



Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE



NPM No. 108-2017

29 December 2017

MS. GERALDINE O. AGRAVANTE

Bids and Awards Committee Secretariat Head

DEPARTMENT OF EDUCATION – CAMARINES SUR (DEPED CAMSUR)

<bacdepdcamsur@gmail.com>

Re: Newspaper Advertisement -

Dear Ms. Agravante:

This refers to your electronic mail inquiring which Approved Budget for the Contract (ABC) should be considered for purposes of complying with the advertisement requirements under Section 21.2 of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, the Government Procurement Reform Act.

As represented, your Budget Officer is questioning the necessity of advertising your Invitation to Bid (IB) for a project amounting to Twenty Five Million Seven Hundred Two Thousand Pesos (₱25,702,000.00), comprised of several lots. Hence, this inquiry on whether the ABC of the project or the ABC of each lot should be the basis for the newspaper advertisement under RA 9184 and its 2016 IRR.

A careful reading of Section 21.1(b) of the 2016 IRR of RA 9184 shows that the IB shall provide prospective bidders the name of the project, identification and number of lots or items specific to bidding, as well as the basis of evaluation of the project, lots, or items, where applicable. The IB shall refer to the project, which may comprise a number of lots. Thus, the whole project shall be considered in the compliance with the advertisement requirements under Section 21.2.1(c)¹ of the 2016 IRR of RA 9184.

In view of the foregoing, and per the facts presented, the ABC for the project shall be the basis whether to advertise the procurement opportunity or not. Considering that per representation the IB for your procurement project reflects an ABC for the project of Twenty Five Million Seven Hundred Two Thousand Peso (₱25,702,000.00), which is beyond the required thresholds for advertisement, the IB has to be advertised at least once in one (1) newspaper of general nationwide circulation, such newspaper shall have been regularly published for at least two (2) years before the date of issue of the advertisement. AS

¹ Except as otherwise provided in Section 54.2 of this IRR and for the procurement of common-use goods and supplies, the Invitation to Bid/Request for Expression of Interest shall be advertised at least once in one (1) newspaper of general nationwide circulation which has been regularly published for at least two (2) years before the date of issue of the advertisement: Provided, That advertisement shall not be required for contracts to be bid with an ABC of Ten Million Pesos (₱10,000,000.00) and below for the procurement of goods, Fifteen Million Pesos (₱15,000,000.00) and below for the procurement of Infrastructure Projects, and Five Million Pesos (₱5,000,000.00) and below for the procurement of Consulting Services.

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.

Very truly yours,
(sgd.)

~~DENNIS S. SANTIAGO~~
Executive Director V *msj*

MSJ
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