



Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE



NPM No. 002 - 2020

12 February 2020

ARDELIZA R. MEDENILLA, MNSA, CESO I
Undersecretary
Department of Public Works and Highways
Bonifacio Drive, Port Area, Manila

Re: Successfully Completed Biddings

Dear Undersecretary Medenilla:

This refers to your letter,¹ seeking clarification and guidance as to when bidding is considered as successfully completed.

A procurement project shall be considered successfully completed once the contract has been awarded to the winning bidder.² Thus, the declaration of failure of bidding is not what the law and rules intended as sufficient to constitute a successfully conducted bidding. This is further supported by Section 5(e)³ of Republic Act No. 9184 which defines competitive bidding as a method of procurement which is open to participation by any interested party and covers the period of advertisement up to award of contract.

Stated differently, a procurement project, the bidding of which resulted in a failure, may only be considered as successfully completed once the contract has been awarded to the winning bidder. In fine, what is material for the procuring entity to consider, in determining whether there is a successful completion of a procurement project, is if the contract has been awarded to the winning bidder.

This opinion was made on the basis of the particular facts presented and circumstances availing, and may not, therefore, be applicable given a different set of facts and circumstances.

We hope to have sufficiently clarified the matter at hand.

Sincerely yours,


ROWENA CANDICE M. RUIZ
Executive Director V

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¹ Dated 28 January 2020.

² Joseph Peter Sison, et al. v. Rogelio Tablang, G.R. No. 177011, June 05, 2009, citing Department of Budget and Management Budget Circular No. 2004-5A dated October 7, 2005.

³ Section 5. Definition of Terms. – For purposes of this Act, the following terms or words and phrases shall mean or be understood as follows:

...
(e) Competitive Bidding – refers to a method of procurement which is open to participation by any interested party and which consists of the following processes: advertisement, pre-bid conference, eligibility screening of prospective bidders, receipt and opening of bids, evaluation of bids, post-qualification, and award of contract, the specific requirements and mechanics of which shall be defined in the IRR to be promulgated under this Act.
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