APPROVING THE REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9184

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WHEREAS, Republic Act No. 9184 (R.A. 9184), entitled “an Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and for Other Purposes,” took effect on 26 January 2003, while its Implementing Rules and Regulations Part A (IRR-A) took effect on 8 October 2003;

WHEREAS, the Government Procurement Policy Board (GPPB), under Section 63 of the IRR-A of RA 9184, is mandated to formulate and amend public procurement policies, rules and regulations, and amend, whenever necessary, the IRR-A of RA 9184;

WHEREAS, during the Philippines Development Forum held last March 2008, the Government of the Philippines (GOP) and its Development Partners agreed to formulate the implementing rules and regulations governing procurement of foreign-funded projects (IRR-B) within one (1) year thereof;

WHEREAS, during the 4th GPPB Regular Meeting, held last 29 April 2008, the proposed steps for the formulation of IRR-B and the corresponding timelines for each step was presented to and duly approved by the GPPB;

WHEREAS, an IRR-B Committee was constituted consisting of the following: 1) Government of the Philippines (GOP) through the GPPB; 2) Development Partners; and 3) Civil Society Organization (CSO) and Private Sector;

WHEREAS, the salient provisions of the proposed IRR-B, the priority issues and other pertinent matters were discussed in a series of small group meetings/discussions held from the months of July to September 2008, as well as, in two (2) consultation meetings held on 3 June and 8 July 2008, respectively;

WHEREAS, during the 8th GPPB Regular Meeting held last October 2008, the Board instructed the GPPB – Technical Support Office (GPPB-TSO) to move towards the issuance of one implementing set of rules and regulations for both locally-funded and foreign-assisted projects considering that several of the issues raised also apply to locally-funded procurement, and for purposes of greater harmonization;

WHEREAS, in the Joint GPPB and IRR-B Committee Meeting held last 12 December 2008, the GPPB approved the consultation process presented for the one IRR, particularly the design, strategy, target participants, and timelines therefor;

WHEREAS, a series of IRR Consultation Meetings were held from 27 January – 28 February 2009 to gather the comments/suggestions of various stakeholders, namely, representatives from selected National Government Agencies (NGAs), Government Owned and Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), State Universities and Colleges (SUCS), Military, Water Districts, Local Government Units and Observers;

WHEREAS, the GPPB, in its meeting held last 6 March 2009, extended the period for the preparation of the revised IRR for two (2) months from 2 April to 5 June 2009;

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WHEREAS, the GPPB, jointly with its Inter-Agency Technical Working Group (IATWG), were provided with an overview of the IRR Draft, the matrix of proposed changes, and policy issues for their comments, resolution and/or approval in meetings held last 03 April 2009, 24 April 2009, and 29 May 2009, respectively;

WHEREAS, in its 5th joint meeting with the IATWG held last 29 May 2009, the GPPB resolved to create and delegate to an Executive Committee, composed of representatives coming from the National Economic and Development Authority, and the Departments of, Budget and Management, Education, Health, and Public Works and Highways, the review and initial approval of the latest draft of the Revised IRR of R.A. 9184;

WHEREAS, during its meeting held last 17 July 2009, the Executive Committee, after much deliberation, eventually agreed on the latest draft of the Revised IRR of RA 9184, and thereby resolved to recommend the same to the Government Procurement Policy Board for final approval;

NOW THEREFORE, for and in consideration of the foregoing, WE, the Members of the GOVERNMENT PROCUREMENT POLICY BOARD, by virtue of the powers vested on US by law, hereby RESOLVE to approve, as WE hereby approve the Revised Implementing Rules and Regulations of Republic Act 9184, a copy of which, as initialed on each and every page thereof by the Board Secretary, is attached hereto as Annex “A”[*] and made an integral part hereof.

This Resolution shall take effect immediately.

Adopted: 22 July 2009

Signed by different representatives of:

Department of Budget and Management
National Economic and Development Authority
Department of National Defense
Department of Education
Department of Health
Department of Interior and Local Government
Department of Energy
Department of Public Works and Highways
Department of Finance
Department of Trade and Industry
Department of Science and Technology
Department of Transportation and Communications
Private Sector Representative

Attested by:

(SGD.) RUBY U. ALVAREZ
Board Secretary, GPPB Executive Director III, GPPB-TSO

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[*] Text Available at Office of the National Administrative Register, U. P. Law Complex, Diliman, Quezon City.

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