



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

NPM No. 121-2014

12 November 2014

MS. SHEILA FIEL LEONA
Member, Bids and Awards Committee (BAC) Secretariat
PHILIPPINE HEALTH INSURANCE CORPORATION
– REGIONAL OFFICE VIII
Bogtong, Legazpi City

Re: Government Procurement Policy Board (GPPB) Resolution No. 22-2013

Dear Ms. Leona:

This is in response to your letter dated 3 November 2014, inquiring on whether the failure to submit the prescribed Omnibus Sworn Statement template, as amended by GPPB Resolution No. 22-2013¹, is a ground for ineligibility.

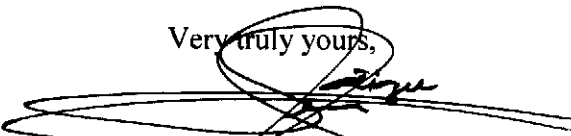
As represented, the BAC Secretariat had included and attached the amended format/template of the Omnibus Sworn Statement as part of the bidding documents for the prospective bidders to use in their bid submissions. However, some of the bidders still failed to comply and still used the old format.

Bidders are expected to examine all instructions, forms, terms, and specifications in the Bidding Documents. The Omnibus Sworn Statement prescribed in the Philippine Bidding Documents is part and parcel of the bidder's bid, and being a standard form under the existing rules, it should then conform to the template provided by the GPPB. This is in accord with the requirement under Section 6.2 of the Implementing Rules and Regulations of Republic Act No (RA) 9184 that the use of standard forms, once issued by the GPPB, shall be mandatory upon all procuring entities.

In view of the foregoing, we are of the opinion that the failure of the bidder to comply with the prescribed Omnibus Sworn Statement template despite this being included in the Philippine Bidding Documents is a cause for the bidder's ineligibility or disqualification.

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 and

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¹ Dated 30 July 2013.



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

NPM No. xx-2014

9 October 2014

*ok,
please finalize.
ms.
bs*

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Very truly yours,

DENNIS S. SANTIAGO
Executive Director V

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Secretariat

shari, 11/2/14
Let's draft simple opinion
on this. thanks
Sheila

From: PRO8 - Contribution <contri.pro8@philhealth.gov.ph>
Sent: Monday, November 03, 2014 10:09 AM
To: secretariat@gppb.gov.ph
Subject: New format of Omnibus Sworn Statement

Dear Sir/Maam:

We believed that the GPPB passed a resolution mid last year amending the Omnibus Sworn Statement to promote integrity and transparency in public procurement.

Is failure to submit the prescribed Omnibus Sworn Statement subject to ineligibility of the bid? We have attached the new format of the Omnibus in our bidding documents. However, inspite of that, some of our bidders failed to comply and still used the old format.

We hope you could give light on this matter since this would form part of our attachment in our reply to the Motion filed by our bidders.

Thank you and more power.

Sheila Fiel Leona
Member, BAC Sec (PhilHealth RO 8)

04 NOV 2014
CEWE

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Sheila,
Please prepare OPINION.
2014.11.03