



Republic of the Philippines  
**GOVERNMENT PROCUREMENT POLICY BOARD**  
**TECHNICAL SUPPORT OFFICE**



**NPM No. 105-2017**

29 December 2017

**MS. LIEZL C. RUIZ**

*Member, Regional Bids and Awards Committee Secretariat*

**LAND BANK OF THE PHILIPPINES – REGION VII**

<rbac\_cebu@yahoo.com>

**Re: PhilGEPS Registration -**

Dear Ms. Cruz:

This refers to your electronic mail seeking clearance and approval for the procurement of permanent power connection for your proposed Tagbilaran City Hall Branch.

As represented, the Bohol Light Company, Inc. (BLCI), the exclusive electric light and power service operator for Tagbilaran City, although not yet registered with the Philippine Government Electronic Procurement System (PhilGEPS), signified its willingness to register in the PhilGEPS. On that pledge, you will be requiring the BLCI to execute a Deed of Undertaking to present its PhilGEPS Certificate of Registration within six (6) months. In addition, and per your representation, since the civil works for the proposed branch has not yet started due to lack of power supply, you deem this procurement extremely urgent. Hence, this request.

Section 8.5.1 of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, the Government Procurement Reform Act, provides that manufacturers, suppliers, distributors, contractors and/or consultants shall register with the PhilGEPS. A manufacturer, supplier, distributor, contractor or consultant duly registered with the PhilGEPS may participate in a procurement undertaken by any Procuring Entity, provided that the said manufacturer, supplier, distributor, contractor or consultant maintains its registration current and updated and its registration is proper and relevant to the particular type of procurement.

On the other hand, Section 54.6 of the 2016 IRR of RA 9184 provides that manufacturers, suppliers, distributors, contractors, and/or consultants are mandated to register with PhilGEPS and provide a “PhilGEPS Registration Number” in the following alternative methods of procurement as a condition for award of the contract:

- a. Section 50 - Direct Contracting
- b. Section 52.1 (b) - Shopping for Ordinary Office Supplies and Equipment not available in DBM-PS
- c. Section 53.3 - Take Over of Contracts (Only for New Bidders, if any)
- d. Section 53.6 - Scientific, Scholarly, or Artistic Work, Exclusive Technology and Media Services

- e. Section 53.7 - Highly Technical Consultants
- f. Section 53.9 - Small Value Procurement
- g. Section 53.10 - Lease of Real Property and Venue
- h. Section 53.11 - NGO Participation

Meanwhile for purposes of Limited Source Bidding under Section 49 and Two Failed Biddings under Section 53.1, the BAC shall require the submission of a PhilGEPS Certificate of Registration and Membership (Platinum Membership).

In sum, BCLI is required to register with the PhilGEPS if the procurement of permanent power connection is undertaken through Competitive Bidding and any of the Alternative Methods of Procurement<sup>1</sup> under Section 54.6 of the 2016 revised IRR.

We hope that this opinion issued by the GPPB-TSO provided sufficient guidance on the matter. Note that this opinion is being issued on the basis of facts and particular situations presented, and may not be applicable given a different set of facts and circumstances. Should there be other concerns, please do not hesitate to contact us.

Very truly yours,

  
**DENNIS S. SANTIAGO**  
*Executive Director V*

*NRX*  
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<sup>1</sup> Annex "H", 2016 IRR, on the *Consolidated Guidelines for the Alternative Methods of Procurement*.