

NPM No. 068-2017

21 December 2017

MR. CRISPIN M. VILLACENTINO
Municipal Budget Officer
MUNICIPALITY OF RAMOS
Ramos, Tarlac 2311

**Re: Philippine Government Electronic
Procurement System (PhilGEPS) Registration -**

Dear Mr. Villacentino:

This refers to your letter inquiring whether it is mandatory that all suppliers be registered with the PhilGEPS in relation to projects to be procured through Shopping and Small Value Procurement.

As represented, you are encountering difficulties in finding PhilGEPS-registered suppliers and/or convincing suppliers to register in the PhilGEPS. For Shopping and Small Value Procurement, your Bids and Awards Committee (BAC) require all suppliers to submit PhilGEPS registration for purchases with an approved budget for the contract (ABC) of at least Php5,000.00, while those below such amount are exempted. As further represented, such requirement, and the fact that Ramos, Tarlac, is a 5th class municipality, which is considered a rural area with only few suppliers able to register with the PhilGEPS, hampers the implementation of your Programs/Projects/Activities for 2017. Hence, this query.

Requirement on PhilGEPS Registration -

Under Section 8 of Republic Act (RA) No. 9184, the Government Procurement Reform Act, there shall be a single portal that shall serve as the primary and definitive source of information on all government procurement to promote transparency and efficiency. Section 8.2.2(a) of the 2016 revised Implementing Rules and Regulations (IRR) of RA 9184, mandates that the PhilGEPS shall have a centralized electronic database of all manufacturers, suppliers, distributors, contractors and consultants registered under the system. Accordingly, proof of PhilGEPS Registration is required in identified methods of procurement. For Competitive Bidding, Limited Source Bidding and Negotiated Procurement under Two Failed Biddings modality, the required proof shall be in the form of PhilGEPS Certificate of Registration and Membership.¹ On the other hand, only a PhilGEPS Registration Number, as a condition for award of the contract, is required in the following alternative methods of procurement, thus:

1. Section 50 - Direct Contracting;

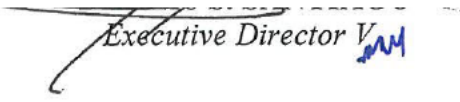
¹ 2016 Revised IRR of RA 9184, Section 25.2 in relation to Section 54.6.

1. Section 50 - Direct Contracting;
2. **Section 52.1(b) - Shopping for Ordinary Office Supplies and Equipment not available in DBM-PS;**
3. Section 53.3 - Take Over of Contracts (Only for New Bidders, if any);
4. Section 53.6 - Scientific, Scholarly, or Artistic Work, Exclusive Technology and Media Services;
5. Section 53.7 - Highly Technical Consultants;
6. **Section 53.9 - Small Value Procurement;**
7. Section 53.10 - Lease of Real Property and Venue; and
8. Section 53.11 - NGO Participation.² (Emphasis ours.)

Accordingly, we wish to emphasize that for Shopping under Section 52.1(b) and Small Value Procurement as a Negotiated Procurement modality under Section 53.9 of the 2016 IRR of RA 9184, manufacturers, suppliers, distributors, contractors and/or consultants, regardless of amount of the ABC, are mandated to register with PhilGEPS and provide a PhilGEPS Registration Number as a condition for award of the contract. It bears stressing, however, that under Section II of Appendix "A"³, Annex "H" or the *Consolidated Guidelines for the Alternative Methods of Procurement* embodied in the 2016 IRR of RA 9184, the BAC shall indicate in the Request for Quotation (RFQ) or Request for Proposal (RFP) at what stage of the procurement process the documentary requirements, including the PhilGEPS Registration Number, must be submitted, *i.e.*, submission of offer's, evaluation of offer/s or before issuance of Notice of Award.

We hope that this opinion issued by the GPPB-TSO provided sufficient guidance on the matter. Note that this is issued on the basis of particular facts and 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 VM

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² *Id.*, Section 54.6.

³ *Documentary Requirement for Alternative Methods of Procurement.*