

NPM No. 109-2015

2 November 2015



Re: Philippine Government Electronic Procurement System (PhilGEPS) Solicitation Number

Dear [REDACTED]:

This is in response to your letter seeking clarification on whether failure of the bidder to indicate the PhilGEPS Solicitation Number in the bid form itself is a ground for disqualification.

Section 32.2.1 of the revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 provides for the conduct of detailed evaluation of all bids using non-discretionary pass/fail criterion. It states that in considering the completeness of the bid, unless the Instructions to Bidders (ITB) specifically allow partial bids, bids not addressing or providing all of the required items in the Bidding Documents including, where applicable, bill of quantities, shall be considered non-responsive and, thus, automatically disqualified.

On the other hand, the procuring entity is required to provide for a Solicitation Number for purposes of posting with PhilGEPS. The Solicitation Number serves as a tracking code of the procuring entity but does not form an integral part of the bid such that the absence of which would render it non-responsive.

Consequently, failure to provide the required items in the Bidding Documents that would warrant disqualification refers to those items that are integral to the bid offer and does not include nominal items such as PhilGEPS Solicitation Number. Furthermore, nowhere is it mentioned in the Philippine Bidding Documents, particularly the ITB, that failure to indicate the PhilGEPS Solicitation Number in the bid form is a ground for disqualification, especially when there is also a failure on the part of the procuring entity to indicate the necessity of providing the PhilGEPS Solicitation Number in its bidding documents.

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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