2017

10 April 2017

TO : Heads of Departments, Bureaus, Offices and Agencies of the National Government, including State Universities and Colleges, Government Owned and/or Controlled Corporations, Government Financial Institutions, and Local Government Units

SUBJECT : Mandatory Submission of PhilGEPS Certificate of Registration and Membership for Procurement Conducted through Competitive Bidding

1.0 Purpose

This Circular is being issued to remind all procuring entities about the proper implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership for Procurement Conducted through Competitive Bidding under the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

2.0 Coverage

All Departments, Bureaus, Offices and Agencies of the National Government, including State Universities and Colleges, Government-Owned and/or Controlled Corporations, Government Financial Institutions, and Local Government Units.

3.0 PhilGEPS Certificate of Registration and Membership

3.1 Pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184, all bidders shall upload and maintain in PhilGEPS a current and updated file of the following Class "A" eligibility documents under Sections 23.1(a) and 24.1(a) of the same IRR:

1. Registration Certificate;
2. Mayor's/Business Permit or its Equivalent Document;
3. Tax Clearance;
4. Philippine Contractors Accreditation Board (PCAB) license and registration; and

5. Audited Financial Statements.

For Foreign Bidders, the foregoing documents may be substituted by the appropriate equivalent documents in English, if any, issued by the country of the bidder concerned. Otherwise, it must be accompanied by a translation of the documents in English issued by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines.

These documents shall be accompanied by a Sworn Statement in a form prescribed by the GPPB stating that the documents submitted are complete and authentic copies of the original, and all statements and information provided therein are true and correct. Upon receipt of the said documents, the PhilGEPS shall process the same in accordance with the guidelines on the Government of the Philippines – Official Merchants Registry (GoP-OMR).

- 3.2 In lieu of the Class “A” eligibility documents uploaded and maintained current and updated in the PhilGEPS, bidders are required to submit their PhilGEPS Certificate of Registration (Platinum Membership) during bid submission, in the case of procurement of goods and infrastructure projects, or during eligibility check, in the case of procurement of consulting services, in accordance with Section 25.2(a)(i) and (b)(i), and Section 24.4.3, respectively.
- 3.3 Pursuant to Sections 77 and 78 of the 2016 Revised IRR of RA 9184, the foregoing provisions, among others, shall be effective starting 28 October 2016, which means that for all procurement activities advertised and/or posted starting 28 October 2016, procuring entities shall only accept PhilGEPS Certificate of Registration of Membership during eligibility check or bid submission, as the case may be, in lieu of the Class “A” Documents required to be uploaded and maintained current and updated in the PhilGEPS pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184.
- 3.4 On 27 October 2016, the Government Procurement Policy Board (GPPB) issued Resolution No. 26-2016 and Circular No. 03-2016 informing all procuring entities about the deferred implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership for Procurement Conducted through Competitive Bidding under the 2016 Revised IRR of RA 9184 until 30 April 2017, to give ample time to all prospective bidders to register with PhilGEPS under the Platinum Membership category and provide a transitory period to all procuring entities.

4.0 Implementation of the Mandatory Submission of PhilGEPS Certificate of Registration and Membership

- 4.1 Effective **1 May 2017**, all procuring entities and bidders are required to strictly observe the mandatory submission of PhilGEPS Certificate of Registration and Membership under Platinum Category as an eligibility requirement during Competitive Bidding, thus:
- 4.1.1 For all procurement projects advertised or posted starting **1 May 2017**, bidders are mandated to submit their PhilGEPS Certificate of Registration under Platinum Category in lieu of the Class “A” Documents required to be uploaded and maintained current in the PhilGEPS; and
- 4.1.2 In cases where the advertisements or invitations for bids were issued prior to **1 May 2017**, Procuring Entities may still allow bidders to submit either their Class “A” Documents or the PhilGEPS Certificate of Registration under Platinum Category.

5.0 This Circular shall take effect immediately.

6.0 For guidance and compliance.

(SGD)
BENJAMIN E. DIOKNO
Chairperson