

REQUIRING ALL HEADS OF NATIONAL GOVERNMENT AGENCIES (NGAs), GOVERNMENT OWNED AND/OR CONTROLLED CORPORATIONS (GOCCs), STATE UNIVERSITIES AND COLLEGES (SUCs), AND LOCAL GOVERNMENT...

MEMORANDUM CIRCULAR NO. 39, January 26, 2018

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WHEREAS, Section 28, Article II of the 1987 Constitution provides that the State shall adopt and implement a policy of full public disclosure of all its transactions involving public interest;

WHEREAS, it is the policy of the State to promote good governance and to adhere to the principles of transparency, accountability, equity, efficiency, and economy in its procurement process;

WHEREAS, Section 10, Article V of Republic Act (RA) No. 9184, otherwise known as the Government Procurement Reform Act (GPRA), provides that all procurement shall be done through competitive bidding, except as otherwise provided for by the said law;

WHEREAS, Section 11, Article V of RA No. 9184 (GPRA) mandates that each Procuring Entity shall establish a Bids and Awards (BAC) for its procurement:

WHEREAS, Section 7.3.3 of the 2016 Revised Implementing Rules and Regulations (RIRR) of RA No. 9184 (GPRA) provides that in order to hasten project implementation, the Procuring Entities, which may not have the proficiency or capability to undertake a procurement, as determined by the Head of Procuring Entity (HOPE) concerned, may outsource the procurement tasks by requesting other government agencies to undertake such procurement for them, through the execution of a Memorandum of Agreement (MOA) containing specific arrangements, stipulations and covenants, in accordance with government budgeting, accounting and auditing laws, rules and regulations;

WHEREAS, it is observed that various government agencies are tapping the services of the DBM-PS to serve as the procurement agent for the procurement of supplies, equipment and infrastructure projects;

NOW, THEREFORE, all Heads of Procuring Entity (HOPE) of NGAs, GOCCs, SUCs and LGUs are hereby required to comply with the provisions of RA No. 9184 (GPRA) and its 2016 RIRR, and to submit to OP, for monitoring and evaluation purposes, a report on funds transferred to DBM-PS for the purpose of procuring supplies, equipment and infrastructure projects as of 31 December 2017, to be submitted on or before 31 March 2018, using the prescribed format hereto attached as Annex "A", and every year thereafter.

This Memorandum Circular shall take effect immediately.

DONE, in the City of Manila, this 26th of January, in the year of Our Lord, Two Thousand Eighteen.

By authority of the President:

(SGD.) SALVADOR C. MEDIALDEA
Executive Secretary

Annex "A"

REPORT OF FUNDS TRANSFERRED TO THE DBM-PS

Department/Agency: _____

Fund: (Regular/Trust/Special Account in the General Fund)

Nature/Type of Supplies/Equipment/
Infrastructure Projects

Purchase

Request

(PR)/

OBR No

Amount

Check/

ADA No.

Status

A. Supplies

B, Equipment

C. Infrastructure Projects

Certified Correct By:

Chief Accountant/Budget Officer

Noted By:

HOPE

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