



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
Tunay na Pagbabago sa Repormang Agraryo

MEMORANDUM No. 136

TO : **ALL DARCO OFFICIALS
REGIONAL DIRECTORS
PROVINCIAL AGRARIAN REFORM PROGRAM
OFFICERS II**

FROM : **THE SECRETARY**

SUBJECT : GOVERNMENT PROCUREMENT POLICY BOARD (GPPB)
RESOLUTION NO. 03-2020 (THE ADOPTION OF EFFICIENT,
EFFECTIVE AND EXPEDIENT PROCUREMENT PROCEDURES
DURING A STATE OF PUBLIC HEALTH EMERGENCY) ISSUED ON 9
MARCH 2020

DATE : 23 MARCH 2020

In compliance with Proclamation Nos. 922 and 929 signed by the President in March 2020 declaring a State of Public Health Emergency throughout the Philippines following the confirmed local transmission of the novel coronavirus disease (COVID-19) and mandating the enhanced community quarantine over the entire Luzon, the Government Procurement Policy Board (GPPB) issued on 09 March 2020 its Resolution No. 03-2020 (*The Adoption of Efficient, Effective and Expedient Procurement Procedures During a State Of Public Health Emergency*) to facilitate the sufficient and immediate access to funding, particularly for all concerned government agencies and local government units, intensify government response and measures such as easing procurement process, mandatory reporting, and enforcing quarantine and disease control prevention measures in accordance with its power under R.A. No. 9184 (*Government Procurement Act*) and the 2016 Revised Implementing Rules and Regulations (IRR) which authorize the GPPB to formulate public procurement policies, rules and regulations, and amend its IRR, whenever necessary. The GPPB Resolution No. 03-2020 provides, among others, the following, thus:

- Authorize the Head of Procuring Entity (HoPE) to delegate to either the Bids and Awards Committee (BAC) or the End-user unit or any other appropriate bureau, committee, support or procuring unit the authority to directly negotiate with a legally, technically, and financially capable supplier, contractor, or consultant for procurement undertaken through any of the allowable instances of Negotiated Procurement (Emergency Cases).

- Allow the HoPE to delegate the awarding of contract under Negotiated Procurement (Emergency Cases) under Section 53.2 of the 2016 revised IRR and Item V(D)(2a) of Annex “H” of the same IRR to any official of the procuring entity except to the BAC Chairperson or members.
- Allow either the BAC or the End-user unit or any other appropriate bureau, committee, support or procuring unit to recommend to the HoPE any revision of the Annual Procurement Plan (APP) to cover the Procurement Project that will be resorting to Negotiated Procurement (Emergency Cases).
- Include in the Procurement Projects that may be covered by Negotiated Procurement (Emergency Cases) under Section 53.2 of the 2016 revised IRR and Item V(D)(2a) of Annex “H” of the same IRR of R.A No. 9184, the lease of real property or venue for use as quarantine centers, evacuation sites, medical relief and aid distribution locations, warehousing facilities, or similar temporary disaster or emergency response facility as among those that may be procured under Negotiated Procurement (Emergency Cases).

Thus, certain modifications in the procurement process of the Department are hereby implemented solely to intensify government response and measures such as easing procurement process, mandatory reporting, and enforcing quarantine and disease control prevention in Luzon as well as in other areas where such similar health emergency measures have been put in place by the concerned local government unit.

1.0. Procurement Activities in a Region under the COVID 19 Emergency Cases

- 1.1. The concerned Regional Director is hereby given the authority to directly negotiate with a legally, technically, and financially capable supplier, contractor, or consultant for procurement undertaken through any of the allowable instances of Negotiated Procurement (Emergency Cases) under GPPB Resolution No. 03-2020 as well as R.A. 9184 and its IRR, As Amended.
- 1.2. The concerned Regional Director is hereby given the authority to award a contract under Negotiated Procurement (Emergency Cases) under Section 53.2 of the 2016 revised IRR which provides that “procuring entities are allowed to directly negotiate with a legally, technically, and financial capable supplier or contractor for the procurement of goods, works, and/or consulting services, provided that the required conditions, parameters or instances are present” and Item V(D)(2a) of Annex “H” of the same IRR.
- 1.3. The concerned Regional Director is hereby instructed to recommend to the HoPE any revision of the Annual Procurement Plan (APP) to cover the Procurement Project(s) that will be resorting to Negotiated Procurement (Emergency Cases).

- 1.4. Procurement Projects that may be covered by Negotiated Procurement (Emergency Cases) shall include, among others, the lease of real property or venue for use as quarantine centers, evacuation sites, medical relief and aid distribution locations, warehousing facilities, or similar temporary disaster or emergency response facility as among those that may be procured under Negotiated Procurement (Emergency Cases).
- 1.5. Any and all procurement activities in the regional level shall not exceed the total amount of ₱ 5.0 million per contract, consistent with the provisions of GMO No. 1, series of 2011, on the delegation of signing authority by the DAR Secretary.

2.0. Procurement Activities in a Province under the COVID 19 Emergency Cases

- 2.1. The concerned Provincial Agrarian Reform Program Officer (PARPO)-II is hereby given the authority to directly negotiate with a legally, technically, and financially capable supplier, contractor, or consultant for procurement undertaken through any of the allowable instances of Negotiated Procurement (Emergency Cases) under GPPB Resolution No. 03-2020 as well as R.A. 9184 and its IRR, As Amended.
- 2.2. The concerned PARPO-II is hereby given the authority to award a contract under Negotiated Procurement (Emergency Cases) under Section 53.2 of the 2016 revised IRR which provides that “procuring entities are allowed to directly negotiate with a legally, technically, and financial capable supplier or contractor for the procurement of goods, works, and/or consulting services, provided that the required conditions, parameters or instances are present” and Item V(D)(2a) of Annex “H” of the same IRR.
- 2.3. The concerned PARPO-II is hereby instructed to recommend to the HoPE any revision of the Annual Procurement Plan (APP) to cover the Procurement Project(s) that will be resorting to Negotiated Procurement (Emergency Cases).
- 2.4. Procurement Projects that may be covered by Negotiated Procurement (Emergency Cases) shall include, among others, the lease of real property or venue for use as quarantine centers, evacuation sites, medical relief and aid distribution locations, warehousing facilities, or similar temporary disaster or emergency response facility as among those that may be procured under Negotiated Procurement (Emergency Cases).
- 2.5. Any and all procurement activities in the provincial level shall not exceed the total amount of ₱ 500 thousand per contract, consistent with the provision of GMO No. 1, series of 2011, on the delegation of signing authority by the DAR Secretary.

The authority delegated herein shall cease upon the lifting of the health emergency and

enhanced quarantine measures in Luzon or in the concerned region or province outside Luzon with similar emergency cases. The Regional Director and the PARPO-II shall comply with all duties and obligations imposed upon the HoPE under R.A. 9184 and its IRR, as amended, the GPPB resolutions, issuances of the Department and pertinent laws regarding the exercise of such authority.

For immediate compliance.


ATTY. JOHN R. CASTRICIONES

