

NPM No. 23-2006

15 December 2006

HON. JOEL A DEBUQUE

Municipal Mayor
Municipality of Anilao
Province of Iloilo

Re : Procurement of Second-Hand or Reconditioned Dump Trucks

Dear Sir:

We refer to your letter dated 12 October 2006 requesting for exemption from the alleged prohibition tacitly provided under Republic Act No. 9184 (R.A. 9184) and its Implementing Rules and Regulations Part A (IRR-A) on the procurement of two (2) second-hand or reconditioned dump trucks.

We wish to inform you that procurement of second-hand vehicles is not prohibited by R.A. 9184. It is the procurement of second-hand vehicle through an auction that is prohibited by R.A. 9184 for reasons we have stated in our Non Policy Opinion No. 138-2004 dated 26 October 2004.

Consequently, procurement of second-hand vehicle, although allowed under R.A. 9184, must follow the procedure prescribed in Republic Act No. (R.A.) 9184, *i.e.*, conduct of competitive public bidding, unless circumstances warrant resort to any of the alternative modes of procurement.

We hope to have clarified the matter.

Very truly yours,


RUBY T. ALVAREZ
Executive Director III

Copy Furnished:

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Representative
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