

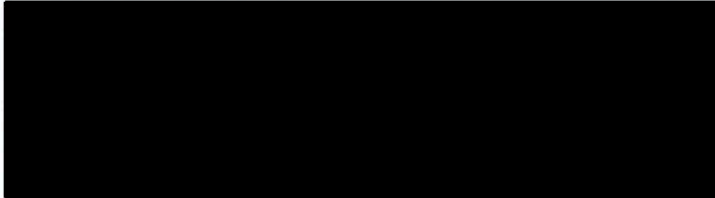


Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE



NPM No. 06-2015

11 March 2015




Re: Single Largest Completed Contract

Dear 

This refers to your letter requesting clarification on whether a contract covering three phases of a project, with only one phase having been completed, can be considered as Single Largest Completed Contract (SLCC).

We wish to clarify that under Sections 23.5.1.3 and 23.5.2.5 of the revised Implementing Rules and Regulation (IRR) of Republic Act (RA) No. 9184, a prospective bidder for the procurement of goods and infrastructure projects must have an experience of having *completed at least one (1) contract* that is similar to the contract to be bid. The crux of this requirement is the completeness of one (1) contract being presented.

Procurement and/or implementation of project by phases is a recognized approach in government projects. When a project is divided into phases, the resultant contract/s may either be a single contract covering all phases of the project or separate contracts for each phase of the project. Thus, the question of whether a completed phase of a project may be considered as sufficient compliance with the SLCC requirement under the IRR of RA 9184 depends on whether the completed phase of the project is the sole object of the contract or is only one of the objects of the contract.

If the contract covers only a phase of the project, with separate contracts covering the other phases, that contract shall be deemed completed once the project phase it refers to has also been completed. In such as case, the completed contract may be presented as SLCC for bidding purposes, subject to the presentation of supporting documents as required under RA 9184 and related issuances. On the other hand, if all the phases of the project are covered by a single contract, it is necessary that all these phases be completed before that single contract can be considered as completed too. Thus, in the latter case, if only one phase has been accomplished, the contract itself cannot be considered as completed until all the remaining phases are also completed. Consequently, this contract shall be regarded as an on-going contract which cannot meet the requirements of a SLCC. 

Based on the foregoing, it is our considered view that the submission of a contract covering three phases of a project, with only one phase having been completed, cannot be considered as sufficient compliance with the SLCC requirement for failure to pass the test of completeness of contract.

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.)



DENNIS S. SANTIAGO
Executive Director

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