



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

**NPM No. 68-2014**

20 October 2014

**MS. MA. CRISTINA G. ROXAS**  
*Head, BAC Technical Working Group*  
**PROVINCE OF NUEVA ECIJA**  
Nueva Ecija Provincial Capitol,  
City of Palayan 3132

**Re: Documentary Requirements for Alternative Methods of Procurement**

Dear Ms. Roxas:

This refers to your letter dated 22 September 2014 seeking clarification on the procedural guidelines for the assessment of the technical, legal and financial capability of suppliers in relation to the alternative methods of procurement particularly Shopping and Small Value Procurement.

It is represented that the LGU of Nueva Ecija received an advice from the Commission on Audit reiterating the compliance with the Documentary Requirements for Common Government Transaction as specified under COA Circular No. 2012-001 dated 14 June 2012, particularly Section 9.2 which requires the submission of the following documents, thus:

1. Statement of the prospective bidder that it is not blacklisted or barred from bidding by the Government or any of its agencies, offices, corporations or LGUs; and
2. Sworn affidavit of the bidder that it is not related to the HOPE by consanguinity or affinity up to the third civil degree.

It is further represented that Nueva Ecija Bids and Awards Committee (BAC) is duly evaluating the technical, legal and financial capability of suppliers in conformity with GPPB Resolution No. 09-2009<sup>1</sup> by requiring the prospective suppliers to submit relevant permits and PhilGEPS registration. However, the inclusion of the aforementioned two documents in the COA's basic requirements common to alternative methods of procurement concerns the Nueva Ecija BAC, as there are no guidelines issued by the GPPB specifically requiring the submission of the said documents. It is in this light that you requested for the above-mentioned clarification.

At the outset, we would like to confirm that based on COA Circular No. 2012-001, the aforementioned two (2) documents form part of the basic requirements common to all

<sup>1</sup> Entitled Guidelines for Shopping and Small Value Procurement issued on 23 November 2009.

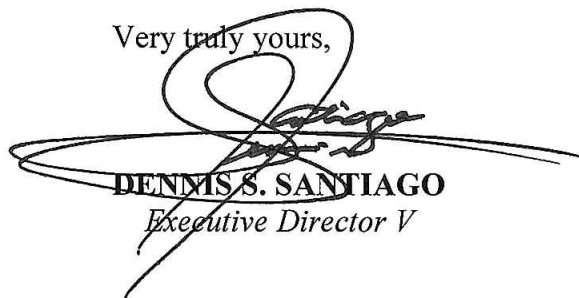
purchases under alternative methods of procurement as stated in Section 9.2 thereof. However, such documents are not explicitly required for Shopping and Small Value Procurement under the revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, and other associated guidelines.

Under Section 3(j) of GPPB Resolution No. 09-2009<sup>2</sup>, the Procuring Entity (PE) must validate whether it is entering into a contract with a technically, legally and financially capable supplier, contractor or consultant by **requiring the submission of relevant documents or through other means**. This permits any PE to require the suppliers, contractors or consultants to submit documentary requirements to establish their legal, technical and financial capabilities. On the other hand, PE may opt instead to use other means that it may deem necessary and proper, within the boundaries allowed by law, to determine the required capabilities of the suppliers, contractors or consultants without requiring the submission of relevant documents.

We recognize that COA Circular No. 2012-001 mandates the PE to require suppliers to submit **specific documents** in case of Shopping and Small Value Procurement, but GPPB Resolution No. 09-2009 allows the PE to require the submission by suppliers of any **relevant documents**. Hence, to harmonize these policies, it is our considered view that the PE may, for purposes of determining what constitutes relevant documents, consider the two (2) documentary requirements mentioned in COA Circular No. 2012-001 for submission by suppliers in case of acquisition through Shopping or Small Value Procurement.

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

Very truly yours,



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

1/1/23

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<sup>2</sup> *Ibid.*