

**NPM No. 139-2017**

29 December 2017

**MS. JANE CABREROS**  
**UNIVERSITY OF THE PHILIPPINES DILIMAN –**  
**SUPPLY AND PROPERTY MANAGEMENT OFFICE**  
UP Diliman Supply and Property Management Office,  
Lakandula Street, Diliman, Quezon City

**Re: Reciprocity Rule in the Procurement of Goods -**

Dear Ms. Cabreros:

This refers to your electronic mail requesting the list of countries with which the Philippines enjoys reciprocal rights on matters of eligibility of its nationals in public procurement abroad.

At the outset, we wish to emphasize that Government Procurement Policy Board Resolution No. 34-2014<sup>1</sup> (Resolution) amended the Guidelines on the Determination of Eligibility of Foreign Suppliers, Contractors, and Consultants to Participate in Government Procurement Projects (Guidelines) and removed any reference to Annex “I” with regard to determining which countries grant reciprocal rights to Filipino bidders.

Furthermore, the Resolution amended Section 7.2 of the Guidelines, which now require foreign bidders claiming eligibility to present a Certificate from the relevant government office in its country to prove that Filipinos are allowed to participate in their government procurement opportunities for the same item/product.

It also bears stressing that the bidder, as the one invoking reciprocity, shall be solely responsible for producing the required Certificate to prove that a similar right exists in favor of Filipinos in its country, and that the specifically identified government office in the bidder’s country is the proper authority that has the power and jurisdiction to issue such Certificate.<sup>2</sup>

In view of the foregoing, there is no list of countries which grant reciprocal rights to Filipinos with respect to government procurement. However, alongside definitive crucibles under the procurement law and rules, foreign bidders must present a Certificate from the relevant government office in its country to prove that Filipinos are allowed to participate in their government procurement opportunities for the same item/product.

<sup>1</sup> Dated 16 December 2014.


<sup>2</sup> NPM Opinion No. 44-2015 dated 9 October 2015,



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.

Very truly yours,

(sgd.)

 DENNIS S. SANTIAGO  
*Executive Director V*

  
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