



**APPROVING THE UPDATED GUIDELINES FOR THE IMPLEMENTATION OF
THE PHILIPPINE GOVERNMENT ELECTRONIC PROCUREMENT SYSTEM
ELECTRONIC MARKETPLACE**

WHEREAS, Republic Act (RA) No. 12009, otherwise known as the New Government Procurement Act (NGPA), took effect on 13 August 2024, while its Implementing Rules and Regulations (IRR) took effect on 25 February 2025;

WHEREAS, Section 91 of RA No. 12009 mandates that the Government Procurement Policy Board (GPPB) shall be the central body that sets strategic direction and makes policy decisions regarding all matters affecting public procurement, having due regard to the country's regional and international obligations, and is tasked to lead the nation's efforts in advancing public procurement reforms in accordance with the Act;

WHEREAS, Section 91.1 (c) of the IRR of RA No. 12009 further authorizes the GPPB to formulate and amend, whenever necessary, the IRR of the Act, associated issuances and government procurement manuals, Philippine Bidding Documents and standard forms for procurement, and issue policy papers to ensure that the procurement process is streamlined and responsive to the needs of the government;

WHEREAS, Section 3 of the IRR of RA No. 12009 provides the Governing Principles on Government Procurement, which includes Section 3 (c) on efficiency by implementing an organized, uniform, and straightforward procurement process through the use of emerging technologies and innovative solutions to attract a broader range of bidders and improve quality and cost-effectiveness in government procurement;

WHEREAS, Section 20 of RA No. 12009 provides that in order to promote greater transparency, accountability, operational efficiency, and value for money, the Philippine Government Electronic Procurement System (PhilGEPS) shall be the single electronic portal that shall serve as the primary source of information and channel in the conduct of all procurement activities of the government. The PhilGEPS shall maintain an integrated system that covers procurement planning until payment. The PhilGEPS shall develop features that make pertinent information accessible and transparent at all stages of procurement except procurements involving and affecting national security;

WHEREAS, Section 20.1.2 of the IRR of RA No. 12009 provides that to take advantage of the significant built-in efficiencies of the PhilGEPS and the volume discounts inherent in bulk purchasing, through the centralized procurement undertaken by the Procurement Service-Department of Budget and Management (PS-DBM), all Procuring Entities (PEs) shall utilize the PhilGEPS for the procurement of Common-Use Supplies and Equipment (CSE);

WHEREAS, Section 20.2.4 of the IRR of RA No. 12009 further provides that the Electronic Marketplace (eMarketplace) is a feature that allows the PEs registered with the PhilGEPS to search, view, compare, select, and purchase Goods from qualified suppliers who meet legal, technical and financial requirements. The eMarketplace allows registered and qualified merchants to present their goods in the platform, whether as a result of a procurement activity, consignment, or any appropriate arrangement, from which the PEs may choose based on their needs and requirements and within their Approved Budget for the Contract (ABC);

WHEREAS, Section 40 of RA No. 12009 provides that:

All NGAs, GOCCs, GFIs, SUCs, and LGUs shall only procure their CSE from the PS-DBM, subject to its availability. In case of unavailability of stock or for purposes of efficiency, practicality, and/or economic viability, Procuring Entities may procure their CSEs from other sources, subject to guidelines to be issued by the GPPB.

Due to the efficiency and economy of bulk purchasing, the PS-DBM may deal directly with manufacturers or exclusive distributors subject to legal, technical, and financial requirements, ensuring that products are obtained from reliable sources, of the best quality, and at the most advantageous price for the whole of government. Access to goods and equipment in economic lot sizes may likewise be achieved by PS-DBM through consignment or any appropriate contractual arrangement.

For purposes of this Section, consignment shall refer to an arrangement where the consignor gives actual or constructive possession of goods, equipment, and services to the consignee without transfer of ownership and disbursement of government funds between consignee and consignor, and such goods, equipment and services are to be sold by the consignee for and on account of the consignor at terms advantageous to the government. The consignee shall remit the proceeds of the sale to the consignor, net of service fees, if applicable. The PhilGEPS electronic marketplace may be used as a consignment platform for goods and equipment.

PS-DBM, which is tasked with the centralized procurement of CSE for the government in accordance with Letter of Instructions (LOI) No. 755, series of 1978, E.O. No. 359, series of 1989, and Administrative Order No. 17, series of 2011, shall develop the parameters in the identification, expansion, and the definition of requirements and specifications of CSEs through the conduct of market scoping, market survey and market availability.

WHEREAS, under Section 40.5.1 of the IRR of RA No. 12009, for goods to be classified as CSE, the following conditions shall be met:

- a) The goods, material, supply, equipment, or service is used repetitively or frequently in the day-to-day operations of the PEs in the performance of their functions;
- b) Publication by the PS-DBM of the list of CSE, with available classification, description, and other relevant information, once in the Official Gazette or in a newspaper of general circulation; and
- c) Posting of the CSE and its complete technical specifications in the PhilGEPS Electronic Catalogue;

WHEREAS, pursuant to Section 40.5.2 of the IRR of RA No. 12009, the PS-DBM is authorized to conduct the identification and review of Technical Specifications of the CSE, and the expansion or reduction of the list of CSE. Particularly, Section 40.5.2 (b) provides that the PS-DBM shall regularly study, review, and rationalize the list of CSE to develop the appropriate strategy on how to procure them. Depending on market availability and needs of the agencies, the PS-DBM may add or delist items in the list of CSE. The PS-DBM shall submit a report to the GPPB of any modification to the list of CSE;

WHEREAS, the GPPB, through Resolution No. 06-2024,¹ approved the Guidelines for the Pilot Implementation of the eMarketplace;

WHEREAS, under item 14.0 of the said Guidelines, the pilot implementation shall be conducted for one hundred fifty (150) calendar days from the effectivity of the Guidelines. Within thirty (30) calendar days after the pilot implementation, the PS-DBM shall submit a report to the GPPB on the performance of the eMarketplace during its pilot implementation;

WHEREAS, as reported by the PS-DBM, upon the issuance of GPPB Resolution No. 06-2024, the PS-DBM formally launched the eMarketplace on 13 December 2024, and concluded its pilot implementation in April 2025;

¹ Dated 04 October 2024, entitled "Approving the Proposed Guidelines for the Pilot Implementation of the Philippine Government Electronic Procurement System Electronic Marketplace"

WHEREAS, the PS-DBM submitted a report² to the GPPB on the pilot implementation of the eMarketplace recommending its continued implementation with gradual inclusion of additional CSE and a commitment to propose updated guidelines relative to its full implementation;

WHEREAS, the PS-DBM submitted³ the proposed Updated Guidelines on the Implementation of the eMarketplace for consideration and approval of the Board;⁴

WHEREAS, the GPPB-Technical Support Office (TSO) undertook preliminary review of the draft Updated Guidelines and recommended that deference be accorded to the PS-DBM on procedural matters;

WHEREAS, the proposed Updated Guidelines was likewise reviewed by the GPPB Inter-Agency Technical Working Group (IATWG);

WHEREAS, after further review of the draft Guidelines and upon recommendation by the GPPB-TSO and the GPPB-IATWG, the same was presented to the GPPB for consideration;

WHEREAS, the GPPB, after thorough deliberation, agreed to approve the proposed Updated Guidelines;

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law and other executive issuances, hereby **RESOLVE** to confirm, adopt, and approve, as **WE** hereby confirm, adopt, and approve the following:

1. **APPROVE** the Updated Guidelines for the Implementation of the Philippine Government Electronic Procurement System Electronic Marketplace to be issued as a GPPB Circular. A copy of which is attached as Annex "A";
2. **REITERATE** that the PS-DBM shall, in accordance with Section 40.5.2 of the IRR of RA No. 12009 to regularly study, review, and rationalize the list of CSE and to submit report to the GPPB on any modification to the CSE list;
3. **DIRECT** the PS-DBM to ensure that all updates and enhancements to the eMarketplace shall be implemented consistent with RA No. 12009, its IRR, and other applicable rules and regulations; and
4. **DECLARE** that the said Guidelines shall form part of, and be considered as an Appendix to the IRR of RA No. 12009.

APPROVED this 25th day of September 2025 at Quezon City, Philippines.

² Dated 28 May 2025.

³ On 18 July 2025.

⁴ In response to the letter of the GPPB-TSO dated 15 July 2025.

SGD

GPPB, Chairperson

DEPARTMENT OF BUDGET AND MANAGEMENT

**DEPARTMENT OF ECONOMY, PLANNING
AND DEVELOPMENT**

**DEPARTMENT OF PUBLIC WORKS AND
HIGHWAYS**

SGD

**DEPARTMENT OF NATIONAL
DEFENSE**

SGD

DEPARTMENT OF EDUCATION

SGD

**DEPARTMENT OF THE INTERIOR AND
LOCAL GOVERNMENT**

SGD

DEPARTMENT OF TRANSPORTATION

SGD

PROCUREMENT SERVICE - DBM

SGD

PRIVATE SECTOR REPRESENTATIVE



CIRCULAR NO. 03-2025
25 September 2025

TO : Heads of Departments, Bureaus, Offices, Agencies of the National Government; State Universities and Colleges; Government-Owned or -Controlled Corporations; Government Financial Institutions; Local Government Units, Budget Officers and Heads of Accounting Units; Commission on Audit Auditors; and All Others Concerned

SUBJECT : Guidelines for the Implementation of the Philippine Government Electronic Procurement System Electronic Marketplace

1.0 POLICY STATEMENT

1.1. Section 3 (c) of Republic Act (RA) No. 12009 or the New Government Procurement Act (NGPA) recognizes the governing principle of efficiency in implementing an organized, uniform and straightforward government procurement process through the use of emerging technologies and innovative solutions.

1.2. Section 20 of RA No. 12009 provides, among others, that all Procuring Entities (PEs) shall utilize the Philippine Government Electronic Procurement System (PhilGEPS) for the procurement of common-use supplies and equipment (CSE) to take advantage of the significant built-in efficiencies of the volume discounts inherent in bulk purchasing, in accordance with the rules and procedures to be established by the Government Procurement Policy Board (GPPB) in consultation with the Procurement Service of the Department of Budget and Management (PS-DBM).

Section 20 of RA No. 12009 further provides, among others, that the PhilGEPS shall include the following innovative features and solutions: electronic bulletin board; registry of suppliers, manufacturers, distributors, contractors, consultants, and service providers; electronic catalogue; virtual store; electronic marketplace; electronic reverse auction; electronic small value procurement; electronic payment; and electronic bidding.

1.3. Section 40 of RA No. 12009 prescribes that:

All NGAs, GOCCs, GFIs, SUCs, and LGUs shall only procure their CSE from the PS-DBM, subject to its availability. In case of unavailability of stock or for purposes of efficiency, practicality, and/or economic viability, Procuring Entities may procure their CSE from other sources, subject to guidelines to be issued by the GPPB.

Due to the efficiency and economy of bulk purchasing, the PS-DBM may deal directly with manufacturers or exclusive distributors subject to legal, technical, and financial requirements, ensuring that products are obtained from reliable sources, of the best quality, and at the most advantageous

price for the whole of government. Access to goods and equipment in economic lot sizes may likewise be achieved by PS-DBM through consignment or any appropriate contractual arrangement.

For purposes of this Section, consignment shall refer to an arrangement whereby the consignor gives actual or constructive possession of goods, equipment, and services to the consignee without transfer of ownership and disbursement of government funds between consignee and consignor, and such goods, equipment and services are to be sold by the consignee for and on account of the consignor at terms advantageous to the government. The consignee shall remit the proceeds of the sale to the consignor, net of service fees, if applicable. The PhilGEPS electronic marketplace may be used as a consignment platform for goods and equipment.

The PS-DBM, which is tasked with the centralized procurement of CSE for the government in accordance with Letter of Instructions (LOI) No. 755, series of 1978, Executive Order (EO) No. 359, series of 1989, and Administrative Order (AO) No. 17, series of 2011, shall develop the parameters in the identification, expansion, and the definition of requirements and specifications of CSE through the conduct of market scoping, market survey and market availability.

2.0 PURPOSE

These Guidelines are issued to govern the implementation of the PhilGEPS Electronic Marketplace (eMarketplace) as provided under Sections 20 and 40 of RA No. 12009 and its IRR.

3.0 SCOPE AND APPLICATION

- 3.1. These Guidelines shall apply to all branches and instrumentalities of the National Government, including State Universities and Colleges (SUCs), Government-Owned or -Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), and Local Government Units (LGUs).
- 3.2. The PS-DBM, after the conduct of consultations with government agencies, manufacturers, exclusive distributors, and the product source or main service providers, shall identify the CSE to be covered by the implementation of the eMarketplace, in accordance with Section 40.5.2 (b) of the IRR of RA No. 12009.
- 3.3. The PS-DBM shall ensure that the CSE included in the eMarketplace are obtained from reliable sources, of the best quality, and at prices advantageous to the government pursuant to Section 40 of RA No. 12009.
- 3.4. Before the CSE are included in the eMarketplace and offered to the PEs, the following conditions under Section 40.5.1 of the IRR of RA No. 12009 must first be met:
 - 3.4.1. The goods, material, supply, equipment, or service is used repetitively or frequently in the day-to-day operations of the PEs in the performance of their functions;

- 3.4.2. Publication by the PS-DBM of the list of CSE, with available classification, description, and other relevant information, once in the Official Gazette or in a newspaper of general circulation; and
 - 3.4.3. Posting of the CSE and its complete technical specifications in the PhilGEPS Electronic Catalogue.
- 3.5. Notwithstanding the implementation of the eMarketplace, the Virtual Store shall continue to operate independently to offer CSE that are competitively procured by the PS-DBM through any mode of procurement; provided, however, that CSE being offered in the Virtual Store may subsequently be onboarded and offered in the eMarketplace upon determination by the PS-DBM that such arrangement is more efficient and advantageous to the government.

4.0 DEFINITION OF TERMS

For purposes of these Guidelines, the following terms, words, and phrases shall mean or be understood as follows:

- 4.1. **Annual Procurement Plan – Common-Use Supplies and Equipment (APP - CSE)** – refers to the yearly requirements of an agency for CSE approved by the Head of Procuring Entity (HoPE) or his/her duly authorized representative.
- 4.2. **Agency Buyer** – refers to the person duly authorized by the HoPE or its authorized representative to be responsible for procuring CSE from the eMarketplace in accordance with the submitted APP-CSE.
- 4.3. **Agency Coordinator** – refers to the person duly authorized by the HoPE or its authorized representative, to be in charge of maintaining and updating its information and accounts in the PhilGEPS.
- 4.4. **Common-Use Supplies and Equipment (CSE)** - refer to goods, materials and equipment that are used repetitively in the day-to-day operations of the PEs in the performance of their functions; these items are identified by the PS-DBM based on the PEs' needs and requirements and included in the PhilGEPS Electronic Catalogue pursuant to Section 40 of RA No. 12009.
- 4.5. **Electronic Marketplace (eMarketplace)** – refers to an online marketplace where the PEs can search, compare, select, and purchase goods and services from qualified suppliers that meet legal, technical, and financial requirements based on the validation conducted by PS-DBM under Section 5 hereof. The eMarketplace allows merchants to showcase their goods on the platform, whether as a result of a procurement activity, consignment, or any appropriate contractual arrangement, where the PEs can choose based on their needs and requirements.
- 4.6. **Electronic Wallet (eWallet)** – refers to an online payment facility that allows agencies to pay for CSE procured from the eMarketplace using a unique number created in the PhilGEPS and assigned to an agency upon registration.

- 4.7. **Government Purchase Card (GPC)** – refers to an electronic card that can be used as an alternative mode of payment by an Authorized Cardholder¹ for the purchase of eligible goods and/or services used for official functions and purposes. For the purposes of these Guidelines, the GPC shall be issued by a banking institution classified under the GFI sector by the Governance Commission for GOCCs (GCG) or any authorized government depository bank.
- 4.8. **Order Confirmation Slip** – refers to a system-generated document that serves as the formal acknowledgment of the order of the Procuring Entity (PE).
- 4.9. **Purchase Completion Form** – refers to a system-generated document issued by the PS-DBM after acceptance by the PE as proof of completion of the transaction between the PS-DBM and the PE.
- 4.10. **Procuring Entity (PE)** – refers to any branch, office, agency, department, bureau, office, or instrumentality of the government (NGA) including GOCCs, GFIs, SUCs and LGUs procuring Goods, Infrastructure Projects, and Consulting services.
- 4.11. **Qualified Merchant** – refers to a manufacturer, distributor, supplier, or service provider that has passed the evaluation of the PS-DBM and has been registered in the eMarketplace pursuant to Section 5 of these Guidelines.

5.0 INCLUSION OF CSE AND ONBOARDING OF MERCHANTS IN THE eMARKETPLACE

- 5.1. The PS-DBM shall regularly study, review, and rationalize the list of CSE to determine the appropriate strategy on how to procure them and which particular goods or services are viable to be offered in the eMarketplace. Depending on market availability and the needs of agencies, the PS-DBM may add or delist items in the list of CSE, which include the CSE items in the eMarketplace. The PS-DBM shall submit a report to the GPPB of any modification to the list of CSE.
- 5.2. For goods to be classified as CSE and be offered in the eMarketplace, the PS-DBM shall cause the publication of the list, with available classification description and other relevant information, and the posting of the CSE and its complete technical specifications, in accordance with Section 3.4 of these Guidelines.
- 5.3. For the purpose of evaluating the legal, technical and financial capacity of the manufacturer, distributor, supplier or service provider for the covered CSE, the PS-DBM shall require the submission of the following:
 - 5.3.1. Letter of Expression of Interest;
 - 5.3.2. A valid PhilGEPS Certificate of Platinum Registration and Membership;

¹ Item 4.1 of Department of Budget and Management Budget Circular No. 2025-1 defines an Authorized Cardholder as a government official or employee to whom a GPC is issued for making official purchases or expenses within a specific program code or eligible expenditure type categories and monthly credit limits.

- 5.3.3. Statement of Single Largest Completed Contract (SLCC) relevant to the goods being offered, with verifiable proof, and the corresponding covered period as determined by the PS-DBM, or any similar document;
 - 5.3.4. Omnibus Sworn Statement containing the undertaking that they will make the goods available for timely delivery, or promptly render the service required, at such price indicated in the eMarketplace;
 - 5.3.5. Statement of Compliance with the technical specifications issued by the PS-DBM, including and, when applicable, product sample;²
 - 5.3.6. Financial Proposal Documents containing offers or terms advantageous to the government as determined by the PS-DBM; and
 - 5.3.7. Such other documents that may be reasonably required from the manufacturer, distributor, supplier or service provider, as determined by the PS-DBM.
- 5.4. In case the CSE to be offered in the eMarketplace will be acquired by the PS-DBM through any of the applicable modes of procurement under RA No. 12009, based on the results of market scoping and consultation conducted by the PS-DBM, the relevant provisions of RA No. 12009 and its IRR shall be followed by the PS-DBM in evaluating the legal, technical and financial capacity of the merchant and in onboarding them.
 - 5.5. After the evaluation process, the Qualified Merchant shall be allowed access to the eMarketplace for posting of the CSE, including technical specifications, prices, discounts, and other allied offers, as approved by the PS-DBM.
 - 5.6. The PS-DBM shall conduct training on the use of the eMarketplace to properly apprise the PEs of the requirements in the use thereof. On the other hand, the PEs shall undertake measures to ensure their access to the system in order to facilitate open and efficient conveyance of electronic data messages or electronic documents.
 - 5.7. The PS-DBM shall establish a mechanism to evaluate the performance of the Qualified Merchants and CSE included in the eMarketplace, gather feedback from agencies, process warranties and returns, and delist goods, manufacturers, distributors, suppliers, or service providers from the eMarketplace.

6.0 PROCUREMENT OF CSE FROM OTHER SOURCES

- 6.1. Pursuant to Section 40.2 of the IRR, the PEs are authorized to procure CSE from other sources in any of the following instances:

² The product samples submitted shall be disposed of in accordance with the internal guidelines of the PS-DBM.

- 6.1.1. If the CSE offered in the eMarketplace is unavailable due to zero inventory, in which case the PE shall secure an electronic Certificate of Non-Availability of Stocks by downloading the same from the PhilGEPS Electronic Catalogue;
- 6.1.2. If the technical specifications of the CSE are not sufficient to meet the PE's specific needs and requirements, in which case the PE shall secure a complete list of technical specifications of all CSE items by downloading PhilGEPS Electronic Catalogue;
- 6.1.3. If the available stock of the CSE offered in the eMarketplace is not sufficient to meet the required quantity of the PE, in which case the PE shall generate and download the current Stock Position Report from the PhilGEPS Electronic Catalogue showing the available stock at the specific time and date of access;
- 6.1.4. When the Bids and Awards Committee (BAC), upon recommendation of the End-User or Implementing Unit, has resolved that the procurement from other sources is for reasons of efficiency, practicality, or economic viability. To support this, the End-User or Implementing Unit shall submit its written recommendation to the BAC identifying the specific reason and providing justifications, with reference to applicable instances provided under Section 40.2 (d) of the IRR.

To ensure proper monitoring and to aid the PS-DBM in addressing gaps in supply chain and inventory management, the PE shall inform the PS-DBM by filling out and submitting an online form available in the PhilGEPS Electronic Catalogue.

7.0 PROCUREMENT PROCEDURE IN THE EMARKETPLACE

- 7.1. The PEs shall indicate in its APP-CSE the procurement of CSE and its corresponding modality, specifically Negotiated Procurement – Agency to Agency, as provided under Section 35 (e) of RA No. 12009, for the procurement of CSE through the eMarketplace.
- 7.2. The PEs shall designate their respective Agency Coordinators to create and administer their accounts in the eMarketplace, including the accounts for the Agency Buyer for the eMarketplace. The Agency Coordinator is authorized to create as many Agency Buyer accounts as the PE needs.

To designate Agency Coordinators and Agency Buyer, the PEs must submit a duly accomplished registration form, signed by the HoPE or its authorized representative, to the PS-DBM through email. The registration form, which outlines the responsibilities of the Agency Coordinator and Agency Buyer, may be downloaded from the PhilGEPS website.

Subject to availability of personnel, the PEs shall not designate its Agency Coordinator as Agency Buyer. The PEs shall ensure that authorized and capable personnel are designated to utilize the system by taking advantage of the training provided by the PS-DBM.

- 7.3. The PE, through their respective Agency Buyer, shall procure the covered CSE in accordance with the goods and quantities indicated in their APP-CSE, including approved changes thereto.
- 7.4. Prior to making a purchase, the PE may examine the CSE through the eMarketplace for specific information, such as but not limited to:
 - 7.4.1. Market price as compared with the Qualified Merchants' prices;
 - 7.4.2. Quantity and stock availability;
 - 7.4.3. Technical Specifications;
 - 7.4.4. Service Centers; and
 - 7.4.5. Service Plans and Warranties.
- 7.5. The PEs may choose from the CSE available in the eMarketplace based on their needs and requirements and within their Approved Budget for the Contract (ABC).
- 7.6. Prior to check-out, the PE shall identify the contact person, choose its preferred delivery option, set the delivery address, if applicable, and ensure the uploading of the necessary supporting documents as indicated in the check-out page, such as the approved APP-CSE in case there is no prior submission to the PhilGEPS, or the Authority to Purchase Motor Vehicle (APMV) or its equivalent in case of MVs.
- 7.7. The documents to be submitted through the eMarketplace shall contain digital signatures authorized under GPPB Resolution No. 16-2019,³ as well as other similar means, such as electronic signatures that comply with applicable laws⁴ or issuances.⁵
- 7.8. The PEs may pay for their purchases through any of the following modes of payment:
 - 7.8.1. eWallet;
 - 7.8.2. GPC; and
 - 7.8.3. Other authorized electronic modes of payment.

³ Dated 17 July 2019, entitled "Approval of the Use of Digital Signature in Procurement Related Documents".

⁴ RA No. 8792 or Electronic Commerce Act of 2000.

⁵ Commission on Audit Memorandum Circular No. 2021-006 referring to the Guidelines on the Use of Electronic Documents, Electronic Signatures, and Digital Signatures in Government Transactions. The conditions in using the electronic signature are the following, as stated in item IV (D):

- a. the electronic signature is that of the person to whom it correlates;
- b. the electronic signature was affixed by that person with the intention of authenticating or approving the electronic document to which it is related or to indicate such person's consent to the transaction embodied therein;
- c. the methods or processes utilized to affix verify the electronic signature, if any, operated without error or fault; and
- d. the person whose e-signature was affixed, takes responsibility and assumes accountability that the document remained unchanged until it was submitted to the auditor.

In case eWallet is the preferred mode of payment, the PEs must have sufficient balance in their eWallet to cover the selected CSE in order to proceed with check-out.

- 7.9. Within three (3) calendar days from uploading, the PS-DBM shall validate the documents and approve the order of the PE. Upon approval of the order, the PE and the Qualified Merchant shall receive through email the Order Confirmation Slip, indicating the estimated period for delivery or pick up.
- 7.10. Once the Order Confirmation Slip has been issued, the total purchase amount shall be deducted from the eWallet balance or the GPC credit limit or paid through other authorized electronic modes of payment.

8.0 DELIVERY, INSPECTION, AND ACCEPTANCE

- 8.1. The Qualified Merchant shall cause the delivery of the CSE to the PE in accordance with the period specified in the Order Confirmation Slip, through any of the following modes:
 - 8.1.1. Delivery to the nearest Qualified Merchant's dealer or store or PS-DBM Warehouse or Depot, in which case the PE will arrange its own transportation to pick up the procured CSE from the dealer or store or PS-DBM Warehouse or Depot.
 - 8.1.2. Delivery to the PE's office address or the agreed site,⁶ as indicated in the Order Confirmation Slip, in which case the Qualified Merchant shall deliver the CSE item without any additional cost to the PE.
- 8.2. Once the CSE are delivered at the specified delivery site, the PE, through its authorized representative, shall sign the following documents received from the Qualified Merchant at the delivery site to confirm the delivery of the CSE:
 - 8.2.1 Qualified Merchant's Delivery Receipt detailing the quantity and description of CSE received to be signed by the authorized receiving personnel;
 - 8.2.2 Sales Invoice; and
 - 8.2.3 Any other related certificates or documents.
- 8.3. The Qualified Merchant shall upload the signed Sales Invoice and Delivery Receipt to the eMarketplace to confirm the delivery of the CSE.
- 8.4. The PE's authorized representative shall inspect, validate, operate, and test the delivered CSE based on the PE's technical requirements within three (3) calendar days from delivery of the purchased CSE.

⁶ Another location mutually designated by the PE and Qualified Merchant, which facilitates efficient receipt, inspection and acceptance of the CSE item.

- 8.5. Upon completion of the inspection, the PE shall upload the approved Inspection and Acceptance Report to the eMarketplace within three (3) calendar days from delivery to confirm the acceptance of the delivered CSE. In case of rejection, Section 9 of these Guidelines shall apply.
- 8.6. Upon acceptance of the CSE, the PS-DBM shall issue a Purchase Completion Form to the PE and release the payment to the Qualified Merchant.
- 8.7. In case the Qualified Merchant fails to deliver the purchased CSE to the PE within the period specified in the Order Confirmation Slip, the PS-DBM, pursuant to Section 97 of RA No. 12009, shall deduct from the remittance proceeds liquidated damages in an amount equivalent to one-tenth (1/10) of one percent (1%) of the published price of the undelivered CSE as listed in the eMarketplace for every day of delay, irrespective of any pending request for extension of delivery period.

9.0 REPLACEMENT OF CSE

- 9.1. The PE shall, within three (3) calendar days from the date the inspection and testing were completed pursuant to Section 8.4 of these Guidelines, submit a request letter and an Inspection Report to the PS-DBM for the replacement of the delivered CSE, under any of the following cases:
 - 9.1.1. Damaged or defective goods;
 - 9.1.2. Missing parts or components;
 - 9.1.3. Wrong item delivered;
 - 9.1.4. Non-compliance with Technical Specifications as stated in the Order Confirmation Slip; or
 - 9.1.5. Other analogous circumstances.
- 9.2. Within five (5) calendar days from receipt of the request for replacement, the PS-DBM shall review the Inspection Report against the technical specifications indicated in the Order Confirmation Slip to assess whether valid grounds for replacement exist. In cases where physical inspection of the delivered goods is necessary, the PS-DBM shall conduct such inspection within seven (7) calendar days from receipt of the request for replacement.
- 9.3. Once the PS-DBM has determined that the request for replacement is proper, it shall endorse the request to the Qualified Merchant within five (5) calendar days from such determination.
- 9.4. The Qualified Merchant shall then deliver a replacement to the requesting PE within ten (10) calendar days from endorsement by the PS-DBM. The PE shall inspect and accept the replacement in accordance with Sections 8.4 and 8.5 of these Guidelines.

- 9.5. For breach of warranty, the provisions in the MOA between the PS-DBM and the Qualified Merchant concerning Delivery and Warranty shall primarily apply. The enforcement of the warranty, however, does not prevent the PE from exercising its right to request replacement of the delivered CSE under any of the conditions enumerated in Section 9.1 of these Guidelines.

10.0 ORDER CANCELLATION

- 10.1. The PEs may cancel orders for any cause any time before the issuance of the Order Confirmation Slip through the eMarketplace.
- 10.2. Once the Order Confirmation Slip has been issued, the PEs may only request to cancel the order under any of the following grounds:
 - 10.2.1. Failure to deliver any or all of the procured items within the period specified in the Order Confirmation Slip; or
 - 10.2.2. Refusal or failure to replace the procured items within the prescribed period under Section 9.4 of these Guidelines;
- 10.3. In the event that the submitted documents of the PE were found erroneous, incomplete or expired, the PS-DBM shall notify the PE through the system within three (3) calendar days from the date of submission. The PE shall re-upload the required documents within seven (7) calendar days from the date of notice. If the PE fails to upload the documents within the prescribed period, the PS-DBM shall cancel the order immediately.
- 10.4. To request for cancellation of order under the foregoing grounds after the order is confirmed by the PS-DBM, the PE shall submit a verified Request for Cancellation to the PS-DBM, alleging acts or causes which constitute the grounds therefor, within seven (7) calendar days from the date of delivery. The Request for Cancellation shall be prepared and verified by the End-User or Implementing Unit of the PE and signed by the HoPE.
 - 10.4.1. Within five (5) calendar days from receipt of the Request for Cancellation, the PS-DBM shall evaluate if the said request is proper in form and substance, and determine whether there is sufficient basis to proceed with the request or deny the same. In case of denial, the PS-DBM shall notify the PE. If the PS-DBM determines there is sufficient basis to proceed with the request, it shall endorse the Request for Cancellation to the Qualified Merchant within the same five (5)-day period.
 - 10.4.2. Within seven (7) calendar days from receipt of the Request for Cancellation endorsed by the PS-DBM, the Qualified Merchant shall submit a verified position paper to the PS-DBM stating the reasons why the order should not be cancelled. The PS-DBM shall furnish a copy of the verified position paper to the PE upon receipt thereof.

10.4.3. Within five (5) calendar days from receipt of the verified position paper or from the expiration of the period in the preceding paragraph, the PS-DBM shall notify the PE that its Request for Cancellation is approved and issue a Notice of Cancellation to the Qualified Merchant.

10.5. In case of cancellation after order confirmation, the purchase price, less applicable bank charges and other fees attributable to the use of the GPC or to the maintenance, administration, and management of the eMarketplace shall be credited back to the PE.

11.0 DATA ACCURACY

The authorized representatives of the PEs and the Qualified Merchants shall be responsible for ensuring that the data encoded, and documents uploaded in the PhilGEPS eMarketplace using their respective accounts are true, correct, and free from any mistakes, typographical errors, and/or inaccurate statements.

Any loss or damage resulting from such mistakes, typographical errors, and/or inaccurate statements shall be borne by the entity responsible.

For user access problems or other clarifications regarding the eMarketplace, the PS-DBM can be contacted using the following electronic mail (email) address: helpdesk@ps-philgeps.gov.ph.

12.0 DATA SECURITY

12.1. The PS-DBM shall ensure that all personal information collected, used, shared and stored in the PhilGEPS in relation to government procurement activities shall be kept safe and secured from unwarranted access. It shall include features that provide for an audit trail of electronic transactions and allow the Commission on Audit to verify the security and integrity of the system at any time.

12.2. Personal information shall be processed in accordance with existing laws and regulations, such as, but not limited to, RA No. 10173, otherwise known as the Data Privacy Act of 2012.

12.3. Any and all personal data obtained, as encoded by the PEs and Qualified Merchants, shall be entered and stored within the secured information and communications system of the PhilGEPS, which is only accessible by duly authorized PhilGEPS office personnel.

12.4. Active eMarketplace records in the PhilGEPS shall not be archived. Closed eMarketplace records will be archived in the PhilGEPS storage facility, subject to the records management policy of the PS-DBM pursuant to RA No. 9470, otherwise known as the National Archives of the Philippines Act of 2007.

12.5. The PS-DBM, with the use of the most appropriate standard recognized by the information and communications technology industry, shall institute strict and effective organizational, technical, and physical security measures to ensure the protection of its users' personal data.

13.0 E-MARKETPLACE TRAINING

The PS-DBM shall provide training programs, including instructional videos or user-guide tools, to ensure that the PEs and Qualified Merchants are equipped to effectively use the eMarketplace facility.

14.0 REPEALING CLAUSE

All guidelines and issuances, or any part thereof, that are inconsistent with the provisions of these Guidelines are hereby repealed, amended, or modified accordingly.

15.0 EFFECTIVITY

These Guidelines shall take effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general nationwide circulation.

SGD
AMENAH F. PANGANDAMAN
Chairperson