

ERRATUM NOTICE

FOR : ALL PROCURING ENTITIES CONCERNED

**SUBJECT : ERRATUM ON THE NUMBERING OF THE LAST TWO ADVISORIES
ISSUED IN CY 2022 FROM ADVISORY NO. 03-2022 TO NOS. 04-
2022 AND 05-2022**

DATE : 19 March 2023

1.0 This is to inform you that the identical numbering of the last two (2) Advisories as Advisory No. 03-2022 shall be corrected and reflected as follows:

Particular	Dated	FROM	TO
1.1 Authority of Officers-in-Charge or Acting Directors or Acting Chief Executive Officers in Public Procurement Contracts under Memorandum Circular No. 09, s. 2022	28 October 2022	Advisory No. 03-2022	Advisory No. 04-2022
1.2 Reminder on the Submission of Procurement Reports for Fiscal Year 2023	29 December 2022		Advisory No. 05-2022

2.0 The corrected files shall be uploaded accordingly. We apologize for the inconvenience that this may have caused.

3.0 For your information and reference.

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KATRINA L. PAALA
Officer-in-Charge
Performance Monitoring Division

Advisory No. 03-2022

FOR : ALL PROCURING ENTITIES

SUBJECT : AUTHORITY OF OFFICERS-IN-CHARGE OR ACTING DIRECTORS OR ACTING CHIEF EXECUTIVE OFFICERS IN PUBLIC PROCUREMENT CONTRACTS UNDER MEMORANDUM CIRCULAR NO. 09, s. 2022

DATE : 28 October 2022

In anticipation of requests for clarification on the implication of Memorandum Circular (MC) No. 9, s. 2022¹ issued by the Office of the President which revokes Item 4² of MC No. 3, s. 2022, we are providing this Advisory to guide all procuring entities (PEs) on the authorized signatories for the contract execution of their Procurement Projects, including any related disbursement of extraordinary funds.

Prior to the foregoing, we received queries from several PEs seeking clarification on whether the designated Officer-In-Charge (OIC) as Head of Procuring Entity (HoPE) covered under MC No. 3, s. 2022 may still sign and execute all contracts and projects, programs, and activities listed in the agency's Annual Procurement Plan (APP). Thus, we promptly coordinated with the OP on the said requirement in MC No. 3, s. 2022, as the same should be addressed by the said Office.

With the latest issuance of MC No. 9, s. 2022, the following are no longer prohibited from entering into new contracts or projects or disbursing extraordinary funds:

- a. OIC of departments, offices, agencies, instrumentalities, and bureaus covered by MC No. 3, s. 2022;
- b. OIC or Acting Directors or Acting Chief Executive Officers of government-owned and controlled corporations (GOCCs), government instrumentalities with corporate powers, government corporate entities, and government financial institutions; and
- c. OIC or Acting Directors or Acting Chief Executive Officers of free port and special economic zone authorities.

In addition, the PEs are directed to strictly comply with RA No. 9184 or the "Government Procurement Reform Act," and its 2016 revised Implementing Rules and Regulations (IRR), as well as applicable budgeting, accounting, and auditing laws and issuances; and ensure judicious

¹Entitled "Revoking Item 4 of Memorandum Circular No. 3 (s. 2022), which Prohibits Certain Government Agencies and Instrumentalities from Entering into New Contracts and Disbursing Extraordinary Funds" dated 25 October 2022.

²Item 4 of MC No. 3, s. 2022 states that:

4. Except for those involved in the food, transportation and energy sectors, or except when authorized by the President in meritorious cases, the following shall not enter into new contracts or projects or disburse extraordinary funds:
 - a. OICs of departments, offices, agencies, instrumentalities and bureaus covered herein;
 - b. GOCCs, government instrumentalities with corporate powers, government corporate entities, and government financial institutions, until such time that new set of appointive directors have been appointed and chief executive officers elected in accordance with their respective charters, articles of incorporation and by-laws in relation to Republic Act 10149 or the GOCC Governance Act of 2011; and
 - c. The free port and special economic zone authorities, until such time that new sets of appointive directors have been appointed and chief executive officers elected.

use of government resources and strict observance of the ethical norms of honesty, integrity, and efficiency.

Relatedly, we reiterate our previous opinion³ clarifying that an OIC of an agency may be considered as the HoPE in accordance with Section 5(t) of the IRR of Republic Act (RA) No. 9184, provided that his designation does not contain specific reservations, limitations or qualifications which may run counter to the functions or authority of a HoPE.

Accordingly, the designated OICs of departments, offices, agencies, and bureaus, as well as non-Career Executive Officials occupying Career Executive Service positions in hold-over capacities, may be considered as the HoPE, but their powers and authority depend on the nature of their respective designations.

For the information and guidance of all concerned.



Date:

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MARIA DIONESIA A. RIVERA-GUILLERMO

OIC - Deputy Executive Director IV

³ Non-Policy Matter Opinion No. 102-2014 dated 3 November 2014.

ADVISORY 03 - 2022

FOR: ALL PROCURING ENTITIES

SUBJECT: REMINDER ON THE SUBMISSION OF PROCUREMENT REPORTS FOR FISCAL YEAR 2023

DATE: 29 DECEMBER 2022

This is to remind all Procuring Entities (PEs) on the submission of Procurement Reports for FY 2023 pursuant to **Government Procurement Policy Board (GPPB) Circular 02-2020**,¹ re: "Guidelines in the Posting and Submission of APPs, PMRs, and APCPI Results."

1.0 What to submit?

All PEs shall submit to the GPPB the following Procurement Reports to the respective electronic mail addresses provided:

Report	Email
FY 2022 APP (Changes within 2nd Semester)	app@gppb.gov.ph
FY 2023 APP	
FY 2023 APP (Changes within the 1 st Semester)	
FY 2022 PMR for 2nd Semester	pmr@gppb.gov.ph
FY 2023 PMR for 1 st Semester	
FY 2022 APCPI results	apcpi@gppb.gov.ph

2.0 When should these reports be submitted?

Report	Deadline of submission
FY 2022 PMR for 2nd Semester	14 January 2023
FY 2022 APP (Changes within 2nd Semester)	31 January 2023
FY 2023 APP	31 January 2023
FY 2022 APCPI results	31 March 2023
FY 2023 PMR for the 1 st Semester	14 July 2023
FY 2023 APP (Changes within the 1 st Semester)	31 July 2023

¹ As approved under GPPB Resolution No. 11-2020 re: "Approving the Electronic Submission of Annual Procurement Plans (APPs), Procurement Monitoring Reports, and Agency Procurement Compliance and Performance Indicators (APCPI) Results and Posting and Extension of Deadline for Submission of APPs and PMRs. GPPB Circular 02-2020 issued on 20 May 2020, may be viewed thru this link:
<https://www.gppb.gov.ph/issuances/Circulars/GPPB%20Circular%2002-2020.pdf>

3.0 What are the requirements to be considered compliant in the submission of procurement reports?

Procurement Reports must comply with the requirements of the GPPB Circular 02-2020. The table below summarizes the requirements to be determined compliant for the submission:

Requirement	APP	PMR	APCPI
Submitted on or before the deadline	✓	✓	✓
Prepared using the prescribed format	✓	✓	✓
Submitted in both Microsoft Excel and Portable Document Format (PDF) Files	✓	✓	✓
Include a Posting Certification ² duly signed by the head of the Bids and Awards Committee Secretariat	✓	✓	n/a
Submitted in accordance to the approved General Appropriations Act (GAA), corporate budget or appropriate ordinances	✓	n/a	n/a

4.0 Is the submission of APP prior to the approval of GAA, corporate budget, appropriate ordinances or based upon the proposed budget accepted and considered for compliance?

No. Submission of an APP prior to the approval of GAA, corporate budget, appropriation ordinances or based upon the proposed budget is considered as **Indicative APP** and **not the final and approved APP** required to be submitted to the GPPB pursuant to Section 7 of Republic Act 9184 and its 2016 revised Implementing Rules and Regulations.

Indicative APP for FY 2024 is only required to be posted in the agency's Transparency Seal webpage **on or before 30 September 2023** pursuant to the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information, and Reporting Systems through its Memorandum Circular.³

5.0 How does one know if the PE's submission has been successful?

To be considered as having submitted the procurement reports, the PE should receive an **auto-generated acknowledgment receipt** from the GPPB - Technical Support Office (TSO) upon its submission through electronic mail. **If no acknowledgment receipt was received within one (1) hour after the submission, the PE should contact the GPPB-TSO through the Performance Monitoring Division** at (02) 7-900-6740 to 41 and (02) 7-900-6743 to 44 local 102, to validate its submission and request for an acknowledgement receipt. **Note that, this acknowledgment receipt is the only acceptable proof of submission for purposes of compliance.**

² Appendix "1" of GPPB Circular 02-2020


³ Deadline is based on the MCs issued by the IATF in FY 2020 and 2021. Should there be any changes on the deadline to be set by IATF for FY 2022, the IATF MC for FY 2022 shall prevail.

Moreover, due to the high volume of electronic mails we receive during or near the date of the deadline/s, PEs are highly encouraged to submit in advance and avoid last minute submission to ensure the timely receipt of the auto-generated acknowledgment receipt. **The high volume of electronic mails can result to heavy data traffic from the network to server which may delay file transmission and receipt or non-receipt of the auto-generated acknowledgment receipt.**

6.0 ***What to do in case you need further clarifications?***

You may contact the Performance Monitoring Division of the GPPB-TSO at telephone no. (02) 7-900-6740 to 41 and (02) 7-900-6743 to 44 local 102, Monday to Friday, 7:00 AM to 4:00 PM or send email to gppb@gppb.gov.ph.

7.0 For the information and compliance of all concerned.

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ENGR. DIPHDALYN A. SALAZAR
Officer-in-Charge