

**NPM No. 175-2015**

29 December 2015

**MR. JOSUE D. NOTARTE**

*Proprietor*

**JOSMARC ENTERPRISES**

bobet\_notarte@yahoo.com

**Re: Certificate of Acceptance**

Dear Mr. Notarte:

This refers to your electronic mail seeking clarification on the requirement of Certificate of Acceptance.

As represented, the Bids and Awards Committee (BAC) is requiring the submission of a Certification in relation to the acceptability of your goods. Instead, you have submitted a statement of completed similar projects, together with the corresponding Notice of Award and Purchase Orders, to show acceptability or approval of your offered products. It is in this context that you are inquiring whether the BAC could legally require its bidders to submit a Certificate of Acceptance of their offered goods aside from the submission of statement of completed similar projects.

For your guidance, in order to prove the technical capability of a bidder to undertake a procurement project, Section 23.1(a)(iv) of the revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 requires the submission of a Statement of Single Largest Completed Contract (SLCC) similar to the contract to be bid within the relevant period as provided in the Bidding Documents. On the other hand, Clause 12.1(a)(iii), Instructions to Bidders (ITB), Philippine Bidding Document (PBDs) for Goods, requires that the SLCC shall include the end-user's acceptance or official receipt(s) issued for the relevant contract.

In view of the foregoing, the BAC is mandated to require all bidders to submit the end-user's acceptance, which can be in the form of a Certification, or official receipt(s) relative to the Single Largest Completed Contract in accordance with Section 23.1(a)(iv) of the IRR of RA 9184 and Clause 12.1(a)(iii) ITB of the PBDs for Goods.

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

Very truly yours,

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

skp