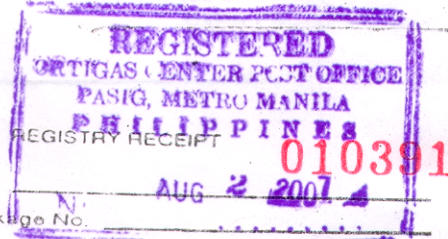


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MR. ALLAN G. FARNAZO
Chairman, Bids and Awards Committee
DEPARTMENT OF EDUCATION
 Region XII, Division of South Cotabato
 City of Koronadal

Re: Repair of Vehicles

Dear Mr. Farnazo:

We respond to your letter dated 30 October 2007 seeking clarification if the repair of a government vehicle using the budget allotted for the Maintenance and Other Operating Expenses (MOOE) is within the domain of Republic Act No. 9184 (R. A. 9184).

R. A. 9184 applies to the procurement of infrastructure projects, goods, and consulting services, regardless of source of funds, whether local or foreign, by all branches and instrumentalities of Government, its department, offices and agencies, including government-owned and/or controlled corporations and local government units (Section 4, R. A. 9184).

The term "Goods" is defined under Section 5¹ (k) of the Implementing Rules and Regulations-Part A (IRR-A) of R. A. 9184, as follows:

"Section 5. Definition of Terms

For purposes of this IRR-A, the following terms or words and phrases shall mean or be understood as follows:

xxx

k) **Goods.** Refer to all items, supplies, materials and general support services, except consulting services and infrastructure projects, which may be needed in the transaction of public businesses or in the pursuit of any government undertaking,

¹ See also Sec. 5 (h) of R.A. 9184

project or activity, whether in the nature of equipment, furniture, stationery, materials for construction, or personal property of any kind, including non-personal or contractual services such as the **repair and maintenance of equipment and furniture**, as well as trucking, hauling, janitorial, security, and related or analogous services, as well as procurement of materials and supplies provided by the procuring entity for such services. The term "related" or "analogous services" shall include, but not be limited to, lease or purchase of office space, media advertisements, health maintenance services, and other services essential to the operation of the procuring entity. (Emphasis supplied)

Based on the above definition, the repair of vehicles is considered as procurement of goods; thus, any procurement for such services using the budget allotted for the MOOE is within the domain of R. A. 9184.

We hope to have clarified the matter. Should you have additional questions, please do not hesitate to contact us.

Very truly yours,)



RUBY U. ALVAREZ
Executive Director III