



Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE



NPM No. 018-2017

9 November 2017

MS. MA. ISABELLE C. CORTEZ

Trade and Industry Development Specialist

CENTER FOR INTERNATIONAL TRADE EXPOSITIONS AND MISSIONS (CITEM)

Golden Shell Pavillion, Roxas Blvd. corner Sen. Gil Puyat

Pasay City, Metro Manila

Re: PhilGEPS Certificate of Registration

Dear Ms. Cortez:

This refers to your electronic mail seeking clarification on whether the physical copy of the Philippine Government Electronic Procurement System (PhilGEPS) Certificate of Platinum Membership is required in Competitive Bidding.

Section 8.5.2 of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 mandates that all bidders shall upload and maintain in PhilGEPS a current and updated file of the following Class "A" eligibility documents under Sections 23.1(a) and 24.1(a) of the 2016 IRR of RA 9184, *to wit*: (1) Registration Certificate; (2) Mayor's/Business Permit or its Equivalent Document; (3) Tax Clearance; (4) Philippine Contractors Accreditation Board (PCAB) license and registration; and (5) Audited Financial Statements.

Submission of PhilGEPS Certificate of Registration and Membership -

We wish to emphasize that in lieu of the Class "A" eligibility documents uploaded and maintained current and updated in PhilGEPS, bidders are required to submit their PhilGEPS Certificate of Registration (Platinum Membership) during bid submission, in the case of procurement of goods and infrastructure projects, or during eligibility check, in the case of procurement of consulting services pursuant to Sections 25.2(a)(i) and (b)(i), and Section 24.4.3 of the 2016 IRR of RA 9184, respectively.

Sections 77 and 78 of the 2016 IRR of RA 9184 provide that the foregoing provisions, among others, shall be effective starting 28 October 2016, which means that for all procurement activities advertised and/or posted starting 28 October 2016, procuring entities shall only accept PhilGEPS Certificate of Registration and Membership during bid submission and eligibility checking, as the case may be, in lieu of the Class "A" Documents required to be uploaded and maintained current and updated in PhilGEPS.

Exception; Clarification -

However, please note that the Government Procurement Policy Board (GPPB) issued Resolution No. 26-2016¹ and Circular No. 03-2016 informing all procuring entities about the deferred implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding to give ample time to all prospective bidders to register with PhilGEPS under the Platinum Membership category and provide a transitory period to all procuring entities.

Additionally, we refer you to GPPB Resolution No. 18-2017², which approved the issuance of Circular No. 05-2017 reminding all procuring entities about the proper implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding effective 1 May 2017.

Further, the GPPB subsequently issued Resolution No. 26-2017³ relative to the deferment of the implementation of mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding, coupled with the issuance of GPPB Circular No. 07-2017 that took effect on 2 September 2017, and provided the following rules, thus:

- (1) For all procurement projects advertised and/or posted after the effectivity of this Circular, bidders may still submit their Class "A" Eligibility Documents required to be uploaded and maintained current and updated in the PhilGEPS pursuant to Section 8.5.2 of the 2016 Revised IRR, or if already registered in the PhilGEPS under Platinum category, their Certificate of Registration and Membership in lieu of their uploaded file of Class "A" Documents, or a combination thereof. In case the bidder opted to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR;
- (2) For all procurement projects advertised and/or posted starting 1 May 2017 until the effectivity of this Circular, procuring entities and bidders are bound to observe the mandatory submission of their PhilGEPS Certificate of Registration under Platinum Category in lieu of the Class "A" Documents required to be uploaded and maintained current in the PhilGEPS; and
- (3) In cases where the advertisements or invitations for bids were issued prior to 1 May 2017, Procuring Entities may still allow bidders to submit either their Class "A" Documents or the PhilGEPS Certificate of Registration under Platinum Category, or a combination thereof.

Summary

In sum, for Competitive Bidding, submission of the PhilGEPS Certificate of Registration (Platinum Membership) during bid submission is mandatory under the 2016

¹ Issued on 27 October 2016.

² Issued on 10 April 2017.

³ Issued on 31 July 2017.

IRR of RA 9184; however, the implementation of such mandatory submission has been deferred through GPPB Resolution No. 26-2017 and GPPB Circular No. 07-2017. Thus, for all procurement projects advertised and/or posted on 2 September 2017 onwards, a bidder may submit their Class "A" Eligibility Documents in lieu of the PhilGEPS Certificate of Registration and Membership, if it has not yet obtained a Platinum Membership; or if already registered under Platinum category, their PhilGEPS Certificate of Registration and Membership in lieu of the uploaded file of Class "A" Documents, or a combination thereof, in the event that some Class "A" documents earlier submitted with PhilGEPS already expired, but a renewal thereof had already been secured. In case the bidder submits only its Class "A" Documents, the PhilGEPS Certificate of Registration and Membership (Platinum Membership) shall still be submitted as part of the post-qualification documents required under Section 34.2 of the 2016 IRR of RA 9184.

We hope that this opinion issued by the GPPB-TSO provided sufficient guidance on the matter. Note that this opinion is being issued on the basis of facts and particular situations presented, and may not be applicable given a different set of facts and circumstances. Should there be other concerns, please do not hesitate to contact us.

(sgd.)

Executive Director V. [Signature]

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