

**NPM No. 129-2017**

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**Re: Certified True Copy of PhilGEPS Certificate of Registration-**

Dear Ms. Pagulayan:

This refers to your electronic mail inquiring on the following, *to wit*:

- (1) Does the Philippine Government Electronic Procurement System (PhilGEPS) issue a Certified True Copy of the PhilGEPS Certificate of Registration; and
- (2) Whether a screenshot of the PhilGEPS Membership page of the bidder is a sufficient substitute of the true copy of the Certificate of Registration?

At the outset, we wish to emphasize that the Bids and Awards Committee (BAC) cannot require the submission only of the original legal, technical and financial eligibility requirements, because no less than the rules allow for the submission of copies of these documents.<sup>1</sup> Section 25.3 of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, the Government Procurement Reform Act, requires the submission of a Sworn Statement attesting to the fact that each of the documents submitted is an authentic copy of the original in satisfaction of the bidding requirements, thereby signifying the acceptability of copies submitted as long as they are the authentic reproduction of the original. Pointedly, the Sworn Statement is a representation made by the bidder that the documents submitted are authentic copy of the original which the Procuring Entity should verify, validate, and ascertain during post-qualification.<sup>2</sup>

For guidance, we wish to reiterate our earlier opinion<sup>3</sup> where Section 3.1.1 of COA Circular No. 2009-001, dated 12 February 2009, was in question, in that;

[E]ven Section 7, Rule 130 of the Rules of Court provides that when the original document is in the custody of a public officer or is recorded in a public office, its contents may be proved by a certified copy issued by the public officer in custody thereof.

<sup>1</sup> NPM Opinion No. 112-2014 dated 7 November 2014.

<sup>2</sup> NPM Opinion No. 112-2014 dated 7 November 2014.

<sup>3</sup> NPM Opinion 132-2015 dated 27 November 2015

We also wish to clarify that the submission of the PhilGEPS Certificate of Registration (Platinum Membership) during bid submission is mandatory for Competitive Bidding, Limited Source Bidding, and Negotiated Procurement (Two Failed Biddings) under Sections 10, 49, and 53.1 of the 2016 IRR pursuant to the requirement under Sections 25.2(a)(i) and (b)(i), and Section 24.4.3 thereof. On the other hand, only the "PhilGEPS Registration Number", not any certificate, is required for Alternative Methods of Procurement, except those not included in Section 54.6 of the 2016 IRR, pursuant to Appendix A of Annex "H" thereof or the *Consolidated Guidelines for the Alternative Methods of Procurement*.

All told, we wish to summarize the following, *to wit*:

- (1) The Certificate of PhilGEPS Registration (Platinum Membership) is required to be submitted during bid submission for Competitive Bidding, Limited Source Bidding, and Negotiated Procurement (Two Failed Biddings), nonetheless, a certified true copy of such Certificate may be issued by the PhilGEPS Office; and
- (2) Any certification as regards PhilGEPS Registration is not required for Alternative Modes of Procurement specified in Section 54.6 of the 2016 IRR as what is required is only the PhilGEPS Registration Number.

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.)

DENNIS S. SANTIAGO

Executive Director *V. M. M.*