

APPROVING AMENDMENTS TO SECTIONS 42.5, 54.2 (B) (D), AND 61.1 OF THE IMPLEMENTING RULES AND REGULATIONS PART A (IRR) OF REPUBLIC ACT NO. 9184

MEMORANDUM ORDER NO. 213, May 08, 2006

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/b5bf6be3a7fd/>

WHEREAS, in its the Resolution Nos. 016-2005 and 24-2005 dated September 12, 2005 and November 25, 2005, respectively, the Government Procurement Policy Board (GPPB) has resolve to endorse for approval the proposed amendments to Section 42.5, 54.2 (b) (d), and 61.1 of the Implementing Rules and Regulations Part A (IRR-A) of Republic Act No. 9184; WHEREAS, the proposed amendments will streamline and improve the procurement procedures for a more effective procurement system; NOW THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue the powers vested in me by law, do hereby approve the proposed amendments of the implementing Rules and Regulations Part A (IRR-A) 9148 as follows: SECTION 1. Section 42.5, 54.2 (b) (d), and 61.1 of the IRR-A of RA 9184 are hereby amended as follows: SECTION 42. Contract Implementation and Termination 5. Procuring entities may issue a letter if credit in favor of a local or foreign supplier; Provided, that. No payment on the letter of credit shall be made until delivery and acceptance of the goods as certified to by the procuring entity in accordance with the delivery schedule provided for in the contract, Provided further, that, the cost for the opening of letter of credit shall be for the account of the local or foreign supplier and shall be stated in the bidding documents. SECTION 54. Terms and Conditions for the Use of Alternative Methods 54.2 x x x (b) For item (a) of Section 53, the procuring entity shall draw up a list of at least three (3) suppliers, contractors, or consultants in good standing which will be invited to submit bids and negotiate with the bidder who submitted the lowest calculated bid or highest rated bid, whichever is applicable. If the offer of the bidder who submitted the lowest calculated bid or highest rated bid, whichever is applicable is not responsive to the original specifications and ABC, negotiation shall be made in ascending order from the lowest offer. The bidder whose bid is found to be responsive to the original specifications and ABC shall be considered for award of contract shall be posted at the G-EPS websites, websites of the procuring entity, if any, and in conspicuous place within the premises of the procuring entity. (C) x x x (d) For Item (b) of Section 53 of the Act and this IRR-A, the negotiation may be made with a previous supplier, contractor or consultant of good standing of the procuring entity concerned, or a supplier, contractor of consultant of good standing situated within the vicinity where the calamity or emergency occurred. The award contract shall be posted at the G-EPS website, website of the procuring entity, if any, and in conspicuous place within the premises of the procuring entity. SECTION 61. CONTRACT PRICES 61.1 For the given scope of work in the contract as awarded, all bid prices shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation, except under extraordinary circumstances and upon prior approval of the GPPB. All contracts shall be denominated and payable in Philippine currency, and this shall be stated in the bidding documents: Provided, however, That subject to the guidelines issued by the GPPB, the procuring entity may provide in the bidding documents that obligations may be paid in foreign currency; Provider further, That should the procuring entity receive bids denominated in foreign currency based on the exchange rate prevailing on the day of the bid opening for purposes of bid comparison and evaluation. SECTION 2. All other provisions of the IRR-A of RA 9184 shall remain unchanged. SECTION 3. This Memorandum of Order shall take effect immediately upon its publication in

a newspaper of general circulation. DONE in the City of Manila this 8th day of May in the year of our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO

By the President: (Sgd.) EDUARDO R. ERMITA Executive Secretary

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.