



APPROVING THE MODE OF NEGOTIATED PROCUREMENT FOR INTERNATIONAL EVENTS, CONFERENCES, SUMMITS OR ACTIVITIES HOSTED BY THE PHILIPPINE GOVERNMENT

WHEREAS, Republic Act (RA) No. 12009, otherwise known as the “New Government Procurement Act,” 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 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, Administrative Order (AO) No. 17, s. 2024¹ constituted the Association of Southeast Asian Nations National Organizing Council (ASEAN NOC) to facilitate the planning, implementation, and monitoring of programs, activities, and projects for the hosting of ASEAN 2026;

WHEREAS, the same AO No. 17 likewise created the ASEAN NOC Executive Committee (ExeCom) to ensure that the programs, activities, and projects necessary for the preparation of the hosting of ASEAN 2026 will run continuously, smoothly, efficiently, and effectively.² The ASEAN NOC ExeCom shall issue implementing rules and instructions necessary and appropriate to effectively execute the ASEAN 2026 Master Plan, and may as necessary call upon the assistance of any government official, employee, agency or instrumentality to carry out the objectives of this Order and the Master Plan, subject to existing laws, rules and regulations;³

WHEREAS, Special Provision No. 1 of the Office of the President of the Fiscal Year 2026 General Appropriations Act⁴ provides that the amounts appropriated therein shall be utilized for the Philippine Hosting and Chairmanship of the ASEAN 2026, including but not limited to the acquisition of goods, engagement of consulting services, and execution of lease for real and personal properties, subject to the guidelines to be issued by the ASEAN NOC, in consultation with the GPPB, which shall ensure the security of the delegation, comply with diplomatic and protocol obligations, and assure value-for-money in all transactions;

WHEREAS, in a series of coordination meetings among the ASEAN NOC, the Department of Budget and Management (DBM), the DBM-Procurement Service (DBM-PS), and the GPPB–Technical Support Office (GPPB-TSO), matters were raised concerning the procurement of goods and services, and the leasing of venues and facilities for the conduct of international events, particularly those involving heightened security, safety, and diplomatic protocol, where the nature and purpose of such procurements indicate that existing modes of procurement may be impracticable or may not fully address the distinct requirements of such activities;

¹ Dated 22 March 2024, entitled “Constituting the National Organizing Council for the Philippine Hosting of the Association of the Southeast Asian Nations (ASEAN) Summit Meetings in 2026, Defining its Mandates, Powers, and Functions, and For Other Purposes.”

² Section 3, AO No. 17, s. 2024.

³ Sections 4 (c) and (d), AO No. 17, s. 2024.

⁴ RA No. 12314

WHEREAS, under Section 35 of RA No. 12009 and its IRR, the GPPB may provide an amendment or make an additional type of Negotiated Procurement, subject to the following conditions:

- a) The Procuring Entity (PE) has requested the GPPB for the use of Negotiated Procurement for Goods, Infrastructure Projects, or Consulting Services with utmost necessity and justification;
- b) The GPPB shall have findings that any of the existing modes of procurement will be impossible or defeats the purpose of the procurement;
- c) The Goods, Infrastructure Projects, or Consulting Services are better identified by the PE on its distinctiveness and uniqueness to a procurement program, activity or project; and
- d) Other circumstances that may be identified by the GPPB, which justify the addition of a new type of Negotiated Procurement that will address the concerns of one or more government agencies.

WHEREAS, in the conduct of international events, conferences, summits, or activities hosted by the Philippine Government, primary consideration shall be accorded to international obligations, and diplomatic protocols, the dignity and prestige of the occasion, and the safety and security of participants, and protection of national honor, pride and hospitality;

WHEREAS, beyond ASEAN 2026 hosting, the Philippine Government undertakes other international commitments such as meetings and activities related to the hosting of Asia-Pacific Economic Cooperation (APEC), South East Asia Games (SEA Games), Asian Games, multilateral or bilateral treaty, convention or trade meetings or negotiations, and engagements with the United Nations and its instrumentalities, international financing institutions and development partners, which similarly require strict observance of international obligations and diplomatic protocols;

WHEREAS, after evaluating inputs and feedback received from the ASEAN NOC and other concerned stakeholders, the GPPB-TSO found it necessary to recommend the adoption of an additional Negotiated Procurement under Section 35 of RA No. 12009 and its IRR to address the unique operational, security, and diplomatic requirements attendant to hosting of international events, conferences, summits or activities;

WHEREAS, after thorough deliberation and input from members of the Board, the GPPB agreed to approve the Negotiated Mode of Procurement for International Events, Conferences, Summits, or Activities Hosted by the Philippine Government;

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**, as **WE** hereby **RESOLVE**, to confirm, adopt, and approve the following:

1. **APPROVE** the adoption of the Negotiated Mode of Procurement for International Events, Conferences, Summits or Activities Hosted by the Philippine Government, pursuant to Section 35 of RA No. 12009 and its IRR which shall cover the lease of hotels, venues or office spaces, as well as temporary office facility of the dignitaries, delegates, representatives and athletes, and procurement of critical goods and services such as audio-visual and lighting system, event management services, event hosting, media relations, transportation services and other similar goods and services, necessary to ensure safety and security and adherence to international obligations and diplomatic protocols.

Provided, further, that the PEs resorting to this mode shall remain bound by the procurement principles under Section 3 of RA No. 12009, including the value-for-money, efficiency, and accountability, among others;

2. **DIRECT** the PEs, upon approval of the Annual Procurement Plan, to undertake the following, at a minimum:
 - a. Prepare the Request for Quotation (RFQ) or pro-forma invoice together with the terms and conditions of sale and send the same to the identified Supplier;
 - b. Conduct simplified negotiations on the terms and conditions of the contract to ensure that the identified Supplier is technically, legally, and financially capable to deliver the goods or services;
 - c. Ensure that the goods and services are procured at the most advantageous price and contract, taking into account the hosting requirements for safety and security, and compliance with international obligations and diplomatic protocols, prior to award of any contract, which shall be approved by the Head of the Procuring Entity or its duly authorized representative, when delegated;
 - d. At the option of the PE, adopt any of the following measures consistent with applicable laws, rules, and regulations:
 - i. Post the RFQ and/or contract; or
 - ii. Require the submission of performance security and/or impose a retention fee;
 - e. Include the successfully completed projects in the Procurement Monitoring Report; and
 - f. Apply all legal remedies under RA No. 12009, including blacklisting and imposition of liquidated damages, which remain applicable and enforceable.
3. **DIRECT** the GPPB-TSO to publish this Resolution in the Official Gazette or in a newspaper of general circulation.

Effective immediately.

APPROVED this 7th day of January 2026 at Manila City, Philippines.

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