

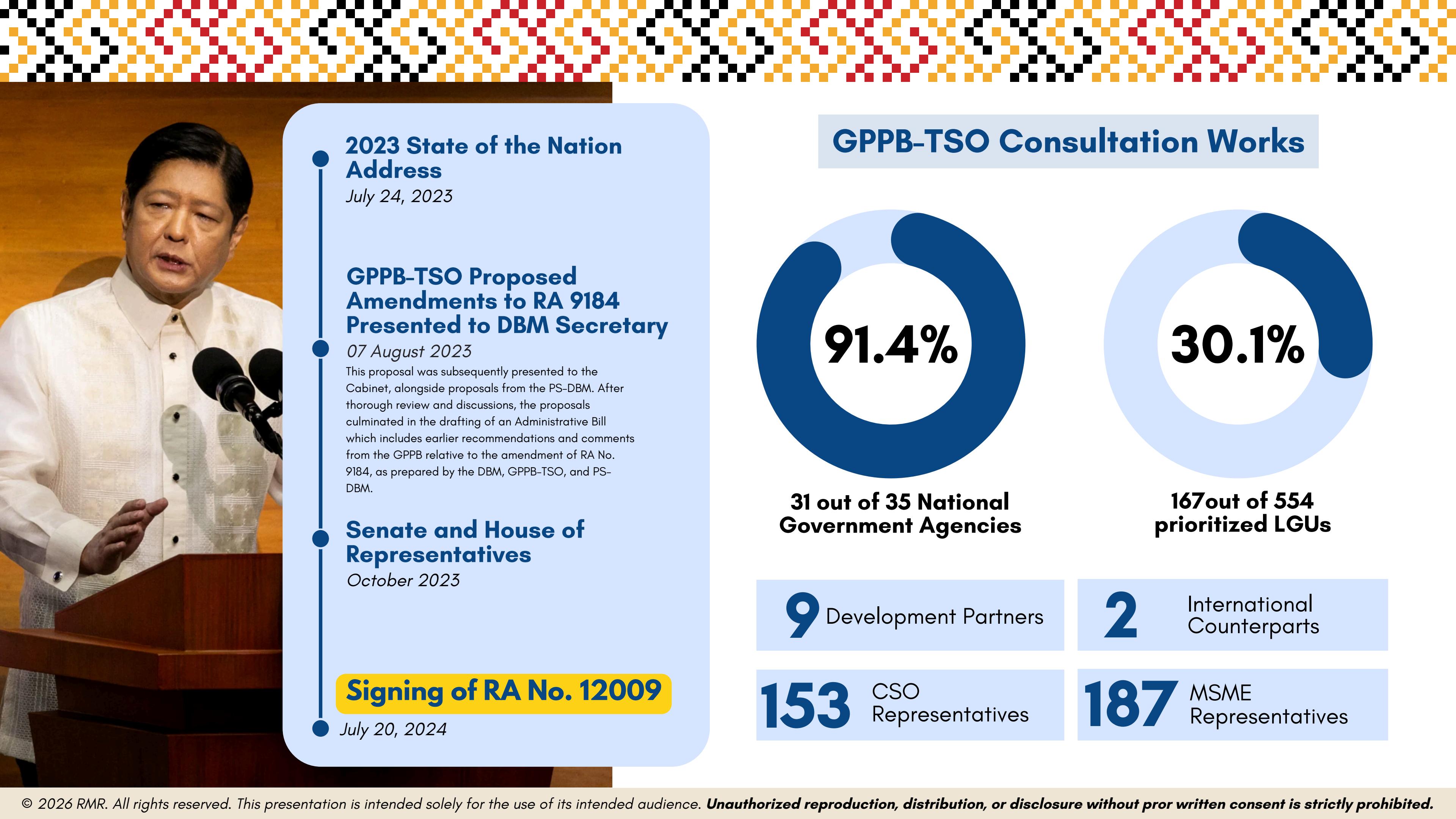


The New Government Procurement Act (NGPA)

Republic Act No. 12009

Atty. Rowena Candice M. Ruiz, LLM, CESO I
Executive Director V, Government Procurement Policy Board
- Technical Support Office
Undersecretary-designate for Procurement and Finance
Oversight, Department of Education





Governing Principles



Enhanced Transparency



Improved Competitiveness



Enhanced Accountability



Participatory Procurement



Increased Efficiency



Proportionality



Sustainability



Professionalism

“

The NGPA will not work by itself; it is the legal framework that allows us to do a lot of things. **But the work really starts with us.** We must be intentional in our approach.

Atty. Rowena Candice M. Ruiz, LLM, CESO I
Executive Director V, Government Procurement
Policy Board - Technical Support Office





NGPA

Approved: 20 July 2024

Published: 29 July 2024

Effectivity: 13 August 2024



Implementing Rules and Regulations (IRR)

Within One Hundred Eighty (180) Days from the promulgation of this Act

Prior to the effectivity of this IRR, the provisions of **RA No. 9184 and its IRR shall remain in force and effect** in order to ensure the continued implementation of programs, activities, and projects.

“

Layon ng NGPA gawing mas **transparent at efficient** ang sistema ng procurement para sa mas pinahusay na paghahatid ng serbisyo sa taumbayan.”

JUAN EDGARDO "SONNY" M. ANGARA

Sponsor and Author of the
New Government Procurement Act in the Senate

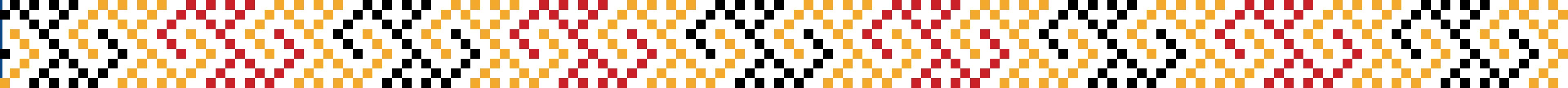


Implementing Rules and Regulations (IRR)

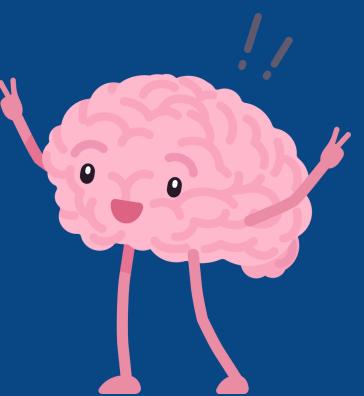
Effectivity: 25 February 2025

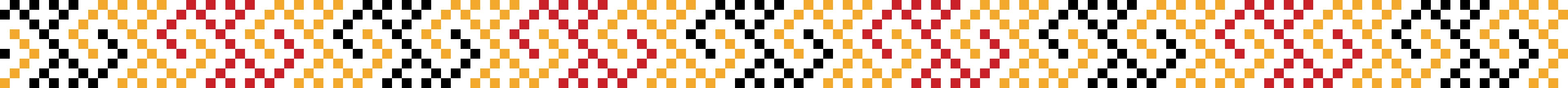
GPPB Resolution No. 02-2025, dated 04 February 2025

The GPPB and all HoPEs, Procuring Entities and the BACs affected by this Act shall be given a **three (3)-year transitory period from the approval of the standard forms for procurement to fully comply with the requirements of the Act and its IRR.**



Should you be using RA No. 12009 now?





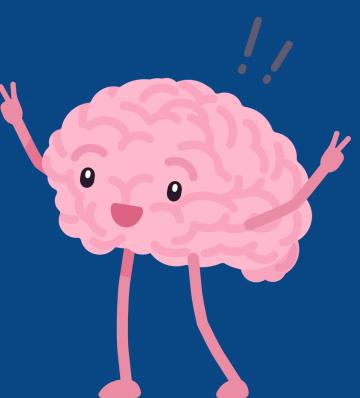
Except those under Annex B of the IRR where the GPPB to issue further guidelines:

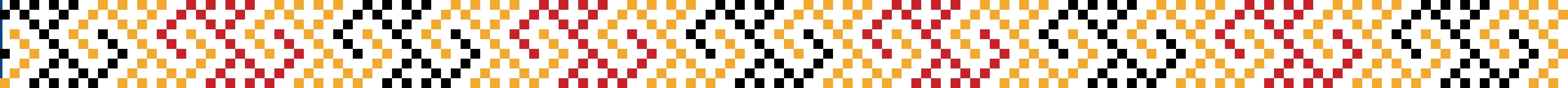
- Implementation Guidelines for Life Cycle Assessment & Life Cycle Cost Analysis
- Guidelines on Framework Agreement for Goods, Infrastructure, and Consulting Services
- Guidelines on Electronic Bidding
- Guidelines on the Use of Limited Source Bidding
- Foreign Bidder Participation Guidelines
- Guidelines on the Use of Defense Cooperation Agreement & Inventory-Based Items
- Guidelines regarding the Non-Government Organization Participation in Government Procurement
- Guidelines on the Use of Direct Procurement for Science Technology and Innovation
- Guidelines on the Conduct of Livestream Requirement for Procurement Projects
- Code of Ethics for Public Procurement Professionals
- Guidelines on the Professionalization of Procurement Practitioners
- Guidelines on the Collection of Bidding Documents Fees
- Guidelines on the Evaluation of Contractor Performance, including Constructors Performance Evaluation System
- Guidelines on the Eligibility Requirements of Government-Owned and Controlled Corporations in Public Procurement
- Guidelines on the Submission of Bids
- Guidelines on the Procurement Performed Overseas, including PhilGEPS Registration
- Guidelines on the Sustainable Public Procurement
- Guidelines on Green Public Procurement Strategy
- Guidelines on Gender-Responsive Public Procurement
- Guidelines for the Disclosure of Beneficial Ownership
- Guidelines on the Use of the Electronic Filing System for Protests
- Price Escalation Guidelines
- Guidelines for Suspension, Blacklisting, and Corrective Measures
- Standards Forms for Procurement (**GPPB Resolution No. 03-2025, dated 14 May 2025**)

What rules apply while RA No. 12009 guidelines are not yet issued?

PEs shall **continue to use the guidelines and forms issued under RA No. 9184 and its IRR** until the necessary guidelines, forms and requirements under the relevant provisions of RA No. 12009 and its IRR have been issued by the GPPB.

Item 5.2.1 of GPPB Circular No. 01-2025, dated 18 September 2025





What forms are required to be used?

Within Ninety (90) Days of the approval of the IRR, the standard forms for procurement shall be developed and approved by the GPPB.

Approved: 14 May 2025 (GPPB Resolution No. 03-2025)

Published: 23 June 2025

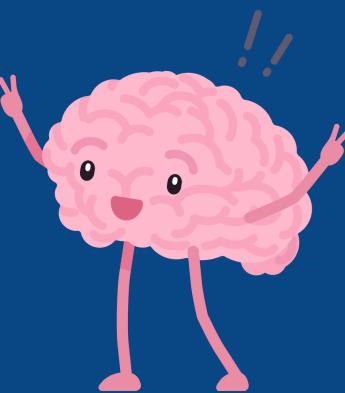
Effectivity: 21 September 2025



When should the 3-year transition period be counted from?

The transitory period is reckoned from the approval by the GPPB of the new Standard Procurement Forms on 14 May 2025. Accordingly, the GPPB, and all the HoPEs, the PEs and the BACs are given **until 15 May 2028 to fully comply with the requirements** of RA No. 12009 and its IRR.

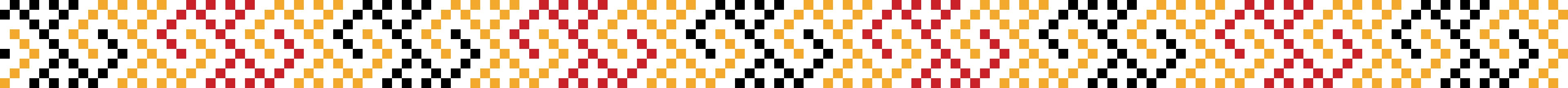
GPPB Circular No. 01-2025, dated 18 September 2025





Modes of Procurement

Atty. Rowena Candice M. Ruiz, LLM, CESO I
*Executive Director V, Government Procurement Policy Board
- Technical Support Office
Undersecretary-designate, Department of Education*

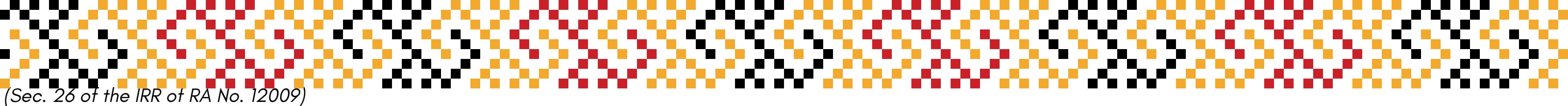


Decision Tree Guide



CLICK HERE 

<https://www.gppb.gov.ph/ngpa-decision-tree/>



(Sec. 26 of the IRR of RA No. 12009)

Modes of Procurement



Competitive Bidding



Direct Contracting



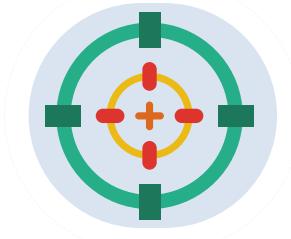
Small Value Procurement



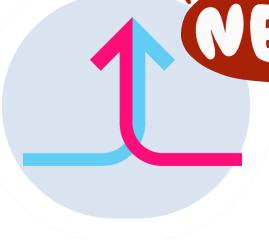
Negotiated Procurement



Repeat Order



Limited Source Bidding



Direct Acquisition



Competitive Dialogue



Unsolicited Offer with Bid Matching

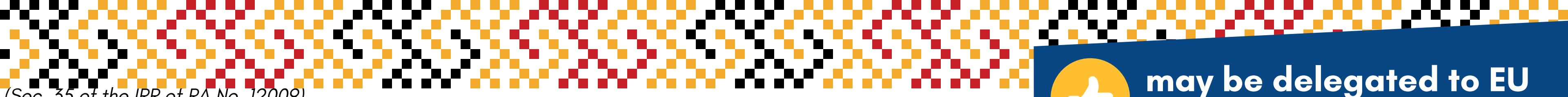


Direct Sales



Direct Procurement for Science, Technology and Innovation

The detailed procedure for each mode of procurement shall be provided in the manual to be issued by the GPPB



Modes of Procurement - Negotiated Procurement



Negotiated Procurement

PE directly negotiates a contract with a technically, legally, and financially capable supplier, contractor, or consultant

	Two Failed Biddings		Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services		Community Participation
	Emergency Cases		Highly Technical Consultants		United Nations Agencies, International Organizations or International Financing Institutions
	Take-over of Contracts		Defense Cooperation Agreements and Inventory-Based Items		Direct Retail Purchase of Petroleum Fuel, Oil and Lubricant Products, Electronic Charging Devices, and Online Subscriptions
	Adjacent or Contiguous		Lease of Real Property and Venue		Agricultural and Fishery Products <small>GPPB Resolution No. 08-2025 dated 25 September 2025</small>
	Agency-to-Agency		Non-Government Organization Participation		International Events, Conferences, Summits or Activities Hosted by the Philippine Government <small>GPPB Resolution No. 01-2026 dated 07 January 2026</small>

The detailed procedure for each mode of procurement shall be provided in the manual to be issued by the GPPB



All procurement should be within the approved budget of the PE.

Consistent with the government fiscal discipline measures, only those considered crucial to the efficient discharge of the functions of the agency shall be in the **Annual Procurement Plan** for purposes of planning and budgeting.

(Sec. 7.7 of the IRR of RA No. 12009)

**ATTENTION
PLEASE**



Procurement Modalities that may be Delegated



Direct Contracting



Small Value Procurement



Repeat Order



Negotiated Procurement



Direct Sales



Direct Acquisition



Direct Procurement for Science, Technology and Innovation

The detailed procedure for each mode of procurement shall be provided in the manual to be issued by the GPPB

Example:



Direct Acquisition

Small Value Procurement

OFFICE ORDER
OO-OSEC-2025-147

JUN 19 2025

RECONSTITUTION OF THE BIDS AND AWARDS COMMITTEES IN THE
DEPARTMENT OF EDUCATION CENTRAL OFFICE

To: Undersecretaries
Assistant Secretaries
Bureau and Service Directors
Division Chiefs
All Others Concerned

1. Republic Act (RA) No. 12009, otherwise known as the **New Government Procurement Act (NGPA)** and its Implementing Rules and Regulations ("IRR"), direct each Procuring Entity to establish a Bids and Awards Committee (BAC), or separate BACs when warranted by the number and complexity of the items to be procured. Each BAC shall have five (5) or seven (7) permanent officials, comprising both regular and provisional members.¹

2. In the exigency of service and to strategically manage the procurement requirements of the Department of Education (DepEd) Central Office (CO), the **DepEd reconstitutes the BACs**² that will undertake the functions mandated by, and procurement authorized under, RA No. 12009 and its IRR, and RA No. 9184 and its Revised 2016 IRR ("RIRR"), as may be applicable.

3. There shall be eight (8) BACs in the DepEd CO in consideration of the nature, volume, complexities, and delivery timelines, among others. Each BAC shall be assigned one of the following procurement categories:

- Learning Resources and Instructional Materials;
- Educational Equipment and Learner Support Devices;
- Basic Educational Facilities and Other Infrastructure Requirements;
- School Furniture and Fixtures, Office and Other Equipment, and Assessment-related Materials, Equipment, and Services;
- Information and Communication Technology (ICT)-related Hardware, Software, Platforms, Services, and Technologies;
- Technical Advisory Services and Highly Technical Consultants, and Foreign Assisted Projects;
- General Services, Maintenance, and Other Printing Requirements including Accountable Forms and Non-Accountable Forms; or

¹ Section 41.2.1 of the IRR of RA No. 12009
² Last Reconstitution was through Office Order OO-OSEC-2024-279, dated November 18, 2024, "Revised Reconstitution of the 2024 Bids and Awards Committees of the Department of Education Central Office."

2/F Rizal Building, DepEd Complex, Meralco Avenue, Pasig City
Telephone No.: (02) 8687-2922; 8687-4177; 8636-4995; 8636-4876; Website: www.deped.gov.ph

MEMORANDUM

FOR :

ATTENTION: CONCERNED BIDS AND AWARDS COMMITTEE/S

FROM :

SUBJECT : Request for Delegation of Authority to Conduct Procurement Activities

DATE : 19 January 2026

Pursuant to Section 26.4 of the Implementing Rules and Regulations (IRR) of Republic Act No. 12009 (RA 12009), otherwise known as the "New Government Procurement Act", which provides that:

Except for Competitive Bidding, Limited Source Bidding, Competitive Dialogue, and Unsolicited Offer with Bid Matching, the BAC may delegate the conduct of procurement activities for the other modes of procurement to the End-User or Implementing Unit, or the Procurement Unit of the Procuring Entity.

This Office respectfully requests the delegation of authority to conduct procurement activities for the following projects:

APP CODE/ID	PROCUREMENT PROGRAM/ PROJECT	MODE OF PROCUREMENT	ABC
	Engagement of Service Provider for the Comprehensive Digital	Section 35.6 Negotiated Procurement -	6,500,000.00



Splitting of government contracts is not allowed.

Procurement must not be divided into smaller lots or phases to circumvent RA 12009 and its IRR, except for legitimate packaging/lotting based on budget, quantity, availability, delivery sites, and market capacity.

(Sec. 39 of the IRR of RA No. 12009)

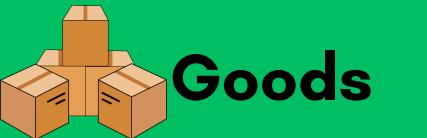
**ATTENTION
PLEASE**





may be delegated to EU
or Procurement Unit

Small Value Procurement (Sec. 34 of the IRR of RA No. 12009)



Goods



Infrastructure
Projects



Consulting
Services



Procurement of **readily available goods, simple infrastructure, or services of low value** through simplified procedures to ensure efficiency and economy

Applicability



Procurement of **Goods not available in the PS-DBM, Infrastructure Projects, and Consulting Services**

Example

- ✓ Advocacy materials
- ✓ Catering, food, and event support services
- ✓ Office suppliers (non-PS-DBM items) and consumables
- ✓ ICT and digital requirements (low complexity)
- ✓ Repair, maintenance, and minor services
- ✓ Office furniture, fixtures, and small equipment

OFFICE ORDER
OO-OSEC-2025-147

JUN 19 2025

RECONSTITUTION OF THE BIDS AND AWARDS COMMITTEES IN THE
DEPARTMENT OF EDUCATION CENTRAL OFFICE

To: Undersecretaries
Assistant Secretaries
Bureau and Service Directors
Division Chiefs
All Others Concerned

10. The Undersecretary for Procurement shall ensure the timely submission by all EUs and IUs of their respective PPMPs for their proper review and consolidation into the indicative APP and APP in accordance with Section 7 of the IRR.
10.1 The BAC-Secretariat Division (SD) shall be responsible for the proper review and consolidation of all the PPMPs into the indicative APP and APP pursuant to Section 44.3 of the IRR. The BAC SD shall ensure that the review and consolidation of the PPMPs into the indicative APP and APP be completed within thirty (30) calendar days from receipt thereof from the EUs or IUs, for submission to the respective BACs.

To ensure administrative efficiency and streamline the procurement of similar and related items and services across the Department, all General Services requirements, including venue and catering requirements, shall be consolidated by the Administrative Service under its PPMP.

Software, Platforms, Services, and Technologies,
f. Technical Advisory Services and Highly Technical Consultants, and
Foreign Assisted Projects;
g. General Services, Maintenance, and Other Printing Requirements including Accountable Forms and Non-Accountable Forms; or

1 Section 41.2.1 of the IRR of RA No. 12009
2 Last Reconstitution was through Office Order OO-OSEC-2024-279, dated November 18, 2024, "Revised Reconstitution of the 2024 Bids and Awards Committees of the Department of Education Central Office."

Small Value Procurement (Sec. 34 of the IRR of RA No. 12009)

Conditions



**ABC not exceeding
Php 2 Million**



**Posting period of
three (3) cds**

PhilGEPS, PE's website, and Office's conspicuous places *(except ABC more than Php 200,000.00)*



**Request for at least
three (3) quotations**

**Receipt of
one (1)
quotation is
sufficient for
evaluation**

LGU Threshold

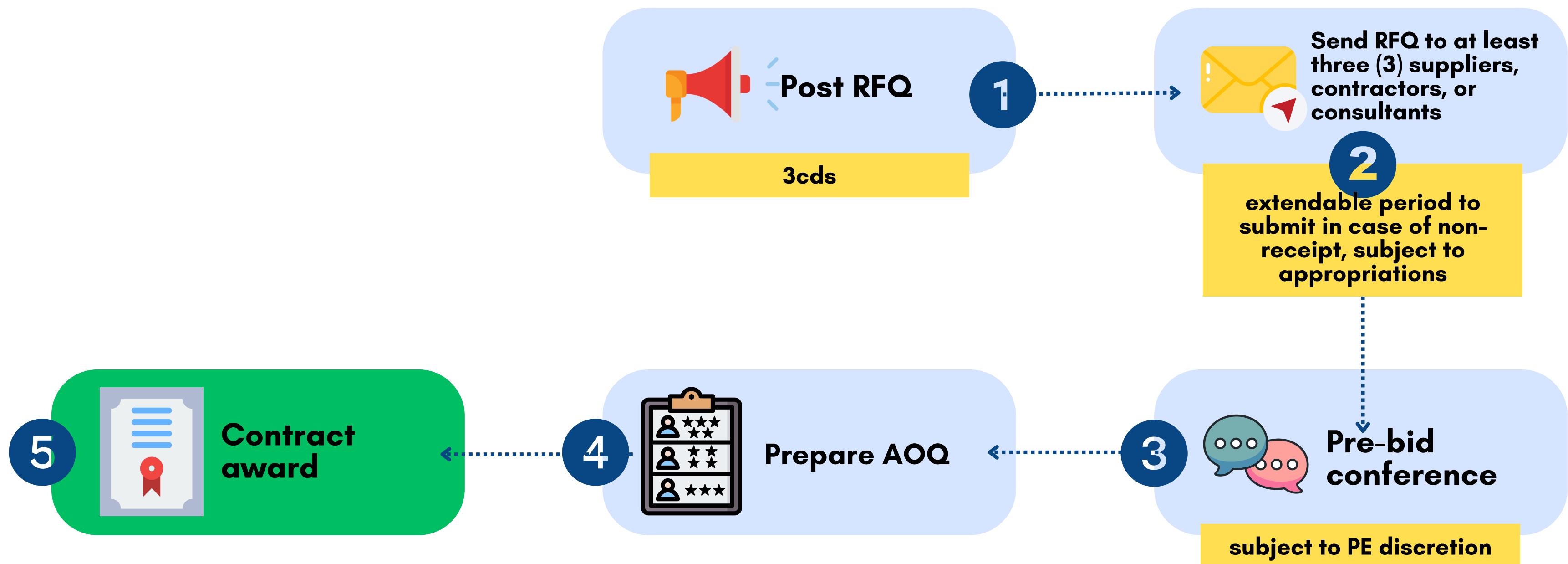
CLASSIFICATION OF LGUs	MAXIMUM AMOUNT (in Philippine Peso)		
	Province	City	Municipality
1 st Class	2,000,000	2,000,000	400,000
2 nd Class	2,000,000	2,000,000	400,000
3 rd Class	2,000,000	1,600,000	400,000
4 th Class	1,600,000	1,200,000	200,000
5 th Class	1,200,000	800,000	200,000

For Barangays ₱100,000

The GPPB is authorized to adjust the threshold amount based on the LGU income classification.

The threshold amount shall be applicable in the procurement of Goods, Infrastructure Projects, and Consulting Services.

Small Value Procurement (Sec. 34 of the IRR of RA No. 12009)





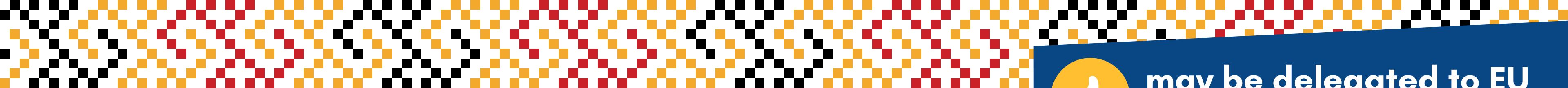
An agency posted a Request for Quotation under Small Value Procurement and received only one quotation by the deadline. What should the agency do?

- A. Cancel the procurement and repost the request.
- B. Proceed with the evaluation if the quotation is responsive and within the approved budget.
- C. Wait for at least two more quotations.



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- C. Wait for at least two more quotations.



Direct Acquisition (Sec. 32 of the IRR of RA No. 12009)



may be delegated to EU
or Procurement Unit



Goods



Infrastructure Projects



Consulting Services



Direct purchase of goods or services from a known and reputable supplier without the need to conduct canvass or request for quotation

Applicability



Procurement of **CSE not available in the PS-DBM, Non-CSE, and services**



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Direct Acquisition (Sec. 32 of the IRR of RA No. 12009)

Coverage

department store, depot, fast food chain, grocery and supermarket, wholesale and retail store, convenience store, clothing and apparel store, bookstore, drugstore and pharmacy, automotive parts and accessories store, construction and hardware store, and online stores



Goods

furniture repair, automotive service, restoration service, machine and fabrication, and others



Services

Direct Acquisition (Sec. 32 of the IRR of RA No. 12009)

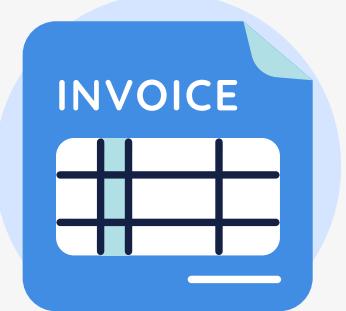
Conditions



**ABC not exceeding
Php 200,000.00**



**Supplier is legally,
technically, and
financially capable**



**Invoices compliant
with BIR**



Payments Allowed Under COA

Where to Buy From?



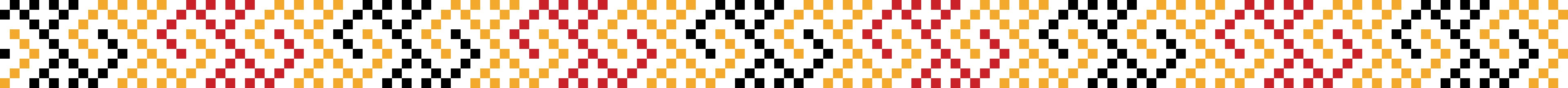
PhilGEPS registered



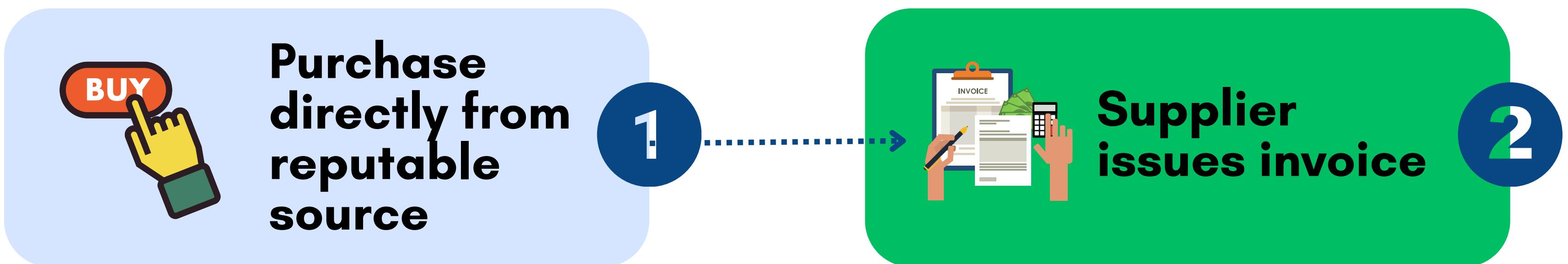
**Available off-the-shelf
and immediately
available for pick-up or
delivery**



**Available in e-
commerce platforms
(delivery or pick-up on
PE-specified date/time)**



Direct Acquisition (Sec. 32 of the IRR of RA No. 12009)



Direct Acquisition (Sec. 32 of the IRR of RA No. 12009)



Procurement of EduKahon kits to ensure rapid deployment and immediate learning continuity during disasters





TRUE

FALSE

Direct Acquisition only
be paid through petty
cash or
reimbursements.



FALSE

Direct Acquisition only
be paid through petty
cash or
reimbursements.



may be delegated to EU
or Procurement Unit

Direct Procurement of Science, Technology, and Innovation (Sec. 37 of the IRR of RA No. 12009)



Goods



Infrastructure Projects



Consulting Services

Applicability

Procurement of **Goods and Services**



Legally, technically, and financially capable supplier or manufacturer, **or from a qualified startup business**



Goods



Infrastructure Projects



Consulting Services

Conditions



Projects covered:

- Supplies, materials, equipment, and related services used directly and exclusively for R&D
- Commissioned goods developed or manufactured to meet specific PE requirements, including:
 - Pre-commercial goods and services (early market engagement)
 - Goods developed by qualified startups to support innovation
 - Other analogous innovation-driven procurements



IP ownership defaults to the PE, unless otherwise agreed in writing



Supplier cannot manufacture or sell the commissioned goods

NEW

The detailed procedure shall be based on the implementation guidelines to be issued by the GPPB



Who owns the intellectual property rights of goods commissioned and developed under this mode of procurement, unless otherwise agreed in writing?

- A. The supplier or manufacturer
- B. The startup business
- C. The Procuring Entity
- D. The DOST



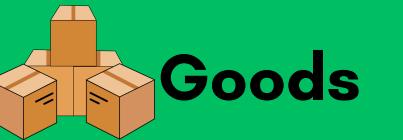
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- A. The supplier or manufacturer
- B. The startup business
- C. The Procuring Entity
- D. The DOST

Direct Sales (Sec. 36 of the IRR of RA No. 12009)



may be delegated to EU or Procurement Unit



Goods



Infrastructure Projects



Consulting Services



Procurement of Non-CSE

Directly purchases from a supplier that has satisfactorily delivered Non-CSE to another government agency under a completed contract



Goods



Infrastructure Projects



Consulting Services

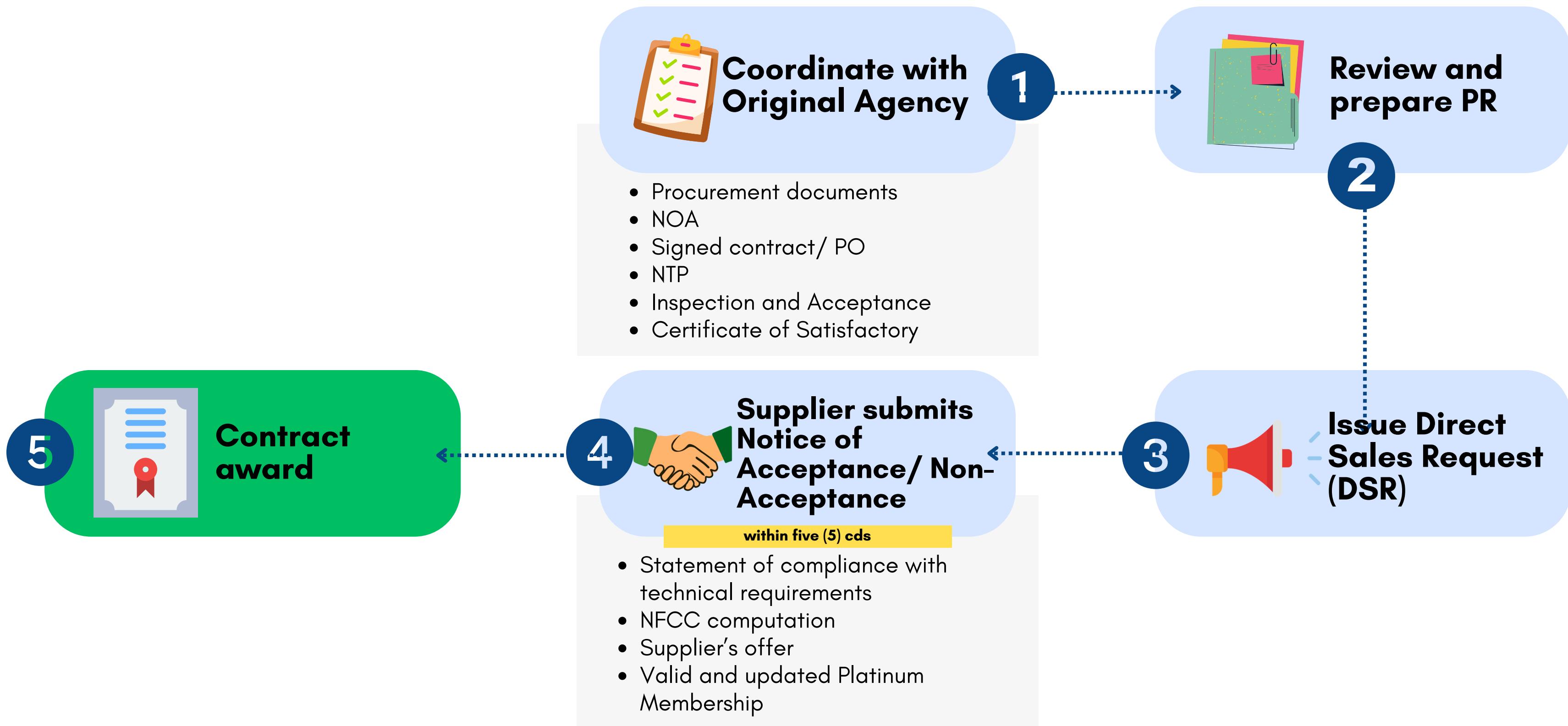
Applicability

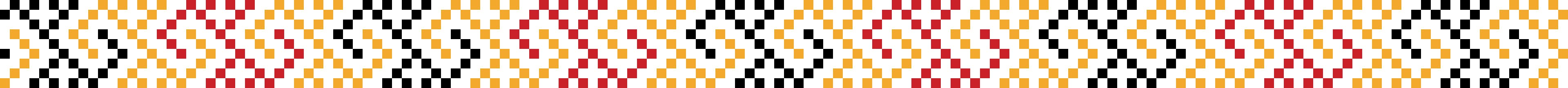
Conditions

- ✓ Original agency has:
 - Procured and awarded through competitive bidding, LSB, competitive dialogue, or unsolicited officer with bid matching
 - Inspected and accepted
 - Issued at least satisfactory performance
- ✓ Start procurement within 6 months from original agency's acceptance
- ✓ Supplier has:
 - Same offer or lower unit price
 - Legally, technically, and financially capable

NEW

Direct Sales (Sec. 36 of the IRR of RA No. 12009)





Direct Sales (Sec. 36 of the IRR of RA No. 12009)



ORIGINAL Agency Unit Price

Php 2.1 Million/ unit

OTHER Agency Unit Price

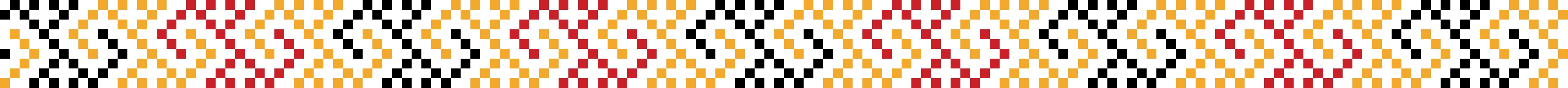
Php 2.2 Million/ unit

Brand SRP

Php 1.9 Million/ unit

DepEd Negotiation

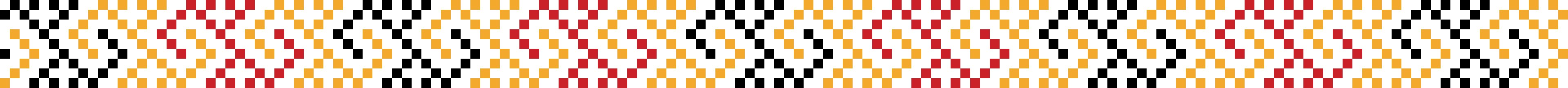
Php 1.37 Million/ unit



Which of the following statements is FALSE?



- A. Under Direct Sales, the procuring entity may purchase up to 100% of the contract amount executed by the supplier and the original government agency.
- B. The Direct Sales process ends if the supplier declines the Direct Sales Request (DSR).
- C. The request for Direct Sales must be made within six (6) months from the original agency's issuance of the Purchase Order or Contract.
- D. Procurement through Direct Sales is not exempt from audit



Which of the following statements is FALSE?

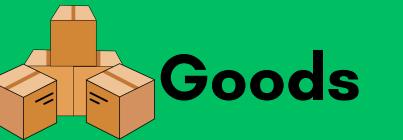


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Direct Contracting (Sec. 31 of the IRR of RA No. 12009)



may be delegated to EU or Procurement Unit



Goods



Infrastructure Projects



Consulting Services

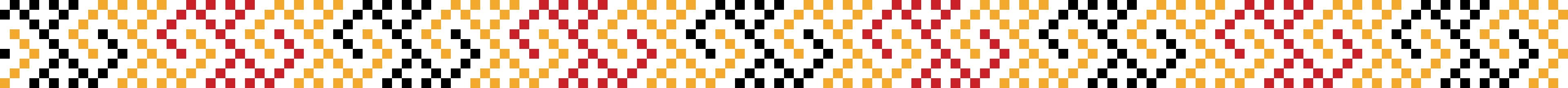
Applicability

Procurement of **Goods**

Supplier is only required to submit a **price quotation or pro-forma invoice together with the conditions of sale**

Conditions

- ✓ Goods are proprietary in nature, which can only be obtained from proprietary source;
- ✓ Procurement of critical components from a specific manufacturer, supplier, or distributor; or
- ✓ Sold by an exclusive dealer or manufacturer which does not have sub-dealers selling at lower prices and with no suitable substitute



Direct Contracting (Sec. 31 of the IRR of RA No. 12009)





In which of the following scenarios is Direct Contracting NOT allowed?

- A. Purchase of a patented lab device available only from the original manufacturer
- B. Procurement of book or reading materials protected by copyright
- C. Procurement of standard steel cabinet for a new office
- D. Acquisition a proprietary engine component required by the equipment warranty



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may be delegated to EU
or Procurement Unit

Repeat Order (Sec. 33 of the IRR of RA No. 12009)



Goods



Infrastructure
Projects



Consulting
Services

Applicability

Procurement of **Goods** from a previous winning bidder whenever there arises a need to replenish the goods procured under a contract previously awarded through bidding

(Competitive Bidding, Limited Source Bidding, Competitive Dialogue, or Unsolicited Offer with Bid Batching)

Conditions

- Availed within 6 months from date of NTP, except in special circumstances as approved by the GPPB;
- Unit price must be equal to or lower than that provided in original contract and the prevailing market price; and
- Shall not exceed 25% of the quantity of each item in the original contract

Repeat Order (Sec. 33 of the IRR of RA No. 12009)



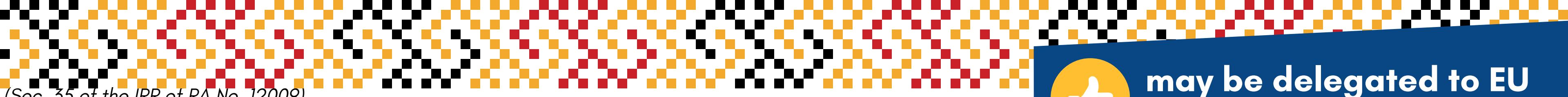


A Local Government Unit (LGU) previously procured custom-fabricated electronic ID printers for its public library system through Direct Contracting, as the machines were proprietary and available only from the exclusive local distributor. Three (3) months after delivery, the LGU determined a need to procure 20% more of the same printers due to increased demand. They are considering using the Repeat Order modality for the additional units.

Question: Can the LGU use Repeat Order for this follow-up procurement?



No, the LGU cannot use Repeat Order because the original procurement was made through Direct Contracting, not through a competitive method like Competitive Bidding, Limited Source Bidding, Competitive Dialogue or Unsolicited Offer with Bid Matching. Repeat Order is only permitted if the original contract was awarded through a competitive process.



Modes of Procurement - Negotiated Procurement



Negotiated Procurement

PE directly negotiates a contract with a technically, legally, and financially capable supplier, contractor, or consultant

	Two Failed Biddings		Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services		Community Participation
	Emergency Cases		Highly Technical Consultants		United Nations Agencies, International Organizations or International Financing Institutions
	Take-over of Contracts		Defense Cooperation Agreements and Inventory-Based Items		Direct Retail Purchase of Petroleum Fuel, Oil and Lubricant Products, Electronic Charging Devices, and Online Subscriptions
	Adjacent or Contiguous		Lease of Real Property and Venue		Agricultural and Fishery Products <small>GPPB Resolution No. 08-2025 dated 25 September 2025</small>
	Agency-to-Agency		Non-Government Organization Participation		International Events, Conferences, Summits or Activities Hosted by the Philippine Government <small>GPPB Resolution No. 01-2026 dated 07 January 2026</small>

The detailed procedure for each mode of procurement shall be provided in the manual to be issued by the GPPB

Lease of Real Property and Venue (Sec. 35.9 of the IRR of RA No. 12009)



Goods



Infrastructure Projects



Consulting Services



For official use, government agencies should prioritize leasing government-owned properties. Leasing private properties is allowed only when justified as more efficient and cost-effective

Conditions

- ✓ Location should have been meticulously selected by the PE
- ✓ ABC shall be supported by a canvass from at least three (3) lessors within the vicinity of the selected location
- ✓ Rental rates are considered reasonable when they represent the value of what the lessee gets in terms of accommodation, facility, amenities, and convenience
- ✓ Subject to rating factors

Lease of Real Property and Venue (Sec. 35.9 of the IRR of RA No. 12009)



DepEd pilots classroom leasing in Laguna as game changer to address shortage

By [SHERYL UNTALAN](#), GMA Integrated News

Published November 7, 2025 5:52pm



✓ A first in the agency's history

✓ 7 classrooms under a one-year lease arrangement



The BAC issued Request for Quotations (RFQs) to five hotels for the lease of venue under Negotiated Procurement. By the deadline, only one (1) hotel submitted a compliant quotation. Can the BAC proceed with the procurement?

- A. No, because at least three (3) quotations are required before evaluation.
- B. Yes, if the quotation is responsive and within the ABC.
- C. No, unless prior approval is granted by the GPPB.
- D. Yes, but only after re-posting the RFQ.



The BAC issued Request for Quotations (RFQs) to five hotels for the lease of venue under Negotiated Procurement. By the deadline, only one (1) hotel submitted a compliant quotation. Can the BAC proceed with the procurement?

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Highly Technical Consultants (Sec. 35.7 of the IRR of RA No. 12009)

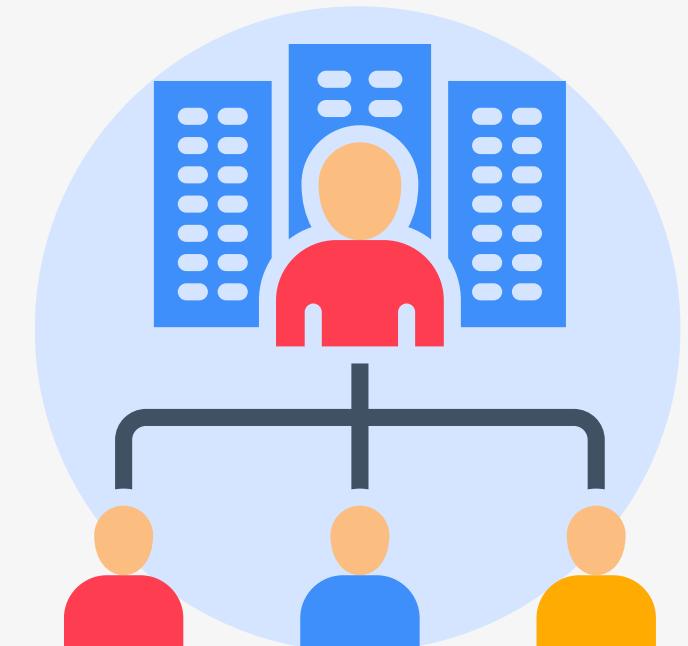
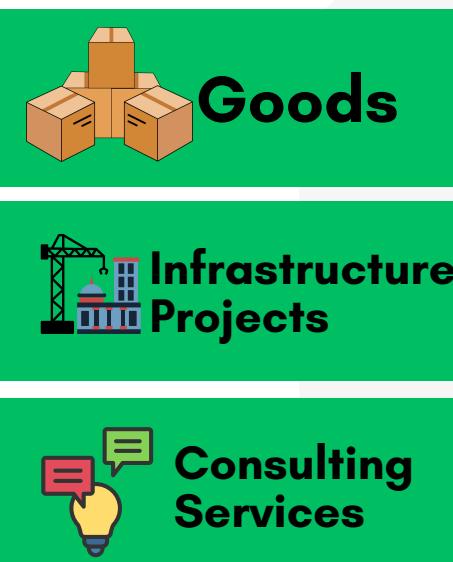


Engagement with a consultant hired to do work that is highly technical or proprietary, or primarily confidential or policy determining

Conditions

- ✓ Trust and confidence are the primary considerations for hiring
- ✓ Term shall at most be on a yearly basis
- ✓ Renewable at the option of the appointing HoPE, but in no case shall exceed the term of the latter

Agency-toAgency (Sec. 35.5 of the IRR of RA No. 12009)



Procurement of Goods, Infrastructure Projects, and Consulting Services from another agency of the government which has the mandate and absorptive capacity to undertake the project

Conditions

The Servicing Agency must:

- Be certified as having the mandate and capacity to implement the project
- Have access to the required tools and equipment
- Implement the project in-house (no subcontracting allowed)
- Have a relevant track record, with similar projects costing at least 50% of the current project in the case of infrastructure

Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services (Sec. 35.6 of the IRR of RA No. 12009)



Goods



Infrastructure Projects



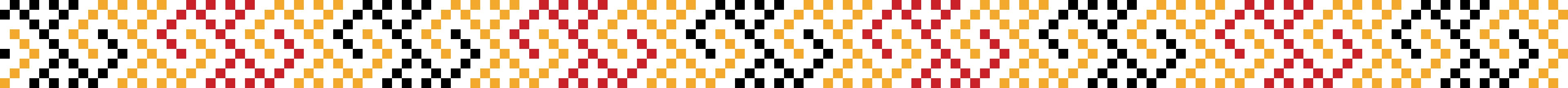
Consulting Services



Where Goods, Infrastructure Projects, and Consulting Services can be contracted to a particular supplier, contractor, or consultant, as determined by the HoPE

Coverage

- 💡 Work of art, commissioned work or services
- 💡 Restorative works for the conservation of historical and culturally significant structures and artworks
- 💡 Scientific, academic, scholarly work or research, or legal services
- 💡 Media, documentation, advertisement, or announcement
- 💡 Scientific, technical, economic, business trade or legal journal, magazine, paper, suscription, or statistical publications/ references
- 💡 Highly-specialized life saving medical and biotech equipment equipment and devices, medicine as confirmed by DOH



Direct Retail Purchase of Petroleum Fuel, Oil and Lubricant Products, Electronic Charging Devices, and Online Subscriptions (Sec. 35.13 of the IRR of RA No. 12009)



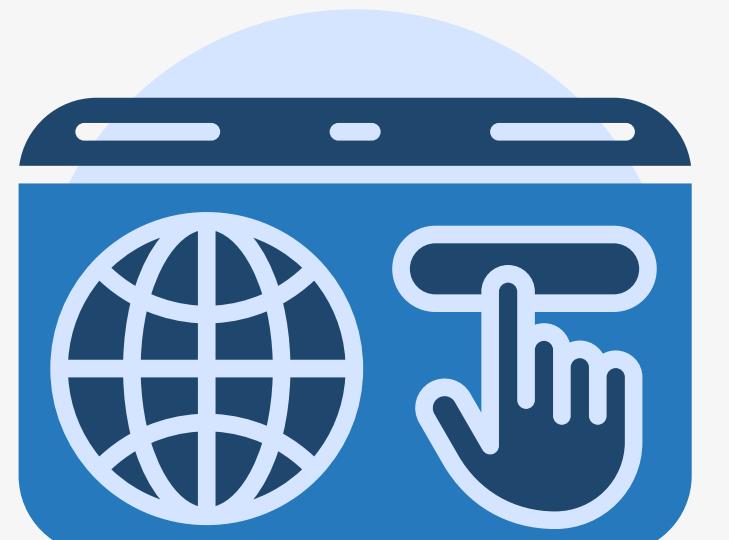
Goods



Infrastructure Projects



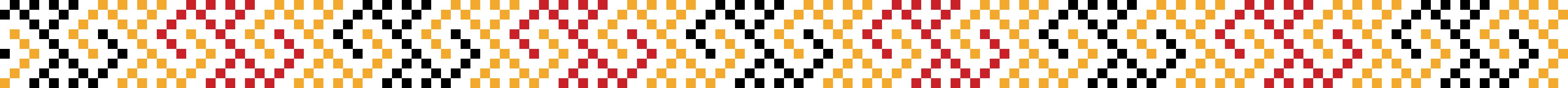
Consulting Services



Direct retail purchase from identified direct suppliers or service providers, where goods and services are required by the PE for the efficient discharge of its principal functions or day-to-day operations

Coverage

- Petroleum fuel, oil, and lubricant products
- Electronic charging devices
- Online subscription with no local provider
 - Computer software applications
 - Electronic publications, reference materials, and journals
 - Off-the-shelf software and applications, except internet and cloud computing services
 - Web-based services



Direct Retail Purchase of Petroleum Fuel, Oil and Lubricant Products, Electronic Charging Devices, and Online Subscriptions (Sec. 35.13 of the IRR of RA No. 12009)

Justification for Online Subscription

Comparative evaluation showing the **preferred online subscription provides superior value**, or that **no better local alternative is available**



Submit a report indicating that **no local provider is available**

Non-Government Organization Participation (Sec. 35.10 of the IRR of RA No. 12009)



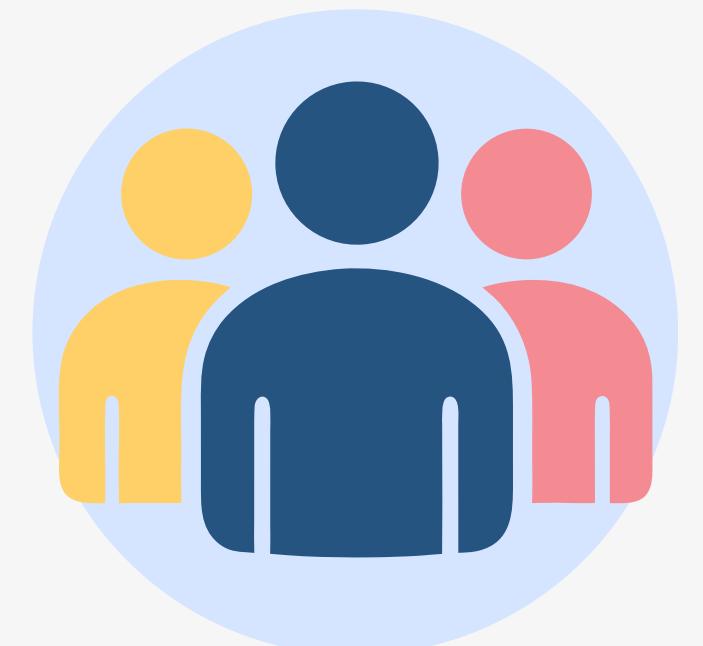
Goods



Infrastructure Projects



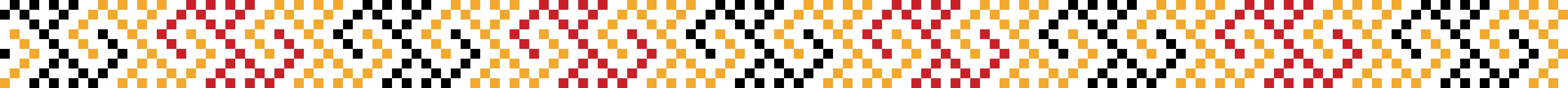
Consulting Services



For projects with an appropriation law or ordinance earmarks an amount to be specifically contracted out to NGOs

Conditions

- ✓ An NGO is a non-stock, non-profit organization or cooperative registered with the SEC or CDA that provides goods or services for socio-economic development
- ✓ Selected NGOs must maintain separate bank accounts and accounting records for the project



United Nations Agencies, International Organizations or Financing Institutions (Sec. 35.12 of the IRR of RA No. 12009)



Direct procurement of Goods and Consulting Services from specialized agencies of the UN, international organizations or international financing institutions

Conditions

- ✓ Small quantities of off-the shelf goods exclusively used in education and health
- ✓ Specialized products where the number of suppliers is limited (ex, vaccines)
- ✓ Goods and Consulting Services involving advanced technologies, techniques, and innovations not locally available as certified by the DTI, when it's most advantageous to the PE
- ✓ Goods for critical public health priorities as determined and certified by the DOH

Defense Cooperation Agreements and Inventory Based Items (Sec. 35.8 of the IRR of RA No. 12009)



Goods



Infrastructure Projects



Consulting Services



Procurement conducted pursuant to defense cooperation agreements entered into by the Philippine Government with other states or international partners or otherwise maintains diplomatic relations when the procurement involves major defense equipment or materiel or defense-related consultancy services

Applicability



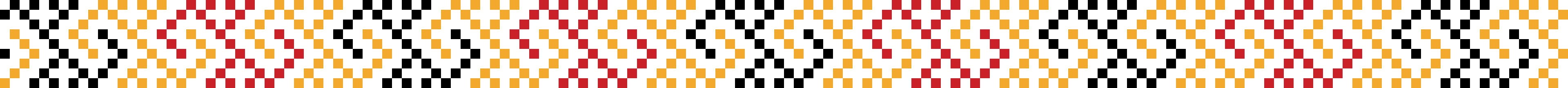
Procurement of Goods and Consulting Services



Law Enforcement Agencies



The detailed procedure shall be based on the implementation guidelines to be issued by the GPPB



Defense Cooperation Agreements and Inventory Based Items (Sec. 35.8 of the IRR of RA No. 12009)

Coverage



Major defense equipment or materiel or defense-related consultancy services

inventory-based items pertaining to major defense equipment or materiel,

not necessarily limited to those under the AFP Modernization Program



The detailed procedure shall be based on the implementation guidelines to be issued by the GPPB

Defense Cooperation Agreements and Inventory Based Items (Sec. 35.8 of the IRR of RA No. 12009)

Conditions for Defense Cooperation Agreements



DND Secretary deemed it necessary to protect the interest of the country

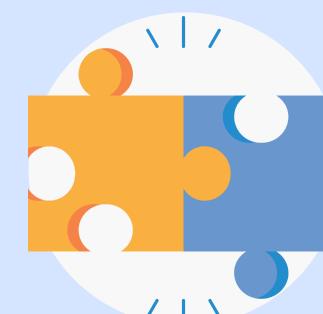


Expertise or capability required is not locally available



Project is included in the AFP Modernization Program previously approved by the President

Conditions for Inventory-Based Items



Will address compatibility, interoperability, and sustainability

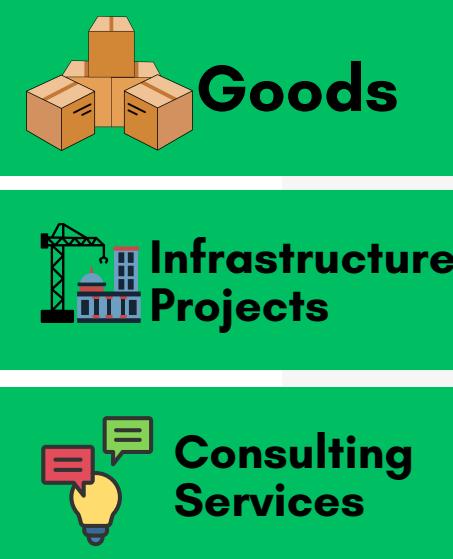
Full and satisfactorily implemented contract of the same item with the DND or its bureaus or attached agencies or law enforcement agencies



Performance security

The detailed procedure shall be based on the implementation guidelines to be issued by the GPPB

Take-Over of Contracts (Sec. 35.3 of the IRR of RA No. 12009)



Assumption by the government or a replacement contractor of an ongoing contract after its termination or rescission, to ensure the completion or continuity of the project

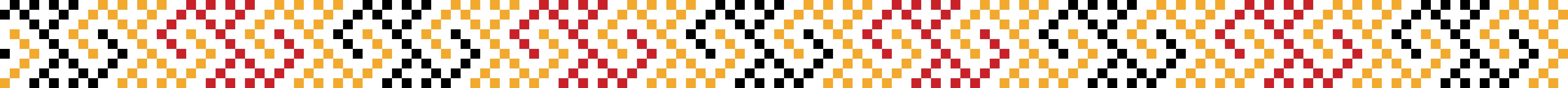
Applicability



Procurement of **Goods, Infrastructure Projects, and Consulting Services**



Immediate action is necessary to prevent further delay, loss, damage, or deterioration of the project



Take-Over of Contracts (Sec. 35.3 of the IRR of RA No. 12009)

Conditions

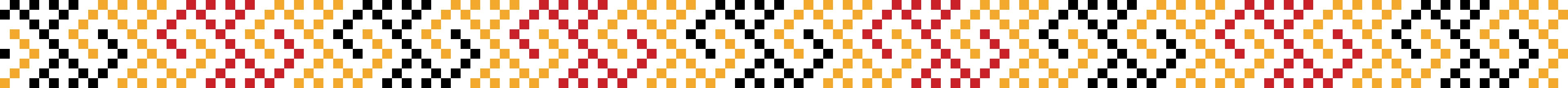


Previously Awarded through CB, CD, LSB, or SVP has been rescinded or terminated

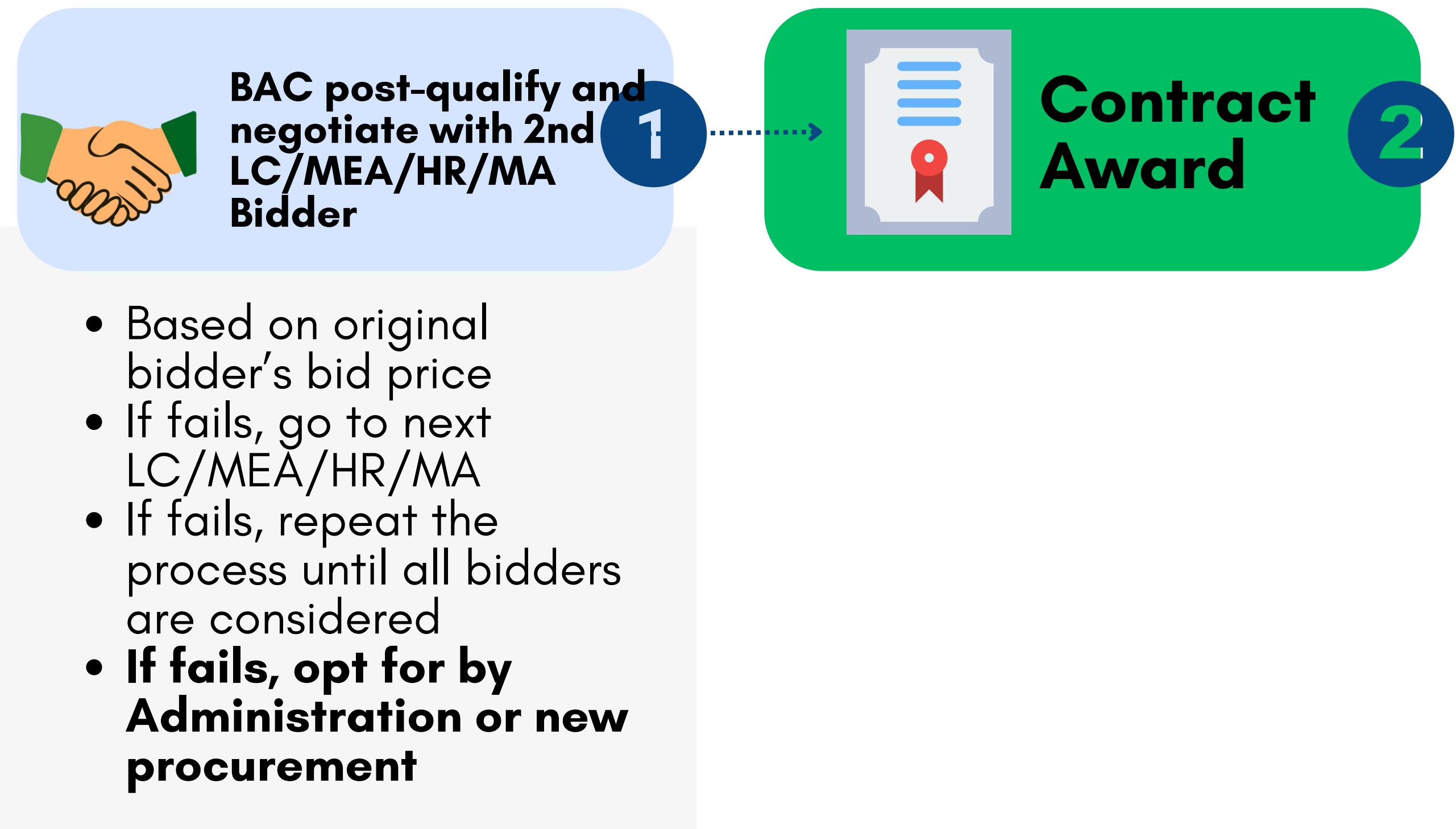


Immediate Action is Necessary





Take-Over of Contracts (Sec. 35.3 of the IRR of RA No. 12009)



Adjacent or Contiguous (Sec. 35.4 of the IRR of RA No. 12009)



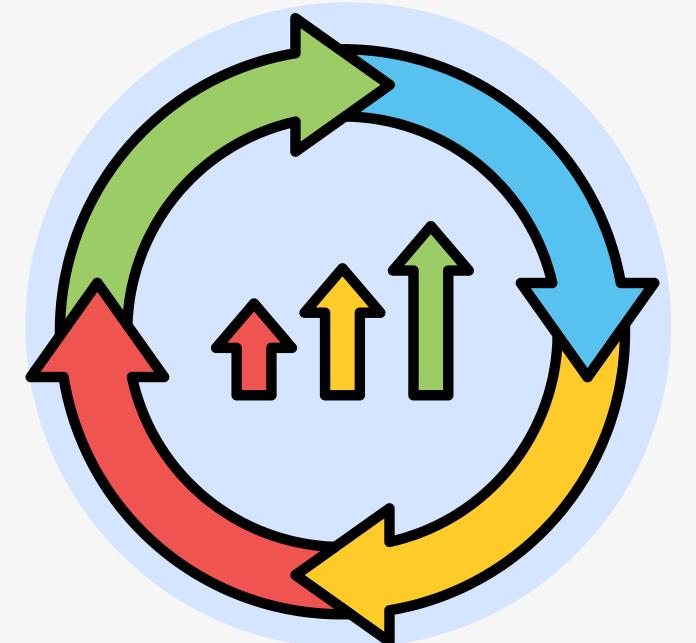
Goods



Infrastructure Projects



Consulting Services



For infrastructure projects that are physically adjacent or directly connected to an existing or ongoing project, including consulting services that are directly related to such infrastructure

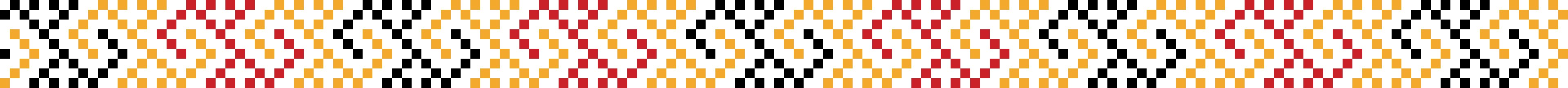
Applicability



Procurement of **Infrastructure Projects, and Consulting Services**



Ongoing projects



Adjacent or Contiguous (Sec. 35.4 of the IRR of RA No. 12009)

Coverage



Actual physical contact with each other or in the immediate vicinity

such that the required equipment and other resources can easily be mobilized



Linkage or relationship of the subject matters, outputs, or deliverables required



For new items within the contract scope, unit prices must be equal to or lower than prevailing market prices.

Adjacent or Contiguous (Sec. 35.4 of the IRR of RA No. 12009)

Conditions



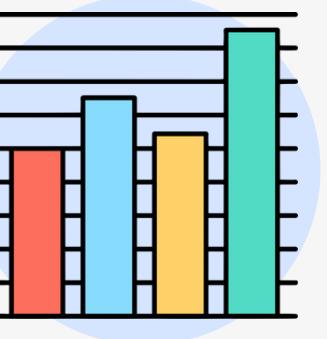
Original contract was awarded through CB, CD, or LSB



New contract has related Scope of Work/ TOR



Within contractor/ consultant's capacity



Infrastructure: SLCC, NFCC, PCAB license cover combined project value



Same or lower unit prices as in the original contract less mobilization cost



New contract amount does not exceed original



No delays/ slippage in original contract



Negotiation starts before the original contract ends

Two-Failed Biddings (Sec. 35.1 of the IRR of RA No. 12009)



Goods



Infrastructure Projects



Consulting Services



When competitive bidding has been declared a failure twice for the same project, enabling the PE to directly negotiate with a qualified supplier, contractor, or consultant to ensure project implementation

Applicability



Procurement of **Goods, Infrastructure Projects, and Consulting Services**



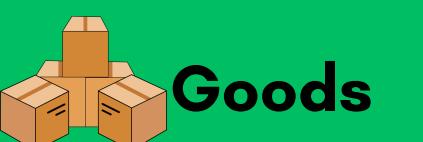
Two (2) failure of biddings in case of CB, LSB, or CD

Receipt of one (1) quotation is sufficient for evaluation

Two-Failed Biddings (Sec. 35.1 of the IRR of RA No. 12009)



Emergency Cases (Sec. 35.2 of the IRR of RA No. 12009)



Goods



Infrastructure Projects



Consulting Services



Directly procure goods, infrastructure projects, or consulting services due to an emergency situation that requires immediate procurement action to prevent loss of life, damage to property, or disruption of essential public services

Applicability



Procurement of **Goods, Infrastructure Projects, and Consulting Services**



There is a state of calamity, disaster, or emergency, or a situation that poses imminent danger to life or property



Immediate action is necessary to prevent loss, damage, or disruption of essential public services



The use of competitive bidding would cause unacceptable delay

Emergency Cases (Sec. 35.2 of the IRR of RA No. 12009)

Conditions

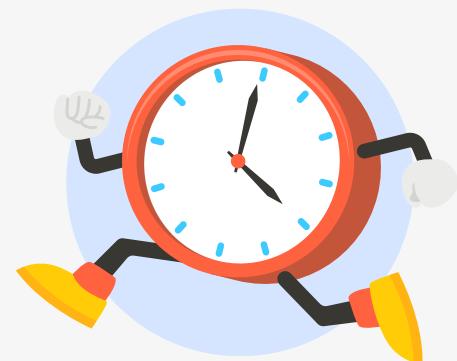


Imminent danger to life or property during a state of calamity



Other causes where immediate action is necessary

(prevent damage to or loss of life or property, or restore vital public services, infrastructure facilities, and other public utilities)

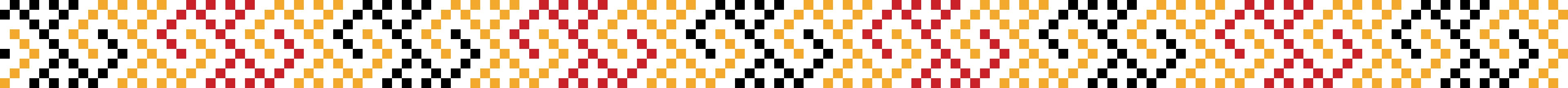


When time is of the essence arising from the natural or man-made calamities

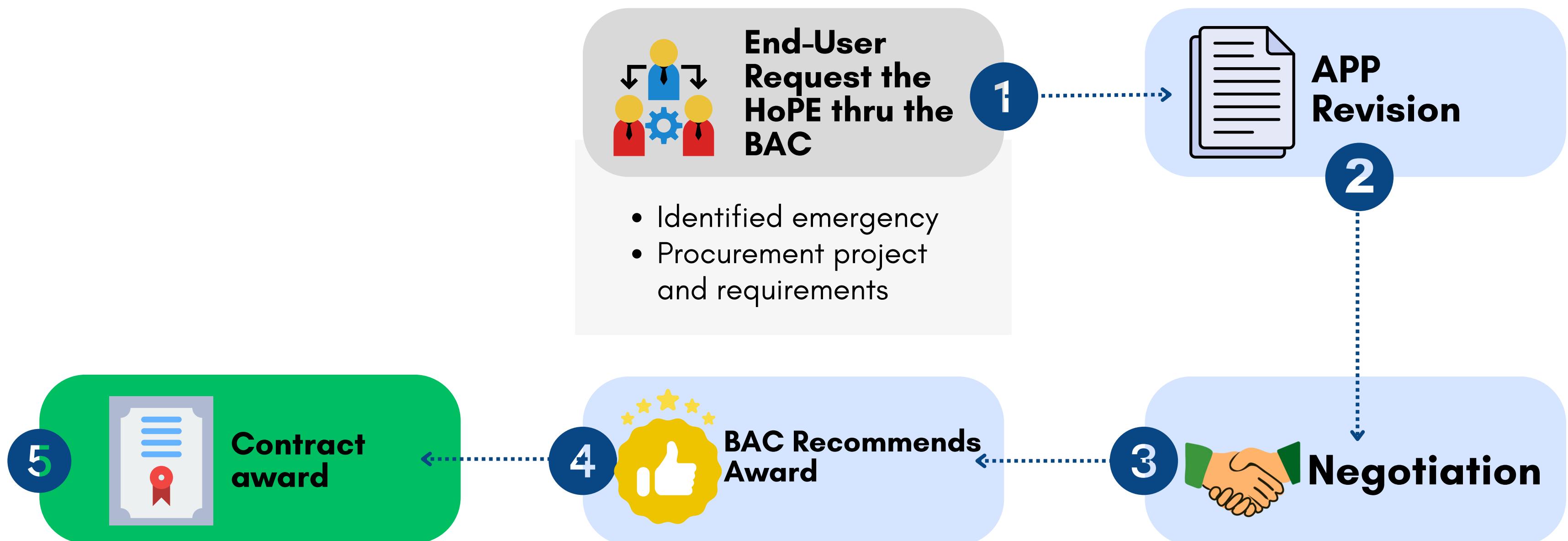


Emergencies requiring immediate action to prevent harm and service disruption

Immediate response and initial recovery steps to avoid loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation



Emergency Cases (Sec. 35.2 of the IRR of RA No. 12009)



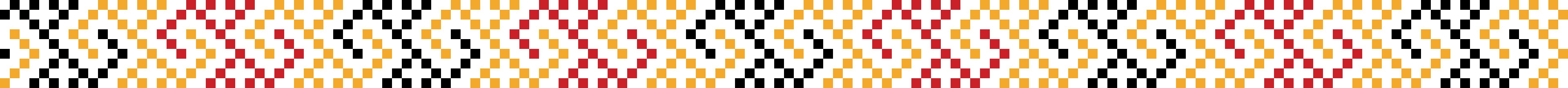
Emergency Cases (Sec. 35.2 of the IRR of RA No. 12009)



Expired mayor's permit with official receipt for renewal application and unnotarized omnibus sworn statement are accepted as basis for award, subject to the submission after the award of the contract, but before payment



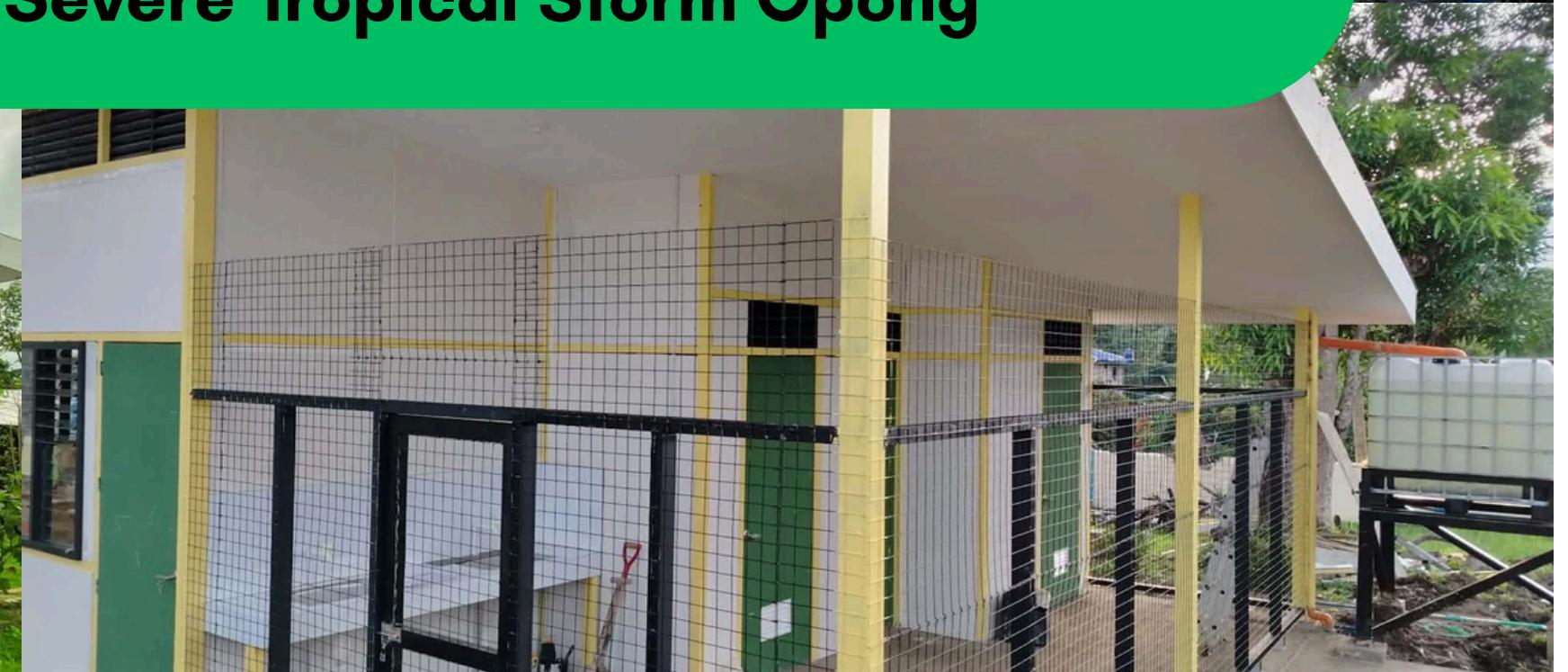
In case of infrastructure projects, PE may opt to undertake the project through Negotiated Procurement or by Administration or, in high security risk areas, through AFP



Emergency Cases (Sec. 35.2 of the IRR of RA No. 12009)



**Emergency Procurement of Learning Continuity Spaces Materials for
Masbate City in response to Severe Tropical Storm Opong**



Community Participation (Sec. 35.11 of the IRR of RA No. 12009)



Goods



Infrastructure Projects



Consulting Services



Direct purchase of agricultural and fishery products and directly negotiate simple infrastructure projects

Applicability



Procurement of **Goods and Infrastructure Projects**



Farmers and fisherfolks



Local communities or social groups or members (CSG)

Community Participation (Sec. 35.11 of the IRR of RA No. 12009)

Organized CSG



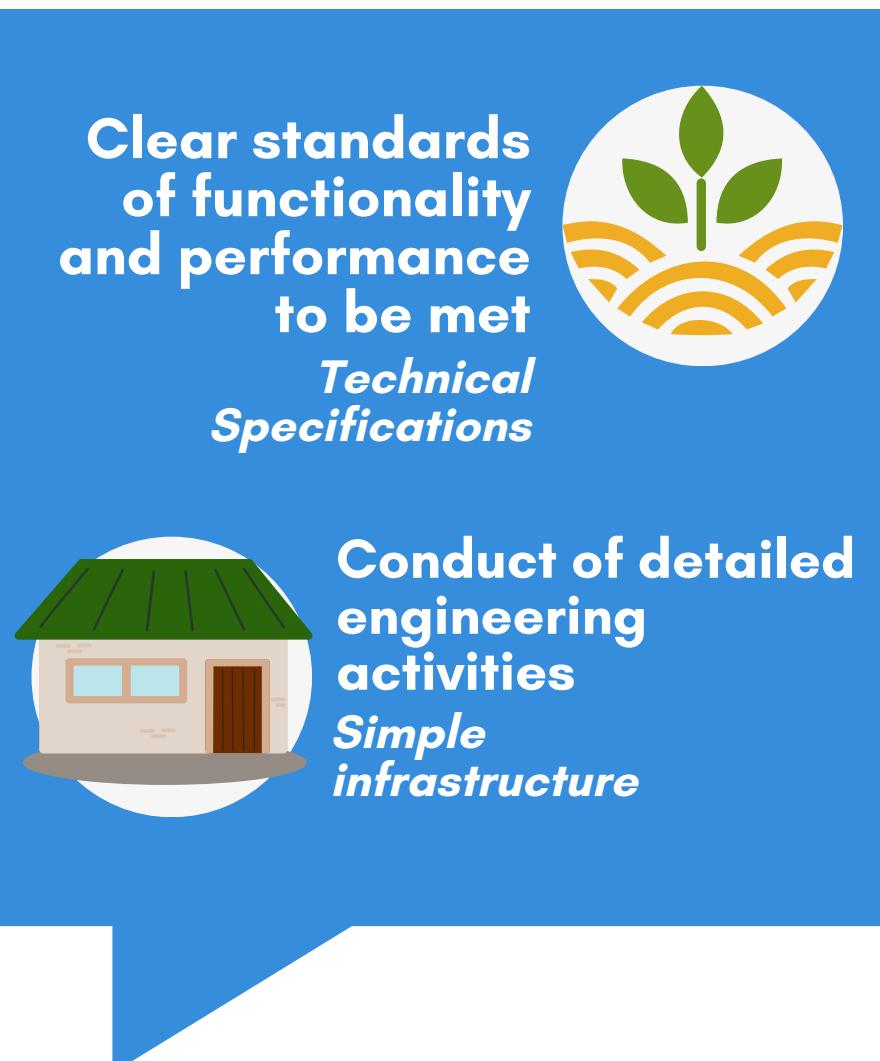
has defined organizational structure, identified membership and leadership, adopts a principle of shared responsibility, registered with appropriate regulatory bodies

Unorganized CSG

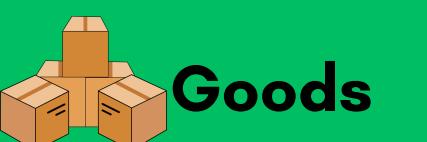


not registered in any government regulatory body or a member of a duly recognized private organization

Community Participation (Sec. 35.11 of the IRR of RA No. 12009)



Sagip Saka (GPPB Resolution No. 08, s. 2025 and Circular No. 02, s. 2025)



Goods



Infrastructure Projects



Consulting Services



Direct purchase of agricultural and fishery products in order to support local producers, ensure food security, and stabilize supply and prices

Applicability



Procurement of **Goods** local farmers, fisherfolk, cooperatives, and associations



Intends to:

- Support local farmers and fisherfolk
- Address food security, nutrition, or feeding programs
- Respond to urgent or essential food requirements of government programs

Receipt of one (1) quotation is sufficient for evaluation

NEW

Sagip Saka (GPPB Resolution No. 08, s. 2025 and Circular No. 02, s. 2025)

Coverage

and other locally produced food commodities



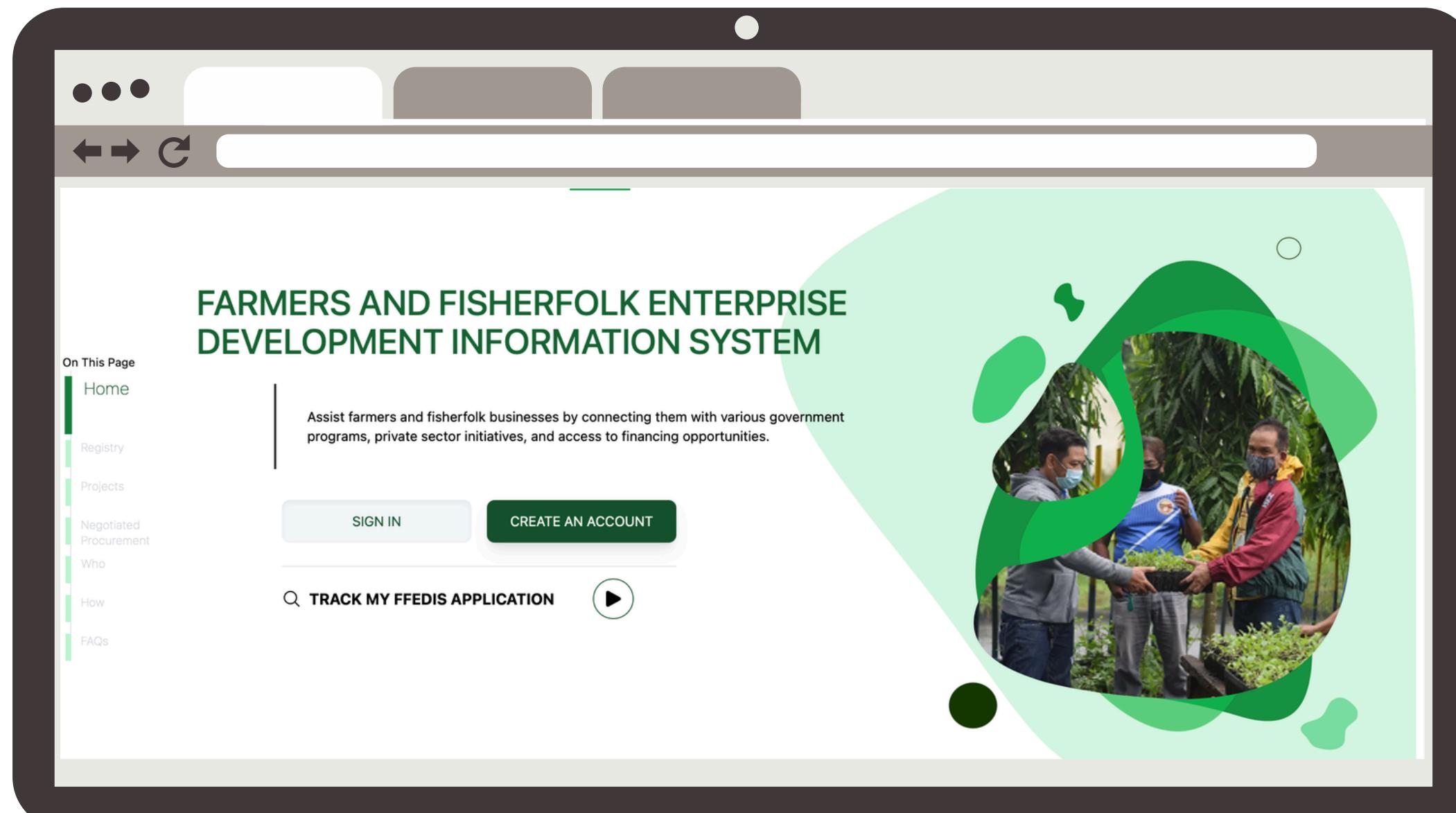
Agricultural and Fishery Products

Farmers' and fisherfolk cooperatives, Associations, and Community-based producers



Eligible Local Producers

Sagip Saka (GPPB Resolution No. 08, s. 2025 and Circular No. 02, s. 2025)

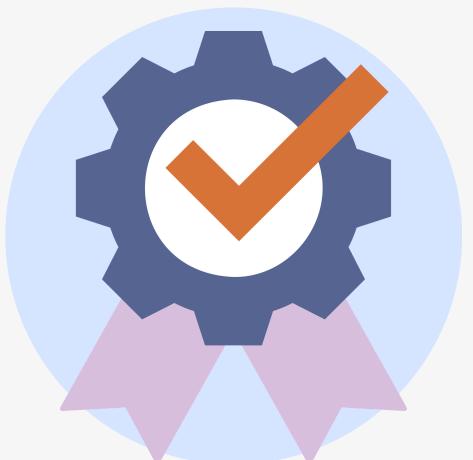


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~:text=Via%20Registration%
20Desk,out%20the%20FFED
IS%20form%20and](https://ffedis.da.gov.ph/#:~:text=Via%20Registration%20Desk,out%20the%20FFEDIS%20form%20and)

Sagip Saka (GPPB Resolution No. 08, s. 2025 and Circular No. 02, s. 2025)

Conditions



Suppliers must be legitimate farmers, fisherfolk, cooperatives, or associations



Prices must be fair, reasonable, and consistent with prevailing market prices



Transactions must comply with budgeting, accounting, and auditing rules



Documentation must support traceability and accountability of purchases



Procurement must be aligned with approved programs, plans, or feeding initiatives

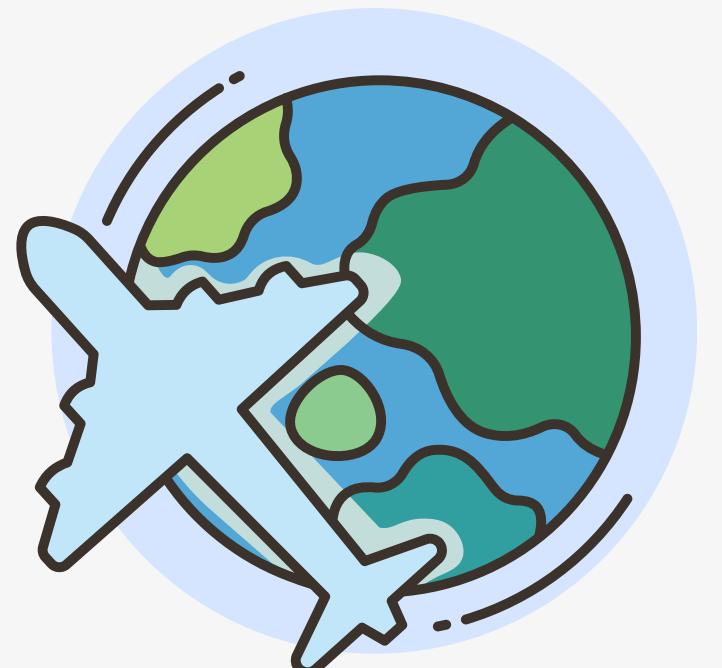
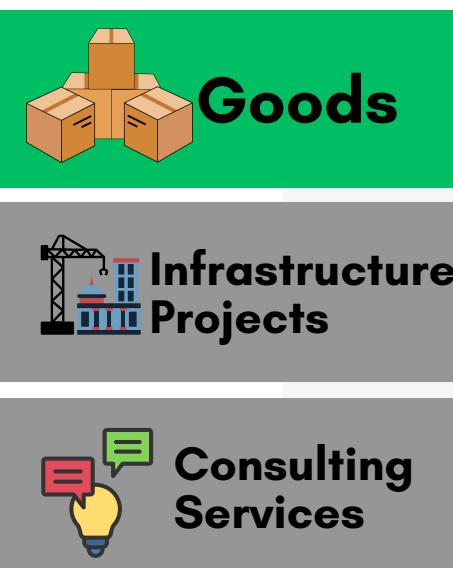
Sagip Saka (GPPB Resolution No. 08, s. 2025 and Circular No. 02, s. 2025)



Community Participation vs Sagip Saka

	Community Participation (Sec. 35.11 of the IRR of RA No. 12009)	Sagip Saka (GPPB Resolution No. 08, s. 2025 and Circular No. 02, s. 2025)
Policy Intent	Empower communities and beneficiaries to directly participate in the project implementation, including the direct purchase of agricultural and fishery products from local producer	Support farmers, fisherfolk, and MSMEs by allowing government to buy directly from accredited producers
Objective	Promote community ownership, inclusivity, and localized implementation	Ensure market access and fair prices for agricultural producers while shortening the supply chain
Nature of Procurement	Direct purchase of goods from farmers and fisherfolks, and direct negotiation with local communities or social groups	Direct procurement from accredited farmers, fisherfolk, cooperatives, associations, and MSMEs
Supplier	Community organizations, people's organizations, NGOs, beneficiary groups, and local farmers and fisherfolk	Accredited farmers, fisherfolk, cooperatives, associations, or MSMEs
Outputs	Small infrastructure, livelihood projects, community-based services, agricultural and fishery products, and other localized activities	Agricultural products, food supplies, raw materials, and similar goods

International Events, Conferences, Summits or Activities Hosted by the Philippine Government (GPPB Resolution No. 01-2026 dated 07 January 2026)



Procurement of goods and services related to international events, conferences, summits, or activities hosted by the Philippine Government

Applicability



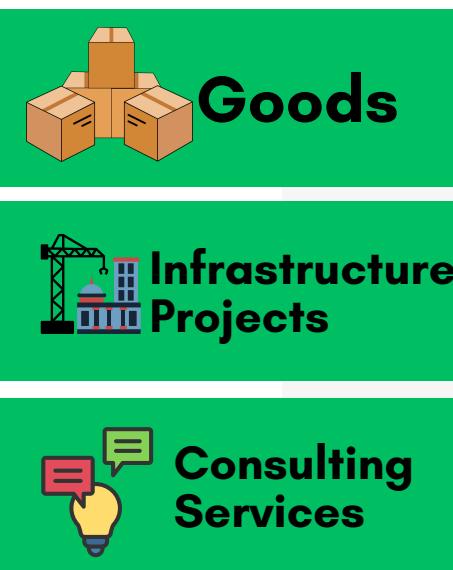
Procurement of **Goods**

Lease of hotels, venues, or office spaces, and temporary office facility of the dignitaries, delegates, representatives and athletes



Critical goods and services such as audio-visual and lighting system, event management services, event hosting, media relations, transportation services, and other similar goods and services, necessary to ensure safety and security and adherence to international obligations

Competitive Bidding (Sec. 27 of the IRR of RA No. 12009)



Open to participation by any eligible bidder

Process

-  Publication
-  Pre-bid conference
-  Eligibility screening
-  Receipt and opening of bids
-  Evaluation of bids
-  Post-qualification
-  Award of contract



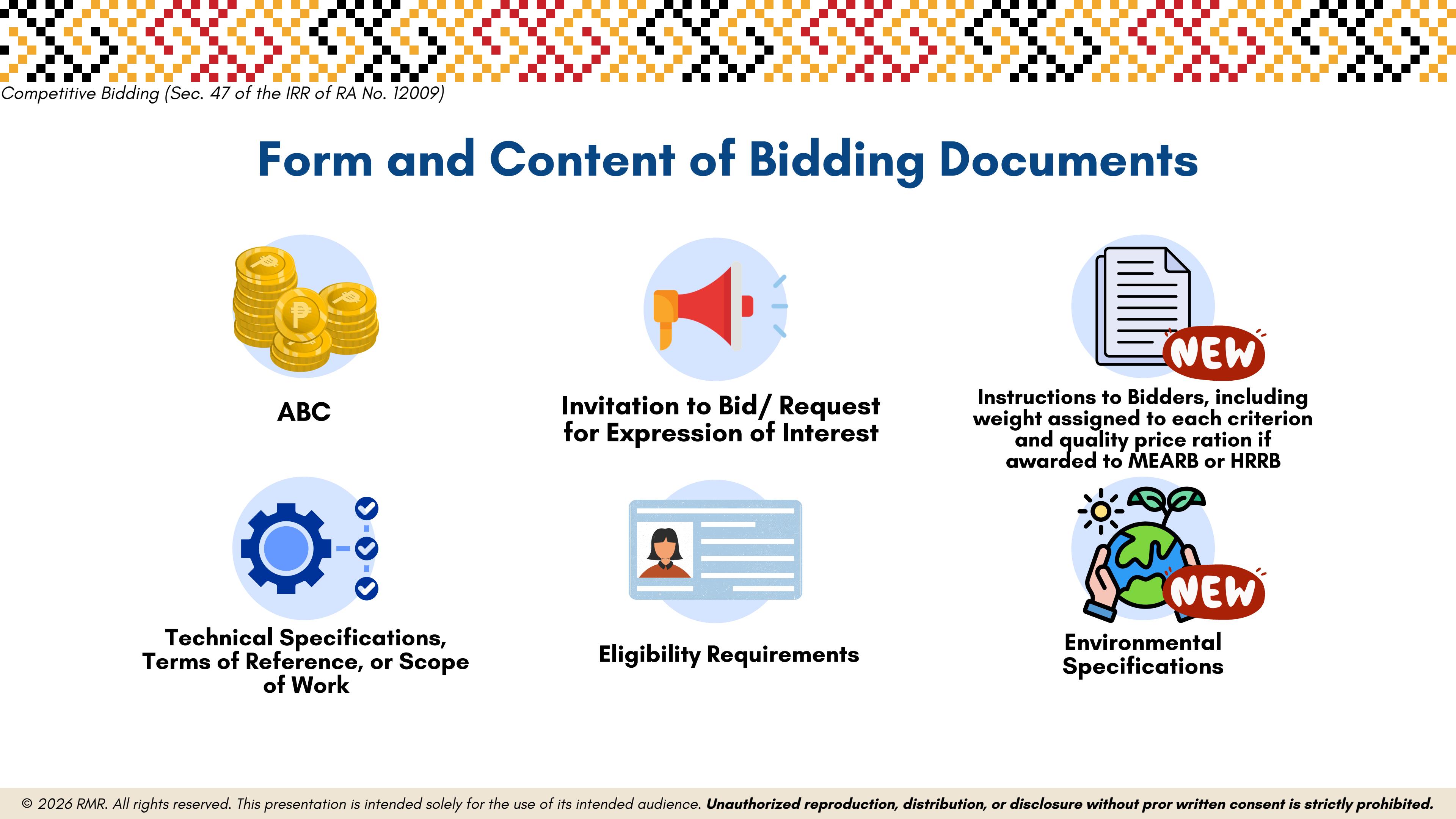
When can a Procuring Entity use Competitive Bidding?

- A. Only upon approval of the GPPB
- B. When it is determined to be the most suitable and responsive mode for the project requirements
- C. Only if the project involves first-time procurement of goods or services



When can a Procuring Entity use Competitive Bidding?

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- C. Only if the project involves first-time procurement of goods or services



Competitive Bidding (Sec. 47 of the IRR of RA No. 12009)

Form and Content of Bidding Documents



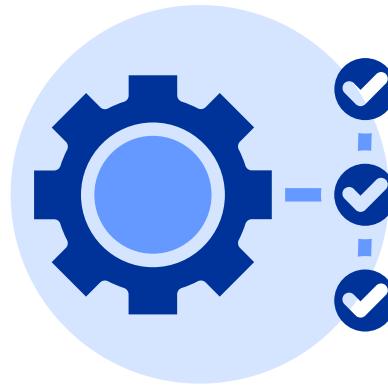
ABC



Invitation to Bid/ Request for Expression of Interest



Instructions to Bidders, including weight assigned to each criterion and quality price ration if awarded to MEARB or HRRB



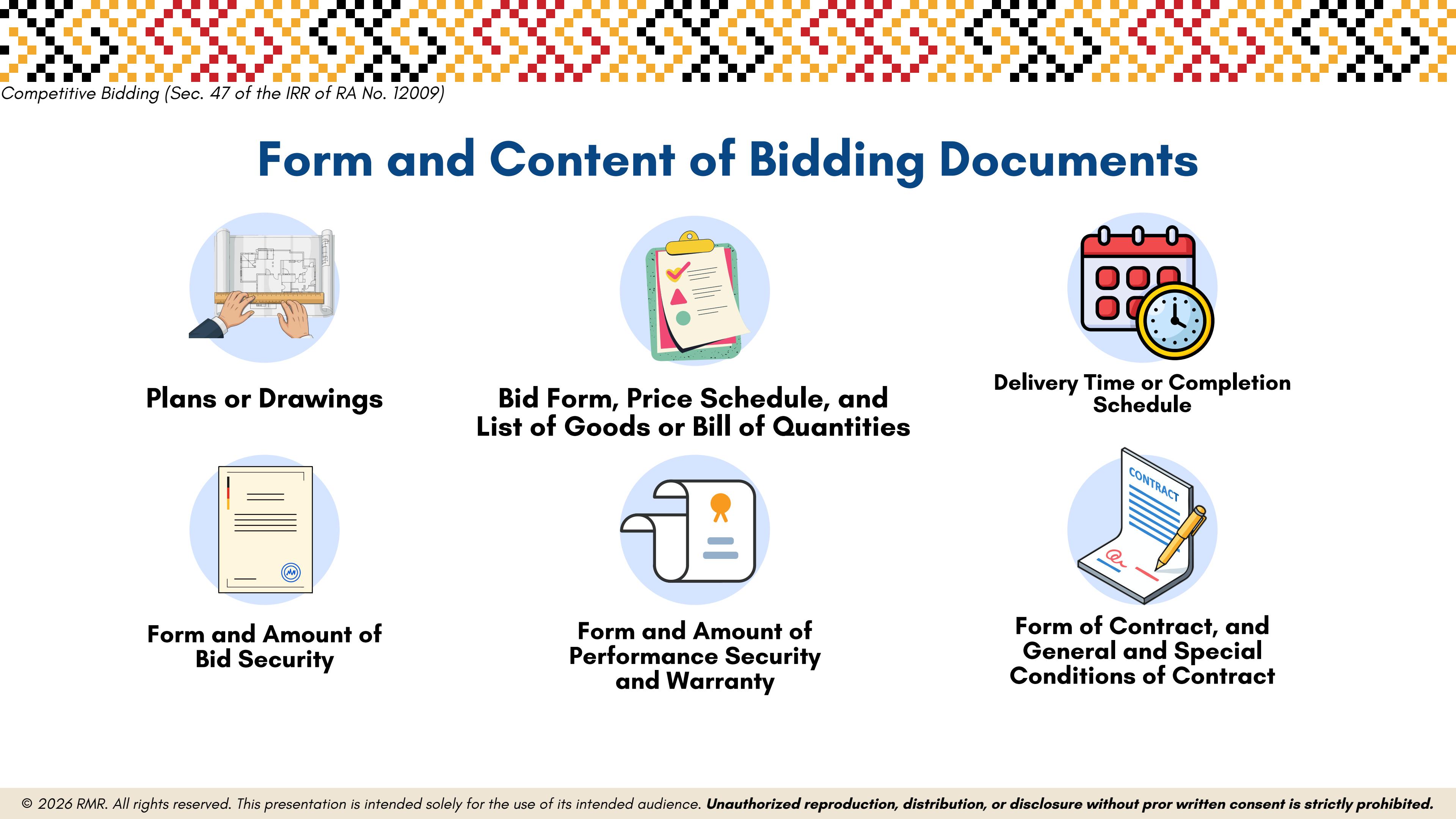
Technical Specifications, Terms of Reference, or Scope of Work



Eligibility Requirements

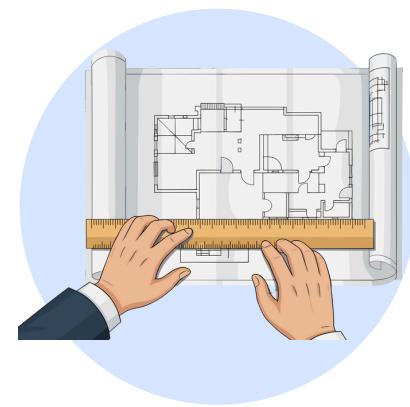


Environmental Specifications



Competitive Bidding (Sec. 47 of the IRR of RA No. 12009)

Form and Content of Bidding Documents



Plans or Drawings



Bid Form, Price Schedule, and List of Goods or Bill of Quantities



Delivery Time or Completion Schedule



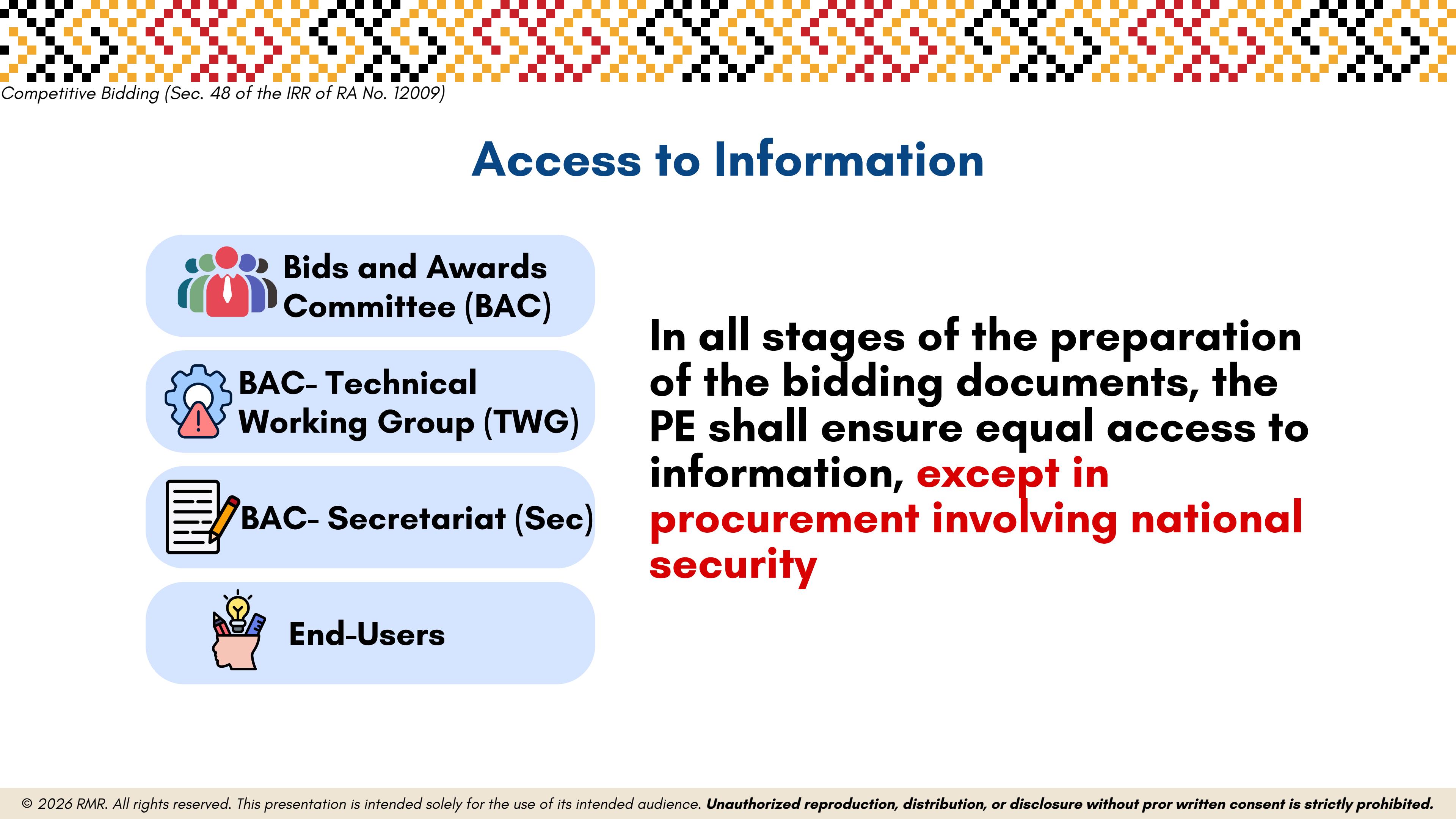
Form and Amount of Bid Security



Form and Amount of Performance Security and Warranty



Form of Contract, and General and Special Conditions of Contract



Access to Information



Bids and Awards Committee (BAC)



BAC- Technical Working Group (TWG)



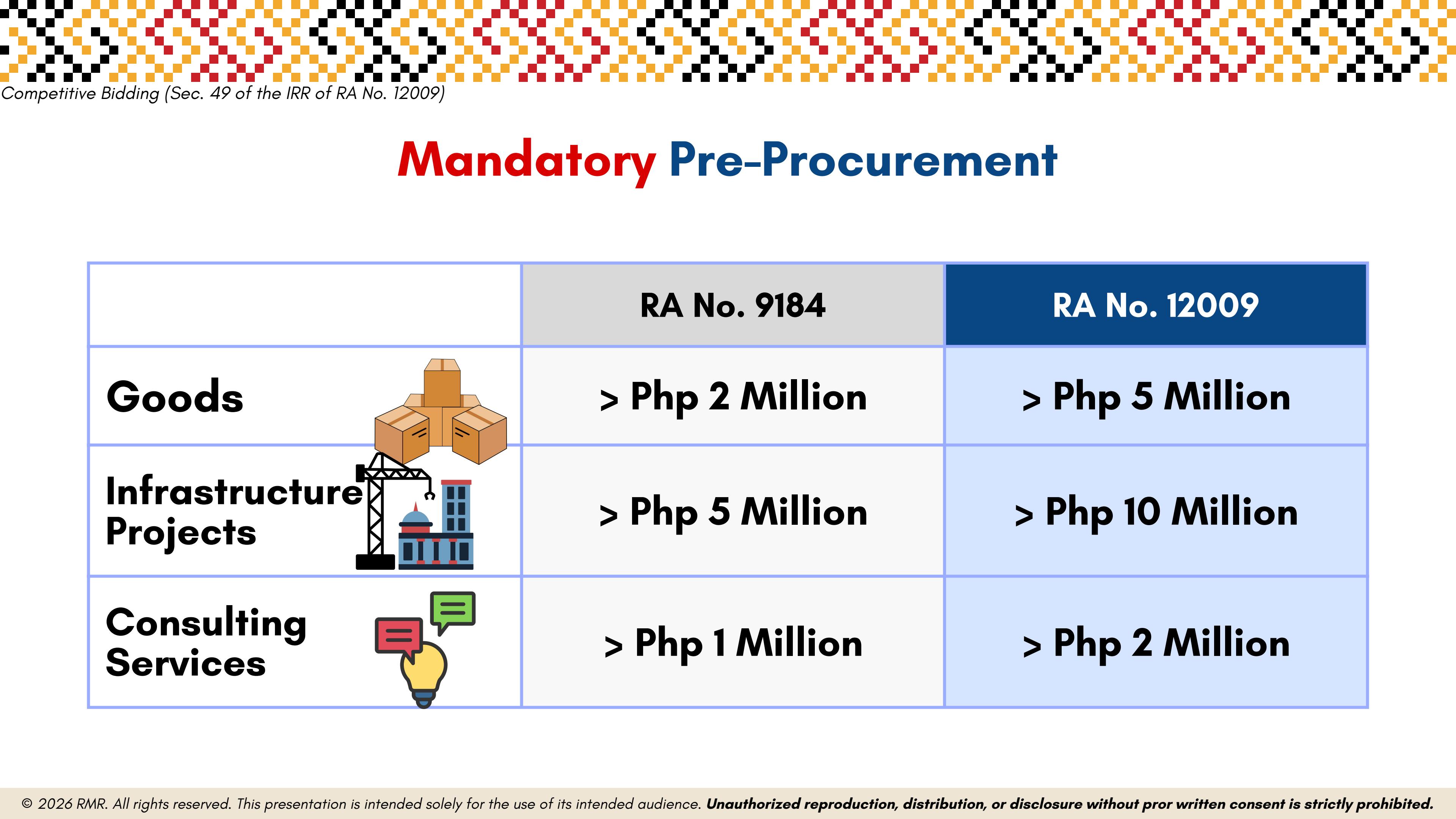
BAC- Secretariat (Sec)

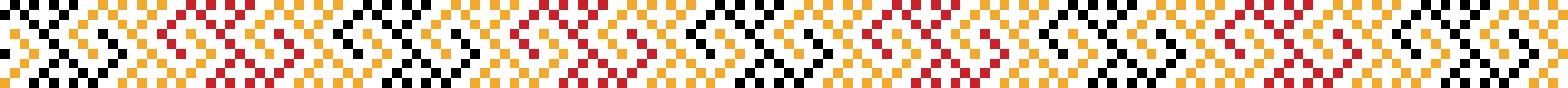


End-Users

In all stages of the preparation of the bidding documents, the PE shall ensure equal access to information, except in procurement involving national security

Mandatory Pre-Procurement		
	RA No. 9184	RA No. 12009
Goods	> Php 2 Million	> Php 5 Million
Infrastructure Projects	> Php 5 Million	> Php 10 Million
Consulting Services	> Php 1 Million	> Php 2 Million





Competitive Bidding (Sec. 50.3.1 of the IRR of RA No. 12009)

Publication

Minimum 7cds

Competitive Bidding

Competitive Dialogue

Unsolicited Offer with Bid Matching

physical and online posting

Minimum 3cds

Limited Source Bidding

Two Failed Bidding

Small Value Procurement

Negotiated Procurement

physical and online posting

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Mandatory Pre-bid Conference

ABC worth Php 3 Million and more



Competitive Bidding



Competitive Dialogue



Limited Source Bidding



Unsolicited Offer with Bid Matching



At least one (1) pre-bid conference shall be conducted



Subject to the approval of the BAC, a pre-bid conference may also be conducted upon the written request of any prospective bidder



Competitive Bidding (Sec. 52 of the IRR of RA No. 12009)

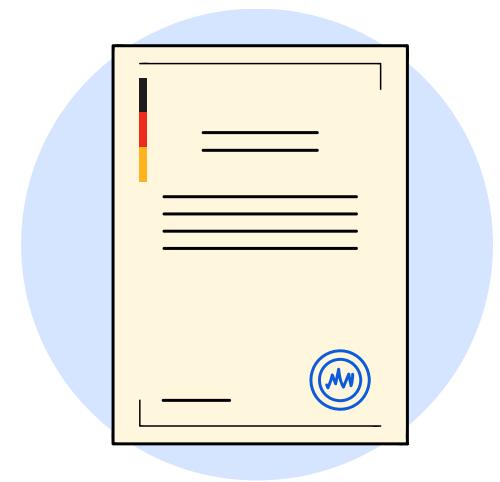
Eligibility Requirements



PhilGEPS Certificate of Registration



SLCC and NFCC
For Goods and Infrastructure



Statement of all Ongoing Government and Private Contracts



Statement Specifying Nationality and Confirmation that the Consultant is an Authorized Registered Professional
For Consulting Services

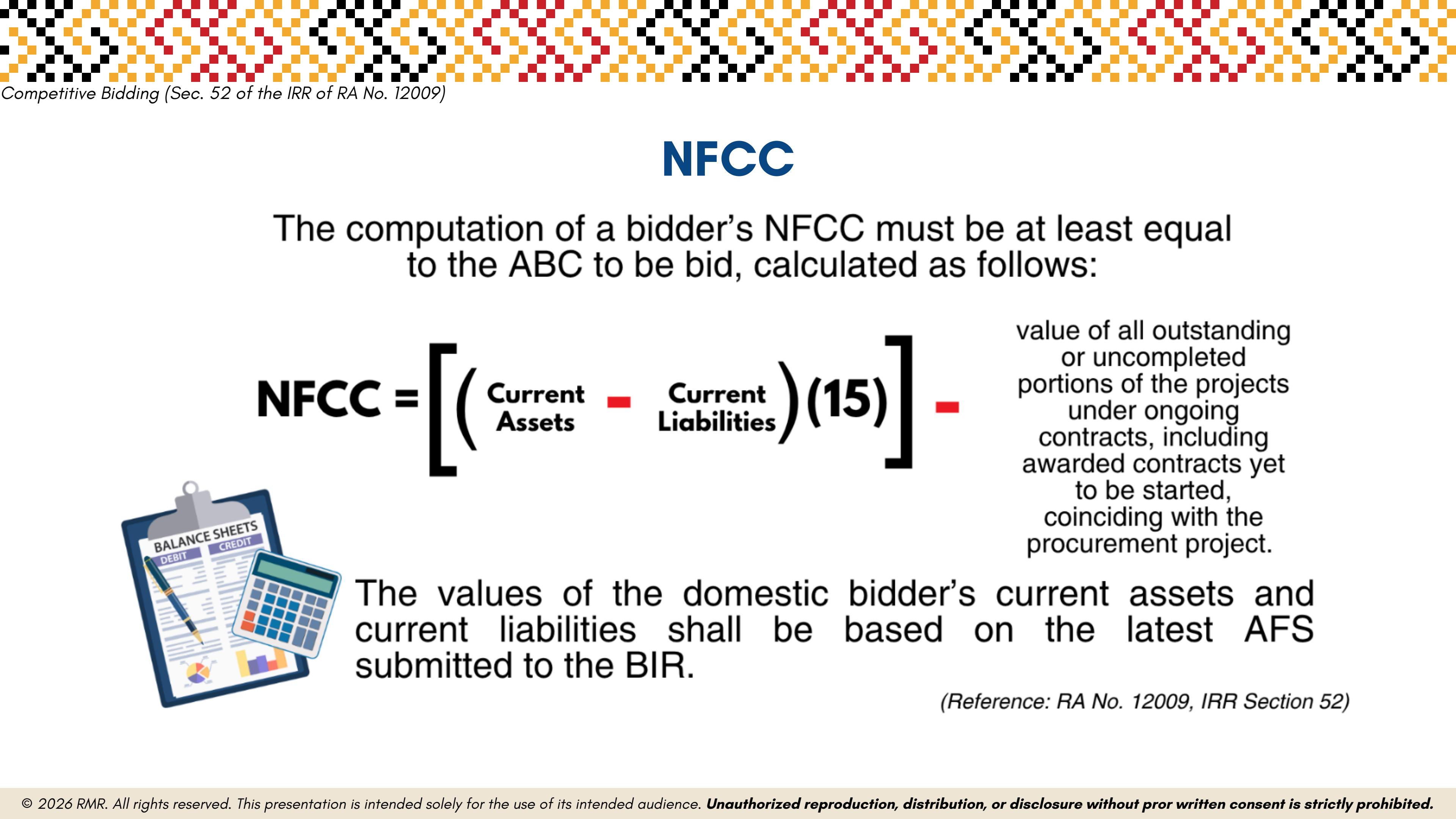


SLCC

A bidder must have completed, within ten (10) years from submission of the bid, unless shorter period required

- ✓ **Similar to the procurement project to be bid**
- ✓ **Value must be at least fifty percent 50% of the ABC**

Bidders are allowed to present a combination of contracts completed within the same period, provided their total value is at least fifty percent (50%) of the ABC



NFCC

The computation of a bidder's NFCC must be at least equal to the ABC to be bid, calculated as follows:

$$\mathbf{NFCC} = \left[(\mathbf{Current Assets} - \mathbf{Current Liabilities}) (15) \right] -$$

value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started, coinciding with the procurement project.



The values of the domestic bidder's current assets and current liabilities shall be based on the latest AFS submitted to the BIR.

(Reference: RA No. 12009, IRR Section 52)



Joint Venture



Allowed to participate, provided that the primary purpose of each member must be similar or related to the requirement of the project

Each member of the joint venture shall be jointly and severally liable to the PE in case of breach or failure to comply with the requirements of the project



Filipino ownership requirements vary depending on the nature of the procurement.

For **Goods** is at least ____.

For **Infrastructure** is generally at least ____, but may be allowed as low as ____ in special cases.

For **Consulting**, those performing regulated professional services must be ____.



Filipino ownership or interest of the JV for **Goods** must be at least **60%** based on each member's contributions in the Joint Venture Agreement.

Filipino ownership for **Infrastructure** is generally at least **60%**, but can be as low as **25%** if specialized techniques or technologies not adequately possessed by 60%-Filipino-owned entities are needed.

For **Consulting**, those performing regulated professional services must be **Filipino citizens and registered professionals**. Foreign consultants may be engaged only if Filipino consultants lack sufficient expertise and capability, as determined by the HoPE.

Limited Source Bidding (Sec. 28 of the IRR of RA No. 12009)



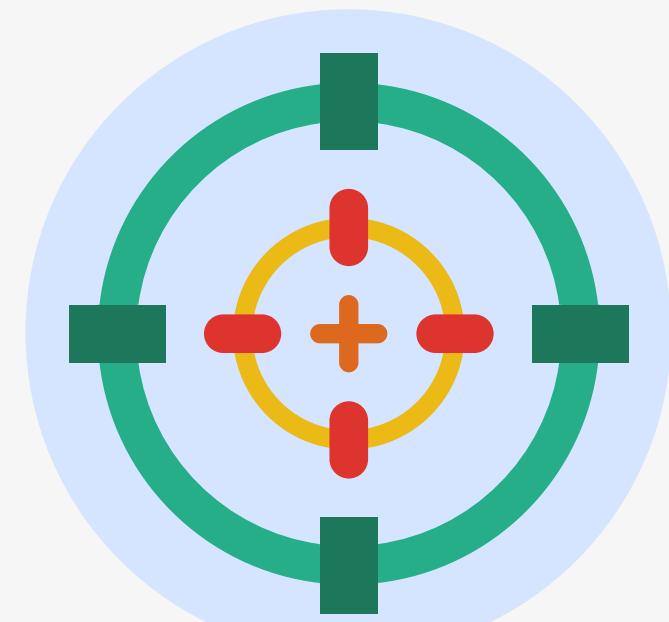
Goods



Infrastructure Projects



Consulting Services



PE invites bidders only from a short list of pre-selected suppliers or consultants with proven capability or specialization, instead of conducting an open competitive bidding

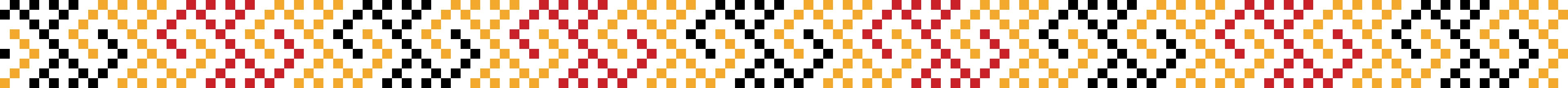
Applicability



Procurement of **Goods**, **Infrastructure Projects**, and **Consulting Services**

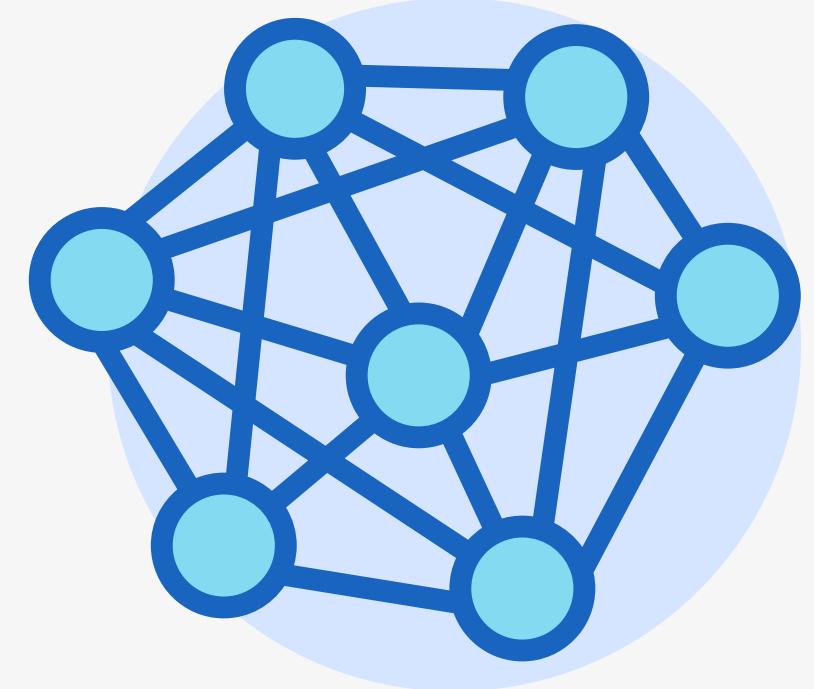


Pre-selection

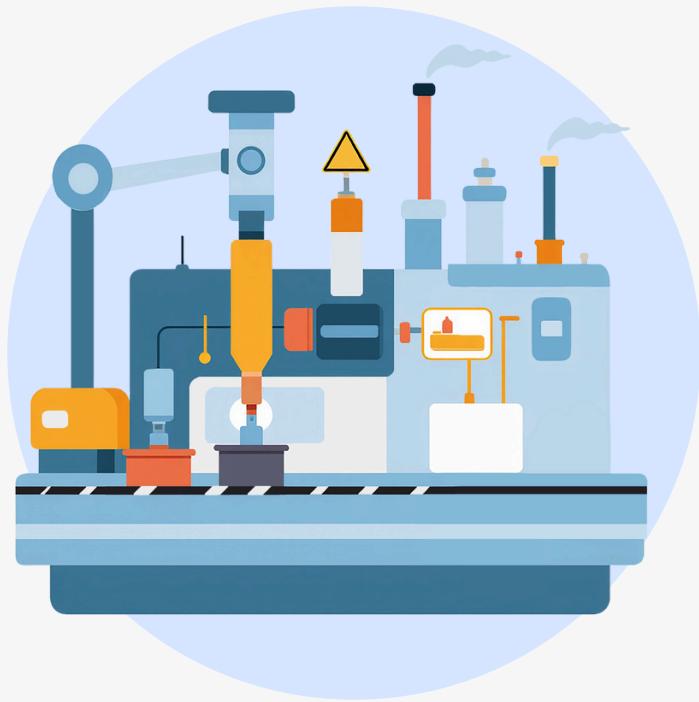


Limited Source Bidding (Sec. 28 of the IRR of RA No. 12009)

Conditions



Highly specialized or Complex Goods and Consulting Services, only from Limited Number of Sources



Major Plant Components, Limited to Known Eligible Bidders to Maintain Quality and Performance



Highly Specialized Infrastructure Projects Involving and Affecting National Security



Which process must the PE observe under Limited Source Bidding?

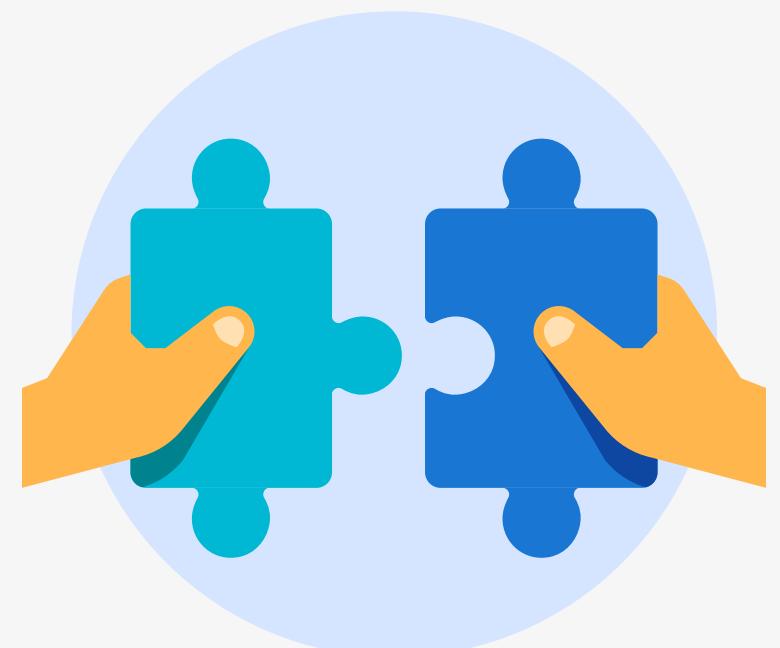
- A. Market Canvas from Retail Stores
- B. Competitive Bidding
- C. Small Value Procurement



Which process must the PE observe under Limited Source Bidding?

- A. Market Canvas from Retail Stores
- B. Competitive Bidding**
- C. Small Value Procurement

Unsolicited Officer with Bid Matching (Sec. 30 of the IRR of RA No. 12009)



Where a private entity proposes a project on its own initiative, which is then subjected to a competitive challenge, with the original proponent given the right to match the best offer

Applicability



Procurement of **Goods** and **Consulting Services**



Projects involving new concepts or technologies

Unsolicited Officer with Bid Matching (Sec. 30 of the IRR of RA No. 12009)

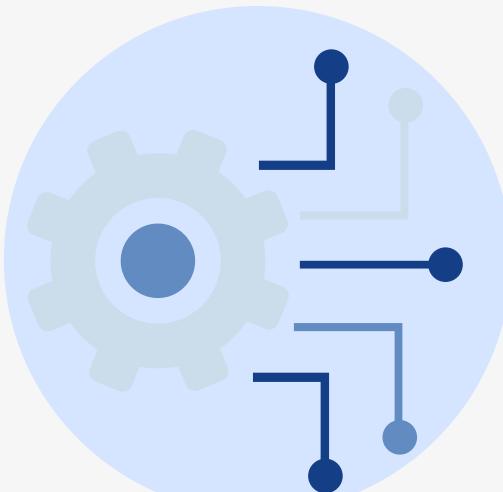
Conditions



Substantial Improvement



Emerging Technology and Sustainable Solutions



State-of-the-Art Technology



Significant Benefits to the PE



What happens if two unsolicited offers are submitted for the same concept or technology?

- A. Both are evaluated
- B. The first complete offer is given priority
- C. The cheaper one is selected
- D. A joint venture is proposed



What happens if two unsolicited offers are submitted for the same concept or technology?

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Competitive Dialogue (Sec. 29 of the IRR of RA No. 12009)



Goods



Infrastructure Projects



Consulting Services



Used for complex projects where the procuring entity engages in structured discussions with qualified bidders to refine solutions and requirements before inviting final bids

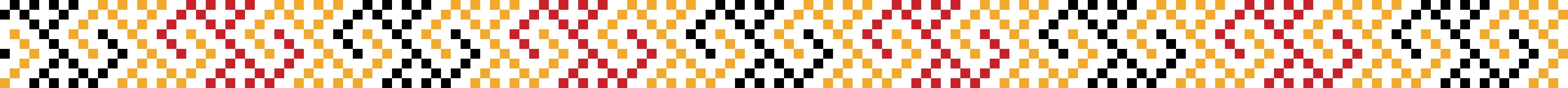
Applicability



Procurement of **Goods**, **Infrastructure Projects**, and **Consulting Services**



Innovative design and solutions



Competitive Dialogue (Sec. 29 of the IRR of RA No. 12009)

Conditions



Innovative design and solutions



Contract requires prior negotiations



Technical specifications cannot be specifically established by the PE



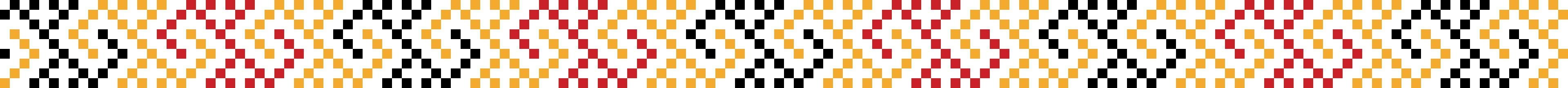
Which of the following scenarios justifies the use of Competitive Dialogue?

- A. Procuring common-use supplies with existing specifications
- B. Procuring goods for immediate emergency response
- C. Procuring infrastructure with fully defined plans
- D. Procuring a sophisticated ICT system with evolving technical requirements



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MARAMING SALAMAT



