



Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE



NPM No. 82-2015

13 October 2015

MR. RENE E. COLOCAR

Administrative Service Director

DEPARTMENT OF AGRARIAN REFORM (DAR)

Elliptical Road, Diliman, Quezon City

**Re: Posting Requirements for Lease of
Privately-Owned Real Estate and Venue**

Dear Mr. Colocar:

This refers to your letter seeking clarification on whether or not it is required to post the Request for Quotation (RFQ) for the lease of real estate and venue in the Philippine Government Electronic Procurement System (PhilGEPS).

The Guidelines for Lease of Privately-Owned Real Estate and Venue (Guidelines)¹, which provides the procedures and conditions for the procurement of contracts of lease of real property does not require the posting of the RFQ in the PhilGEPS or in any other website. It merely provides that "lease contracts with Approved Budget for the Contract (ABCs) costing more than Fifty Thousand Pesos (Php 50,000.00) shall be posted in the PhilGEPS".²

Moreover, Section 54.2 of the Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 provides that for alternative methods of procurement, advertisement and posting as prescribed in Section 21.2.1 of this IRR may be dispensed with. The BAC is only mandated to post the invitation or request for submission of price quotations in the PhilGEPS website for Shopping under Sections 52.1(b); and, Negotiated Procurement under Sections 53.1 (two-failed biddings), 53.9 (small value procurement), and 53.11 (NGO Participation)³ of the IRR of RA 9184, the website of the procuring entity concerned, if available, and at any conspicuous place reserved for this purpose in the premises of the procuring entity for a period of seven (7) calendar days.⁴

In view of the foregoing, we wish to clarify that advertisement or posting of the RFQ for the lease of real property, such as a specific venue, is not required under the rules. It is the contract of lease costing more than P50,000.00 that is required to be posted in the PhilGEPS website, the website of the procuring entity concerned, if available, and at any conspicuous place reserved for this purpose in the premises of the procuring entity for a period of seven (7) calendar days. *A*

¹ GPPB Resolution 08-2009, dated 3 November 2009, and published in The Daily Tribune on 2 December 2009.

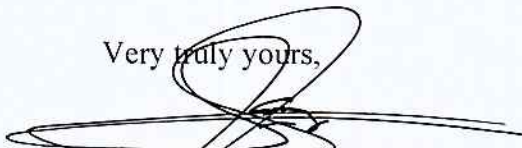
² Clause 5.7, *Ibid*.

³ As amended by GPPB Resolution 03-2011, dated 28 January 2011, published in the Manila Times on 6 April 2011.

⁴ Sec.54.2 of the IRR of RA 9184.

We hope that 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 there be other concerns, please do not hesitate to contact us.

Very truly yours,



DENNIS S. SANTIAGO
Executive Director V

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