



Department of Budget and Management
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

NPM No. 15-2013

12 March 2013

HON. RUBEN S. REINOSO JR.

Assistant Director General

NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (NEDA)

NEDA sa Pasig, 12 Saint Josemaria Escriva Drive,
Ortigas Center, Pasig City


Re : Authority to Verify All Documents Submitted

Dear Assistant Director General Reinoso:

We write in relation to your letter dated 26 February 2013 requesting for our opinion on the request for reconsideration submitted by Care Best International, Inc. (CBII) in connection with its participation in the bidding of NEDA for the Provision of Janitorial and Allied Services for the NEDA Buildings in Pasig, Makati, and Quezon City.

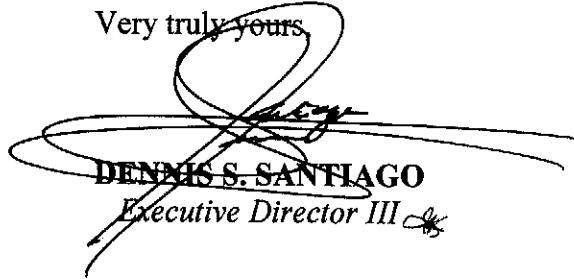
As represented, the NEDA Bids and Awards Committee decided to declare CBII disqualified upon finding that the Omnibus Sworn Statement submitted by CBII contains the statement that it is authorizing the Head of Palacio Del Gobernador Condominium Corporation, not the Head of NEDA, to verify any or all of the documents submitted.

Section 25.2(a)(iv)(3) of the revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184 specifically provides that the first envelope should contain a sworn statement by the prospective bidder that it is authorizing the Head of the Procuring Entity (HOPE) or his duly authorized representative to verify all the documents submitted. In line with this requirement, the Philippine Bidding Documents for the Procurement of Goods provides a template for the Omnibus Sworn Statement, which bidders must submit along with their Bidding Documents. The purpose of the statement is to authorize the procuring entity to verify, validate and ascertain the veracity and authenticity of the documents submitted by the bidder for purposes of bid evaluation and post-qualification. The rule is of clear and categorical nature and admits of no qualification.

Based on the foregoing, it is imperative that the statement of authority be directed to the HOPE, such that failure to include statement to this effect or identification of an entity other than the HOPE or its duly authorized official in the statement warrants the disqualification of the bidder. As such, we are of the view that the statement that CBII is authorizing the Head of Palacio Del Gobernador Condominium Corporation, instead of the Head of NEDA or his duly authorized representative, to verify all the documents it submitted is not in compliance with Section 25.2(a)(iv)(3), and therefore merits disqualification. 

We hope our advice provided sufficient guidance on the matter. Note that this opinion is being issued on the basis of facts and particular situation presented, and may not be applicable given a different set of facts and circumstances. Should you have other concerns, please do not hesitate to contact us.

Very truly yours,



DENNIS S. SANTIAGO
Executive Director III