

AMENDING SECTION 53.12 OF THE REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9184

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WHEREAS, Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act” and its revised Implementing Rules and Regulations (IRR) took effect on 26 January 2003 and 2 September 2009, respectively;

WHEREAS, Section 63 of RA 9184 mandates the Government Procurement Policy Board (GPPB) to formulate and amend, whenever necessary, the revised IRR and the corresponding standard forms for procurement;

WHEREAS, prior to the adoption of the revised IRR, Community Participation was not among the types of Negotiated Procurement under Section 53 of the IRR Part A (IRR-A);

WHEREAS, during the revision of the IRR-A, Community Participation was included as a modality of Negotiated Procurement in consideration of project sustainability; procurement activities having specific social objective; and, harmonization with the procurement rules of Multilateral Development Partners;

WHEREAS, Section 53.12 of the revised IRR of RA 9184 provides that where, in the interest of sustainability or to achieve certain specific social objectives, it is desirable in selected project components to call for participation of local communities in the delivery of services, the procuring entity may utilize the alternative method of Negotiated Procurement under Community Participation by proposing the procedures, specifications, and contract packaging which are subject to the approval of the GPPB;

WHEREAS, Community Participation under Section 53.12 of the revised IRR is limited only to “the delivery of services”, thereby excluding the procurement of “goods” and “infrastructure projects” from its coverage;

WHEREAS, to have a full and complete procurement cycle and approach under the Community Participation modality, the proposal to include the procurement of “goods” and simple “infrastructure projects” in the coverage of Community Participation under Section 53.12 of the revised IRR of RA 9184 was taken up, discussed, and deliberated upon during the 1st GPPB and Inter- Agency Technical Working Group (IATWG) Joint Meeting on 21 January 2013;

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 confirm, adopt and approve, as WE hereby confirm, adopt and approve the following:

- AMEND Section 53.12 of the IRR of RA 9184 as follows:

53.12

Where, in the interest of project sustainability or to achieve certain specific social objectives, it is desirable in selected projects, or its components, to call for participation of local communities in the delivery of goods, including non-consulting services, and simple infrastructure projects, subject to the guidelines to be issued by the GPPB.

- DEVELOP AND FORMULATE Guidelines to provide the procedures for the implementation of the projects through Community Participation pursuant to Section 53.12 of the revised IRR of RA 9184.

This resolution shall take effect immediately.

Approved this 21[st]day of January 2013 at Pasig City, Philippines.

Signed by the Representatives of the Following Agencies:

Department of Budget and Management
Department of Education
Department of Energy
Department of Health
Department of National Defense
Department of Public Works and Highways
Department of Trade and Industry
Department of Transportation and Communications
Private Sector Representative

Attested by:

(SGD) DENNIS S. SANTIAGO
Board Secretary, GPPB
Executive Director, GPPB-TSO

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