



**DEFERRED IMPLEMENTATION OF THE MANDATORY SUBMISSION OF PHILIPPINE GOVERNMENT ELECTRONIC PROCUREMENT SYSTEM (PHILGEPS) CERTIFICATE OF REGISTRATION AND MEMBERSHIP IN COMPETITIVE BIDDING AND APPROVAL OF THE PRESCRIBED FORM OF SWORN CERTIFICATE FOR PHILGEPS REGISTRATION**

**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 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**, the 2016 Revised IRR of RA 9184 was approved on 9 August 2016 and will take effect on 28 October 2016, or sixty (60) calendar days after its publication in the Official Gazette on 29 August 2016;

**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**, Section 8.5.2 of the 2016 Revised IRR of RA 9184 requires that these documents to be uploaded in PhilGEPS 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;

**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**, to allow ample time to all prospective bidders to register with PhilGEPS under the Platinum Membership category and provide a transitory period to all procuring entities, Procurement Service-PhilGEPS (PS-PhilGEPS), through Executive Director Rosa

Maria C. Clemente, proposed the deferred implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding from the effectivity of the 2016 Revised IRR of RA 9184 on 28 October 2016 to 1 May 2017;

**WHEREAS**, on 27 October 2016, the GPPB, during its 11<sup>th</sup> Regular Meeting, discussed the proposal of PS-PhilGEPS, as well as the GPPB-TSO's proposed PhilGEPS Sworn Statement to be used for PhilGEPS Registration pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184, and after due deliberation, resolved to approve the deferred implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding under the 2016 Revised IRR of RA 9184, thus:

1. From 28 October 2016 until 30 April 2017, bidders may still submit their Class "A" Eligibility Documents pursuant to Sections 23.1(a) and 24.1(a) of the 2016 Revised IRR of RA 9184; or if already registered in the PhilGEPS under the Platinum category, their Certificate of Registration and Membership in lieu of their uploaded file of Class "A" Documents. In the former, the Certificate of PhilGEPS Registration (for Blue Membership) shall remain a post-qualification requirement in accordance with Section 34.2 of the 2009 Revised IRR of RA 9184; and
2. Starting 1 May 2017, bidders shall be required to submit their PhilGEPS Certificate of Registration and Membership under Platinum category during eligibility check or bid submission, as the case may be, in lieu of their Class "A" Documents that have been uploaded and maintained current and updated in the PhilGEPS pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184.

**WHEREAS**, the GPPB, after careful review and deliberation, likewise approved the *pro forma* PhilGEPS Sworn Statement to be used for PhilGEPS Registration pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184;

**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 following:

1. **ISSUE** a Circular informing all procuring entities about the deferred implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding under the 2016 Revised IRR of RA 9184 until 30 April 2017. The mandatory submission of the PhilGEPS Certificate of Registration and Membership in Competitive Bidding shall commence on 1 May 2017, copy of which is hereto attached as Annex "A"; and
2. **APPROVE** the *pro forma* PhilGEPS Sworn Statement to be used for PhilGEPS Registration pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184, copy of which is hereto attached as Annex "B".

This Resolution shall take effect immediately.

**APPROVED** this 27<sup>th</sup> day of October 2016 at the City of Manila, Philippines.

SGD

---

**DEPARTMENT OF BUDGET AND  
MANAGEMENT**

SGD

---

**NATIONAL ECONOMIC AND  
DEVELOPMENT AUTHORITY**

SGD

---

**DEPARTMENT OF EDUCATION**

SGD

---

**DEPARTMENT OF ENERGY**

SGD

---

**DEPARTMENT OF FINANCE**

SGD

---

**DEPARTMENT OF HEALTH**

---

**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**

---

**DEPARTMENT OF SCIENCE AND  
TECHNOLOGY**

---

**DEPARTMENT OF TRADE AND  
INDUSTRY**

SGD

---

**DEPARTMENT OF TRANSPORTATION**

---

**PRIVATE SECTOR REPRESENTATIVE**



Unit 2506 Raffles Corporate Center,  
F. Ortigas Jr. Road, Ortigas Center,  
Pasig City, Philippines 1605

---

**CIRCULAR 03-2016**

27 October 2016

**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 : Delayed Implementation of the Mandatory Submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding**

---

**1.0 Purpose**

This Circular is being issued to inform all procuring entities about the delayed implementation of mandatory submission of PhilGEPS Certificate of Registration and Membership in 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:

6. Registration Certificate;
7. Mayor's/Business Permit or its Equivalent Document;
8. Tax Clearance;
9. Philippine Contractors Accreditation Board (PCAB) license and registration; and

## 10. 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 Sections 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.

## **4.0 Delayed Implementation of Mandatory Submission of PhilGEPS Certificate of Registration and Membership**

- 4.1 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, the Government Procurement Policy Board, during its 11<sup>th</sup> Regular Meeting held on 27 October 2016, resolved to approved the delayed implementation of mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding under the 2016 Revised IRR of RA 9184, thus:
  - 4.1.1 From 28 October 2016 until 30 April 2017, bidders may still submit their Class “A” Eligibility Documents required to be uploaded and maintained current and updated in the PhilGEPS

pursuant to Section 8.5.2 of the same IRR, or if already registered in the PhilGEPS under Platinum category, their Certificate of Registration and Membership in lieu of their uploaded file of Class “A” Documents. In the former, the Certificate of PhilGEPS Registration (Blue Membership) will remain as a post-qualification requirement in accordance with Section 34.2 of the 2009 Revised IRR of RA 9184.

4.1.2 Starting 1 May 2017, bidders will be required to submit their PhilGEPS Certificate of Registration and Membership under Platinum category during eligibility check or bid submission, as the case may be, in lieu of their Class “A” Documents uploaded and maintained current and updated in the PhilGEPS pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184.

**5.0** This Circular shall take effect immediately.

**6.0** For guidance and compliance.

**(SGD)**  
**BENJAMIN E. DIOKNO**  
*Chairperson*

**PhilGEPS Sworn Statement**

REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF \_\_\_\_\_ ) S.S.

**AFFIDAVIT**

I, *[Name of Affiant]*, of legal age, *[Civil Status]*, *[Nationality]*, and residing at *[Address of Affiant]*, after having been duly sworn in accordance with law, do hereby depose and state that:

1. **Select one, delete the other:**

*If a sole proprietorship:* I am the sole proprietor or authorized representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

*If a partnership, corporation, cooperative, or joint venture:* I am the duly authorized and designated representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

2. As the *owner and sole proprietor, or authorized representative of [Name of Bidder]*, as shown in the attached *[state title of attached document showing proof of authorization (e.g., duly notarized Secretary’s Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable;)]*, I have full power and authority to upload and maintain in the Philippine Government Electronic Procurement System (PhilGEPS) a current and updated file of the following Class “A” eligibility documents under Sections 23.1(a) and 24.1(a):
- a. Registration Certificate;
  - b. Mayor’s/Business Permit or its Equivalent Document;
  - c. Tax Clearance;
  - d. Philippine Contractors Accreditation Board (PCAB) license and registration (if applicable); and
  - e. Audited Financial Statements;
3. *If a foreign bidder submitting appropriate equivalent documents in a language other than English:* *[Name of Bidder]* is uploading and maintaining in the PhilGEPS equivalent documents 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;

4. Each of the documents submitted is in satisfaction and compliance with the requirements for PhilGEPS Platinum Membership and for participation in any Philippine government bidding;
5. Each document is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
6. I assume responsibility and full accountability on the validity and authenticity of the documents submitted; and
7. I am authorizing the PS-PhilGEPS and the authorized representative(s) of the Procuring Entities to verify all the document submitted, if necessary.
8. I am aware of and understood the following guidelines for the use of the Government of the Philippines- Official Merchant Registry (GoP-OMR):
  - a. The PhilGEPS office shall not determine the eligibility of merchants. The PhilGEPS office's evaluation of the eligibility requirements shall be for the sole purpose of determining the approval or disapproval of the merchant's application for registration;
  - b. A merchant's registration and membership in the GOP-OMR is neither contract-specific nor understood to be tantamount to a finding of eligibility. Neither shall the merchant's successful registration in the GOP-OMR be relied upon to claim eligibility for the purpose of participation in any public bidding; and
  - c. The determination of the eligibility of merchants, whether registered with the GOP-OMR or not, shall remain with the Bids and Awards Committee (BAC). The BAC's determination of validity of the eligibility requirements shall be conclusive to enable the merchant to participate in the public bidding process.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_, Philippines.

\_\_\_\_\_  
Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me, this \_\_\_\_\_ at \_\_\_\_\_, affiant exhibiting to me his \_\_\_\_\_ issued by \_\_\_\_\_ and valid until \_\_\_\_\_ as competent proof of identity.



Doc No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of \_\_\_\_\_.