



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

NPM No. 08-2011

25 April 2011

MR. ADONIS R. BARRAQUIAS
Chief Administrative Officer
DEPARTMENT OF EDUCATION
Rm. 508, 5th Flr., Mabini Bldg.,
DepED Complex, Meralco Ave., Pasig City

Re : Required sworn statement/affidavit on Disclosure of Relations

Dear Mr. Barraquias:

We respond to your letter dated 25 February 2011, which we received on even date, seeking clarification whether a sworn statement/affidavit signed by the directors, officers, and controlling stockholders of a corporation aside from the Omnibus Sworn Statement is necessary to comply with the requirement for a sworn affidavit under Section 47 of the Implementing Rules and Regulations (IRR) of Republic Act 9184.

Please note that in order to systematize the procurement process, avoid confusion, and ensure transparency, the Government Procurement Policy Board (GPPB), under Section 6 of RA 9184 and its IRR, is mandated to develop and issue standard bidding documents the use of which shall be mandatory upon all procuring entities. In accordance thereto, GPPB issued the Omnibus Sworn Statement as part of the Philippine Bidding Documents, wherein the bidder shall attest, *inter alia*, that it complies with the disclosure provision under Section 47 of the IRR. The GPPB found it necessary to adopt an Omnibus Sworn Statement in order to minimize the voluminous documents required from the bidders so as to lessen the transaction cost and encourage more participation in public bidding.

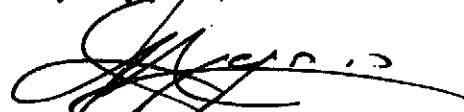
As noted by your agency's Resident COA Auditor, the signatory in the prescribed Omnibus Sworn Statement is the bidder or his duly authorized representative. For corporations, the authorized representative is the person designated in the notarized Secretary's Certificate issued by the corporation and attached to the Omnibus Sworn Statement. The duly authorized/designated representative is granted full power and authority to do, execute, and perform any and all acts necessary to represent the corporation concerned, which includes the signing of the Omnibus Sworn Statement for and in behalf of the directors, officers, and stockholders of the corporation concerned.

In this regard, it is our view that the submission of the Omnibus Sworn Statement,

signed by the duly authorized/designated representative of the corporation, sufficiently satisfies the requirement for a sworn affidavit on disclosure of relations under Section 47 of the IRR and a separate sworn statement/affidavit signed by all the directors, officers, and stockholders of such corporation is not necessary.

We hope to have provided sufficient guidance on the matter. Should you have additional concerns, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Dennis Lorne S. Nacario', written in a cursive style with a long horizontal flourish extending to the right.

DENNIS LORNE S. NACARIO
OIC-Executive Director