



The New Government Procurement Reform Act or RA 12009

Atty. Rowena Candice M. Ruiz, LLM, CESO I

Executive Director V

**GOVERNMENT PROCUREMENT POLICY BOARD –
TECHNICAL SUPPORT OFFICE**



2023 State of the Nation Address

July 24, 2023

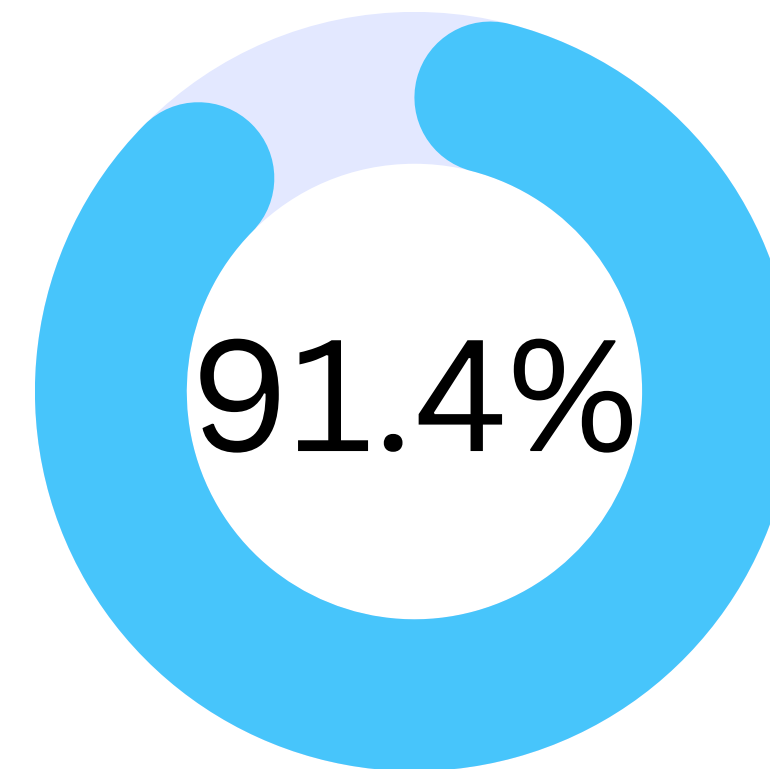
GPPB-TSO Proposed Amendments to RA 9184 Presented to DBM Secretary

07 August 2023

This proposal was subsequently presented to the Cabinet, alongside proposals from the PS-DBM. After thorough review and discussions, the proposals culminated in the drafting of an Administrative Bill which includes earlier recommendations and comments from the GPPB relative to the amendment of RA No. 9184, as prepared by the DBM, GPPB-TSO, and PS-DBM.

Senate and House of Representatives

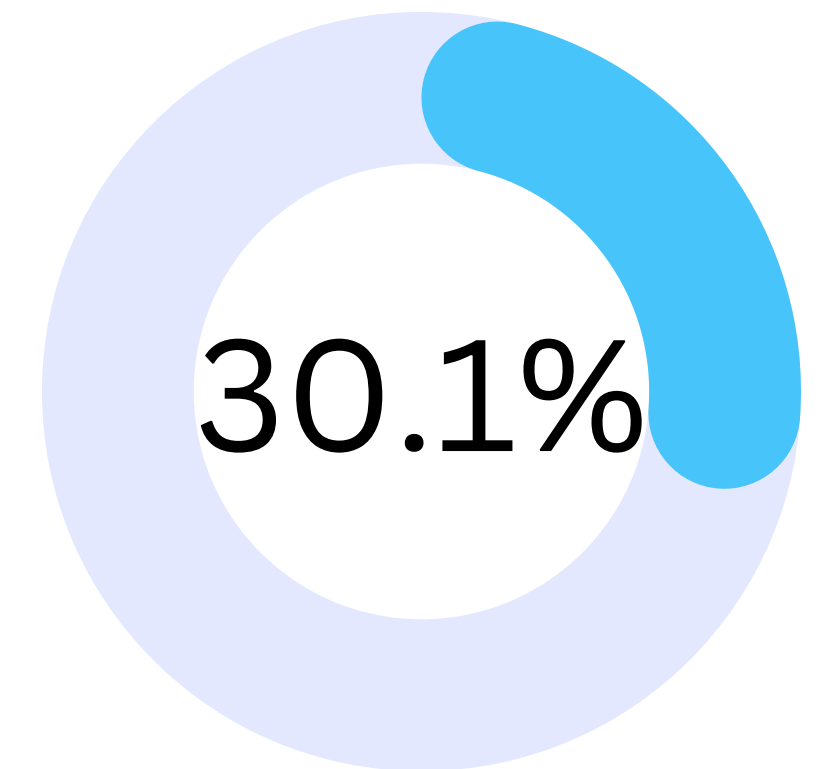
October 2023



31 out of 35 National Government Agencies

9 Development Partners

153 CSO Representatives



167 out of 554 prioritized Local Government Units

2 International Counterparts

187 MSME Representatives



REPUBLIC ACT NO. 12009

The New Government Procurement Act (NGPA)

Date Approved
20 July 2024

Date Published
29 July 2024

Date of Effectivity
13 August 2024



THE NGPA IMPLEMENTING RULES AND REGULATIONS (IRR)

IRR

Within **one hundred eighty (180) days** from the promulgation of RA No. 12900.

Standard Forms

Within **ninety (90) days** of the approval of the IRR, the standard forms for procurement shall be developed and approved.

TRANSITORY PROVISION

Prior to the effectivity of the Implementing Rules and Regulations (IRR) of Republic Act No. 12009, the provision of **Republic Act No. 9184 and its IRR shall remain in force and effect** in order to ensure the continued implementation of programs, activities, and projects.

The GPPB and all HoPE, Procuring Entities and the BACs, affected by this Act shall be given a **three (3)-year transitory period from the approval of the standard forms for procurement** to fully comply with the requirements of this Act.



GPPB-TSO Proposed Provisions in the NGPA

01

Transparency and Accountability

02

Sustainable Public Procurement

03

Strategic Procurement
Planning

04

Modernized Procurement
Process

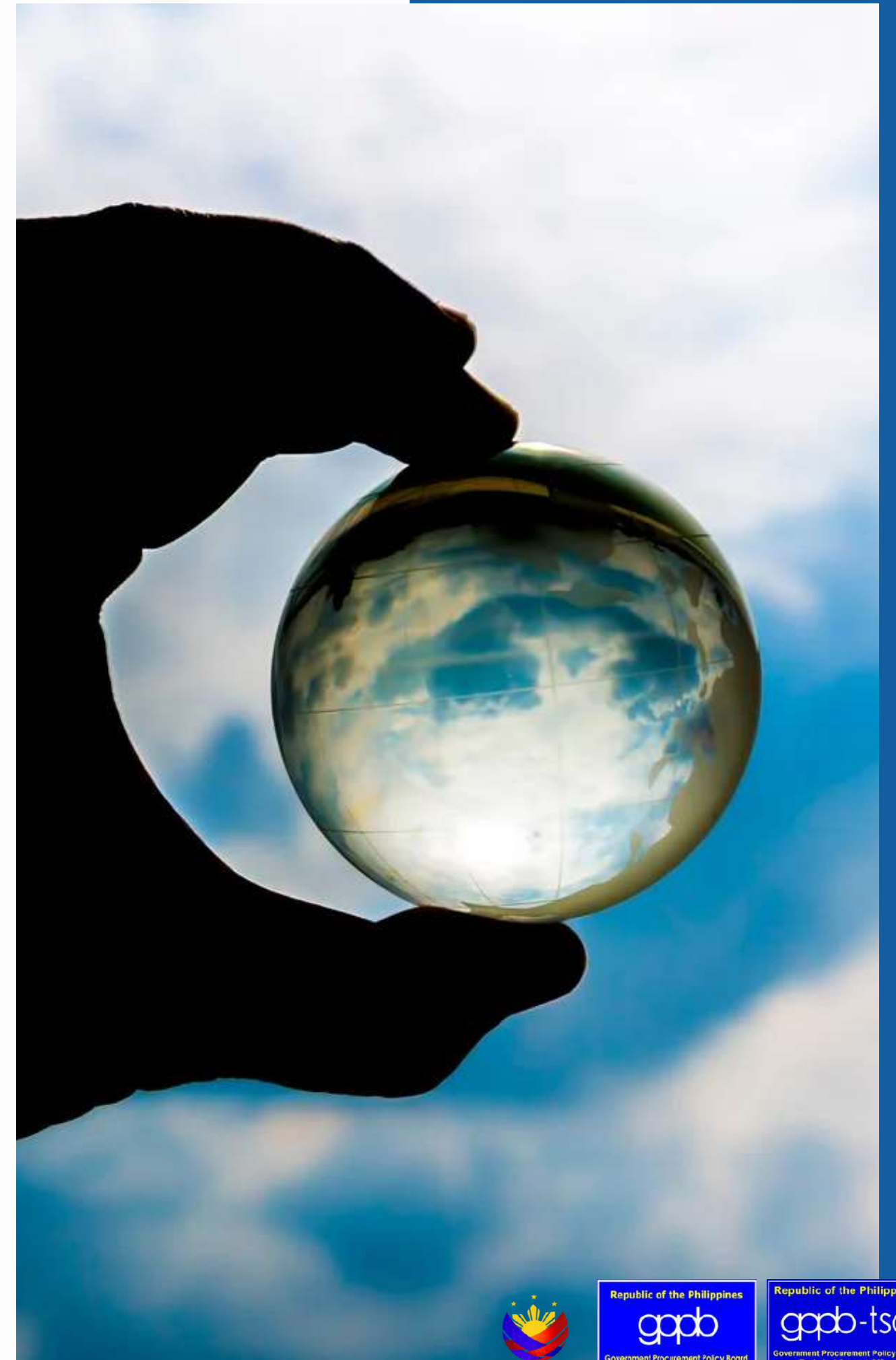
05

Professionalisation of Public
Procurement



Under RA 12009 or NGPA

Build on transparency and accountability provisions of RA 9184 with participatory procurement through Civil Society Organizations active role in procurement and use of Beneficial Ownership information in public procurement.



WHAT HAVE WE DONE SO FAR?

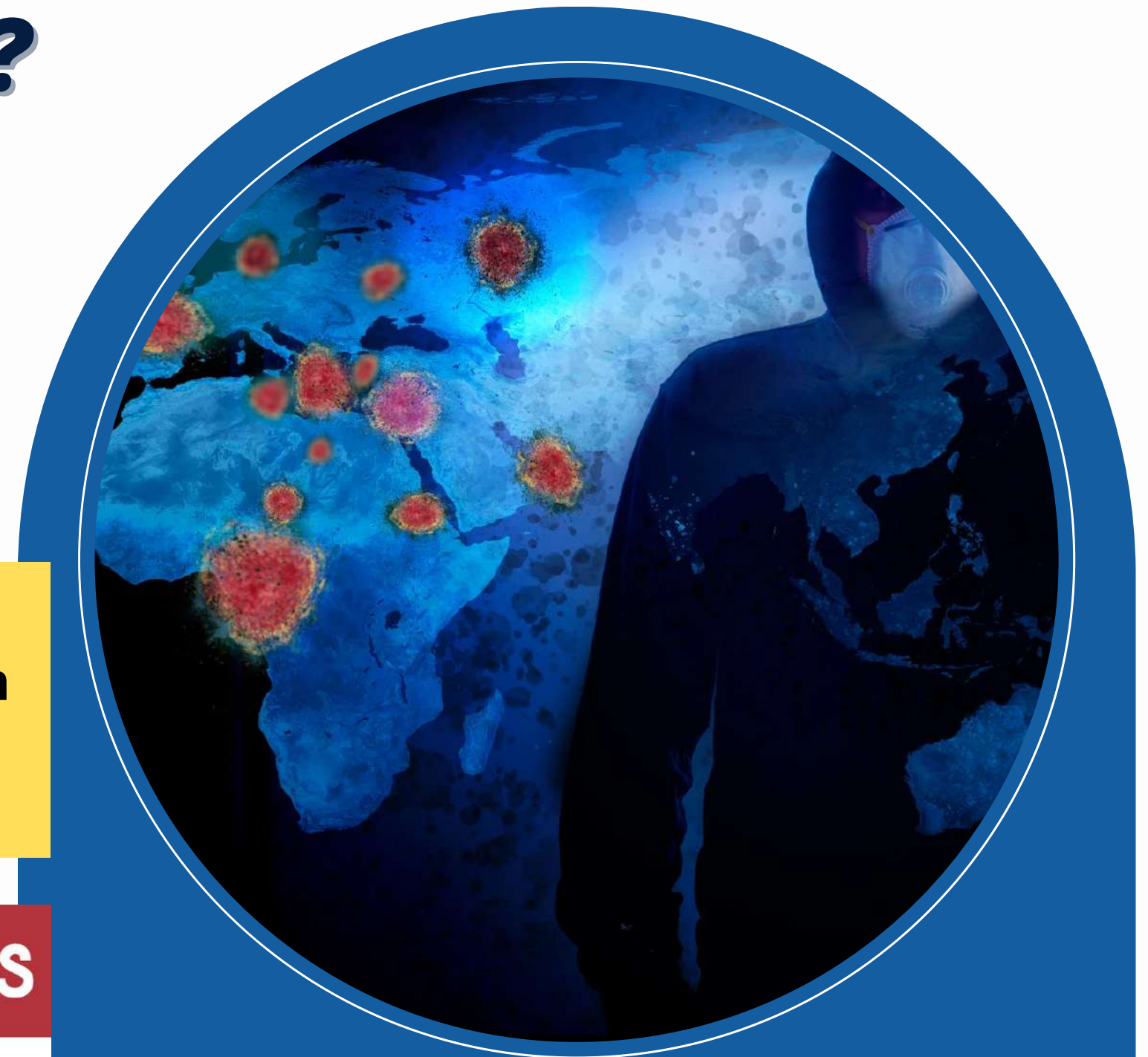
<https://onlineportal.gppb.gov.ph>

Transparent award contracts worth more than **Php 58 Billion**

gppb - tso IN THE NEWS

Philippines: Only Asian Country with 'Adequate level of Accountability'

Read the full article here: <https://internationalbudget.org/covid/>



GPPB Online Portal

GPPB Resolution No. 06-2020, dated 6 April 2020



WHAT HAVE WE DONE SO FAR?

<https://onlineblacklistingportal.obp.gov.ph>

Blacklisted Entities	Permanent Blacklisted Entities	Temporary Blacklisted Entities	Reason for Blacklisting	Period of Blacklisting	Date of Blacklisting	Date of Review
1 LG and M Corporation	Department of Education – Regional Office I	Printing and Delivery of 3rd and 4th Quarter Self-Learning Modules (SLMs) for Lot 7-Grade 7, 4th Quarter-PE; Lot 11- Grade 7, 4th Quarter-Arts and PE; Lot 12-Grade 8, 3rd Quarter-Mathematics; Lot 13-Grade 8, 4th Quarter-AP and PE; Lot 15-Grade 10, 3rd Quarter-Mathematics and Filipino	Failure to comply with its contractual obligations without valid cause, or failure by the contractor to comply with any written lawful instruction(s) of the procuring entity or its representative(s) pursuant to the implementation of the contract. Poor performance by the contractor or unsatisfactory quality and/or progress of work arising from his fault or negligence as reflected in the CPES rating sheet – Quality of materials and workmanship not complying with the approved specifications. Willful or deliberate abandonment or non-performance of the project or contract by the contractor resulting to substantial breach thereof without lawful and/or just cause.	One Year Blacklisting	February 23, 2023	February 23, 2023
2 ADL General Construction	Department of Social Welfare and Development – Cordillera Administrative Region	Completion of Four (4) Storey Training Center Building	Failure by the contractor to fully and faithfully comply with its contractual obligations without valid cause, or failure by the contractor to comply with any written lawful instruction(s) of the procuring entity or its representative(s) pursuant to the implementation of the contract. Poor performance by the contractor or unsatisfactory quality and/or progress of work arising from his fault or negligence as reflected in the CPES rating sheet – Quality of materials and workmanship not complying with the approved specifications. Willful or deliberate abandonment or non-performance of the project or contract by the contractor resulting to substantial breach thereof without lawful and/or just cause.	One Year Blacklisting	February 28, 2023	February 28, 2023

185
users

94
blacklisted entities

GPPB-TSO Online Blacklisting Portal

GPPB Resolution No. 06-2020, dated 6 April 2020



WHAT HAVE WE DONE SO FAR?

<https://onlineblacklistingportal.nb.gov.ph>

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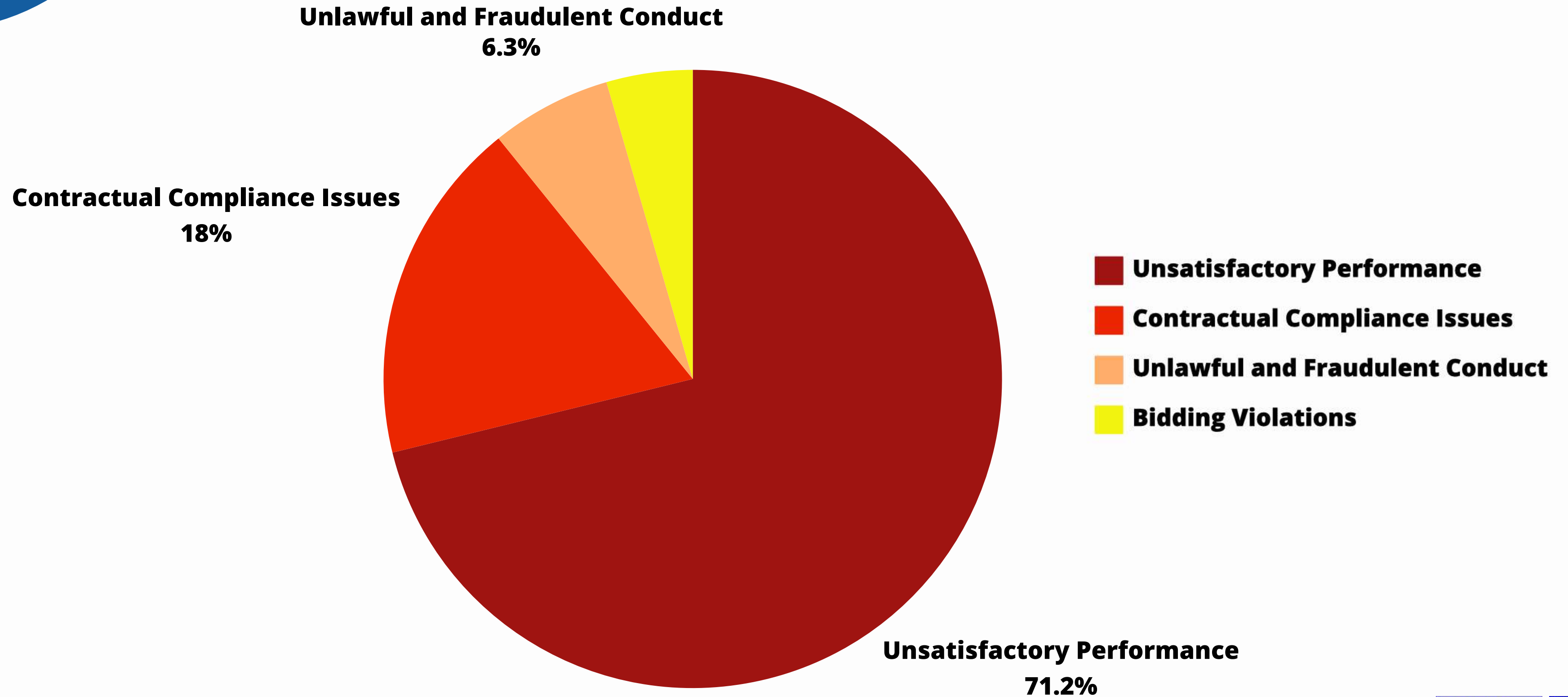
185
users

94
blacklisted entities

GPB Resolution No. 06-2023 dated 02/23/2023



WHAT HAVE WE DONE SO FAR?



WHAT HAVE WE DONE SO FAR?



Republic of the Philippines
Government Procurement Policy Board

RESOLUTION NO. 04-2021



Republic of the Philippines
Government Procurement Policy Board

ANNEX "B"

Unit 2506 Raffles Corporate Center,
E. Ortigas Jr. Road, Ortigas Center

**REINFORCING ALL PROCURING
ACCOUNTABILITY, AND GOOD
PROCUREMENT PROCESS AND
REVISED IMPLEMENTING RULES**

CIRCULAR 01-2021
4 March 2021

TO : All Procuring Entities

SUBJECT : Transparency, Accountability, and Good Procurement Process

1.0 OBJECTIVE
This Circular is being issued to reinforce the existing rules on transparency and accountability and measures in the procurement process.

2.0 SCOPE AND APPLICATION
This Circular shall apply to all PEs or instrumentality of the Government Agencies, including Government-Owned Financial Institutions, State Universities and Colleges, and Local Government Units.

3.0 TRANSPARENCY REQUIREMENTS
All PEs are reminded of the following under the Republic Act (RA) No. 9194, the General Administrative Order (AO) No. 9, the Regulations (IRR), the General Application of the Government Procurement Policy Board (GPPB) and its implementing regulations.



GovernmentProcurementPH was live February 13, 2023 · LIVE: ...

Most relevant

Jeffrey Benigay Pagatpat · 0:41
Paano mag award nito with framework ba ito?



Use of Social Media

Legal Basis	Document or Information	Philippine Government Electronic Procurement System	Conspicuous place reserved for this purpose in the procurement process	PE's website, if any	Others

Administrative Order (AO) No. 9, the Regulations (IRR), the General Application of the Government Procurement Policy Board (GPPB) and its implementing regulations.

and good governance policies and

the formulation of guidelines, as

Transparency and Accountability Requirements

GPPB Resolution No. 04-2021,
dated 4 March 2021



Republic of the Philippines
Government Procurement Policy Board



Republic of the Philippines
Government Procurement Policy Board
Technical Support Office

Transparency and Accountability Requirements

GPPB Resolution No. 04-2021,
dated 4 March 2021



01 Transparency and Accountability

under RA No. 12009 or NGPA



Open Contracting

open access to the procurement process, ensuring all related information is publicly available



Use of Video Recording

Mandatory use of video recording for all procurement-related conferences

1. All procurement-related conferences for Competitive Bidding, which includes pre-procurement conference, pre-bid conference, bid opening, and other meetings of the BAC.
2. Livestream the preliminary examination and the opening of the bids to the public on the PE website, social media account, or any other form of live streaming services.
3. *Threshold:* Above Ten million pesos (Goods), above Twenty million pesos (Infrastructure Projects), and above (Consulting Services)



Mandatory Video Recording



01 Transparency and Accountability

under RA No. 12009 or NGPA



Public Monitoring and Observer Participation

institutionalizes the role of Civil Society Organizations in monitoring procurement activities



Participatory Procurement

ensures public monitoring is integral to the procurement process

An online platform that enables PEs to easily invite observers; and allows users **Observers to easily participate in the public procurement process,** access procurement information, and submit reports--all with just a click of a button.

NEW!!!



GPPB Procurement Observers Portal

Launched in August 2023



01 Transparency and Accountability

under RA No. 12009 or NGPA



Beneficial Ownership Declaration

bidders to declare beneficial ownership information

Beneficial Owners: a natural person who:
(1) ultimately owns or dominantly influences the management or policies of the juridical entity; or (2) exercises ultimate effective control over the juridical entity.

01 Transparency and Accountability

under RA No. 12009 or NGPA

Disclosure of Relations

All Bidding Documents shall be accompanied by a sworn affidavit of the bidder that he or she, any partner, member of the board, or officer of the juridical entity is not related to the HoPE; the members of the BAC, the TWG, and the BAC Secretariat, the head of the Project Management Office or the end-user unit or implementing unit and the project consultants of the Procuring Entity, or of the procurement agent, whichever is applicable, by consanguinity or affinity up to the third civil degree. In order to determine the ultimate beneficiary and prevent collusion, the ultimate beneficial ownership of an entity shall be disclosed by the bidder.



01 Transparency and Accountability under RA No. 12009 or NGPA

Declaration of Beneficial Ownership

Notwithstanding the provisions of Republic Act No. 10173, legal entities like corporations, partnerships, private sector organizations, foundations, and associations that participate in procurement projects shall safeguard the government from all acts that undermine a transparent, fair, and competitive procurement process. **The beneficial ownership information of the suppliers, manufacturers, distributors, contractors, or consultants shall be a requirement to participate in government procurement.** The GPPB shall maintain an online registry of beneficial ownership information of bidders established for government procurement which shall be accessible to the public.



Under RA 12009 or NGPA

Institutionalize the role of procurement policy as driver for the achievement of our Sustainable Development Goals, particularly, Sustainable Consumption and Production, as well as enhance competitiveness through inclusive supplier engagement.



WHAT HAVE WE DONE SO FAR?

Adoption of gender-responsive strategies in procurement policies which include promoting competition and inclusivity through market study enhancement , streamlining business registration and licensing, standardizing supplier payments through review of payment rules, capacity development and mentoring, establishment of a supplier database , leveraging technology for market access, and stakeholder engagement



Strategies Toward Gender-Responsive Procurement Policies

GPPB Resolution No. 01-2023, dated 21 March 2023



Efficient Energy-consuming Products and Equipment



Sustainable Textile Uniform



Motor Vehicles



ICT Systems/Services, Equipment or Facilities



WHAT HAVE WE DONE SO FAR?

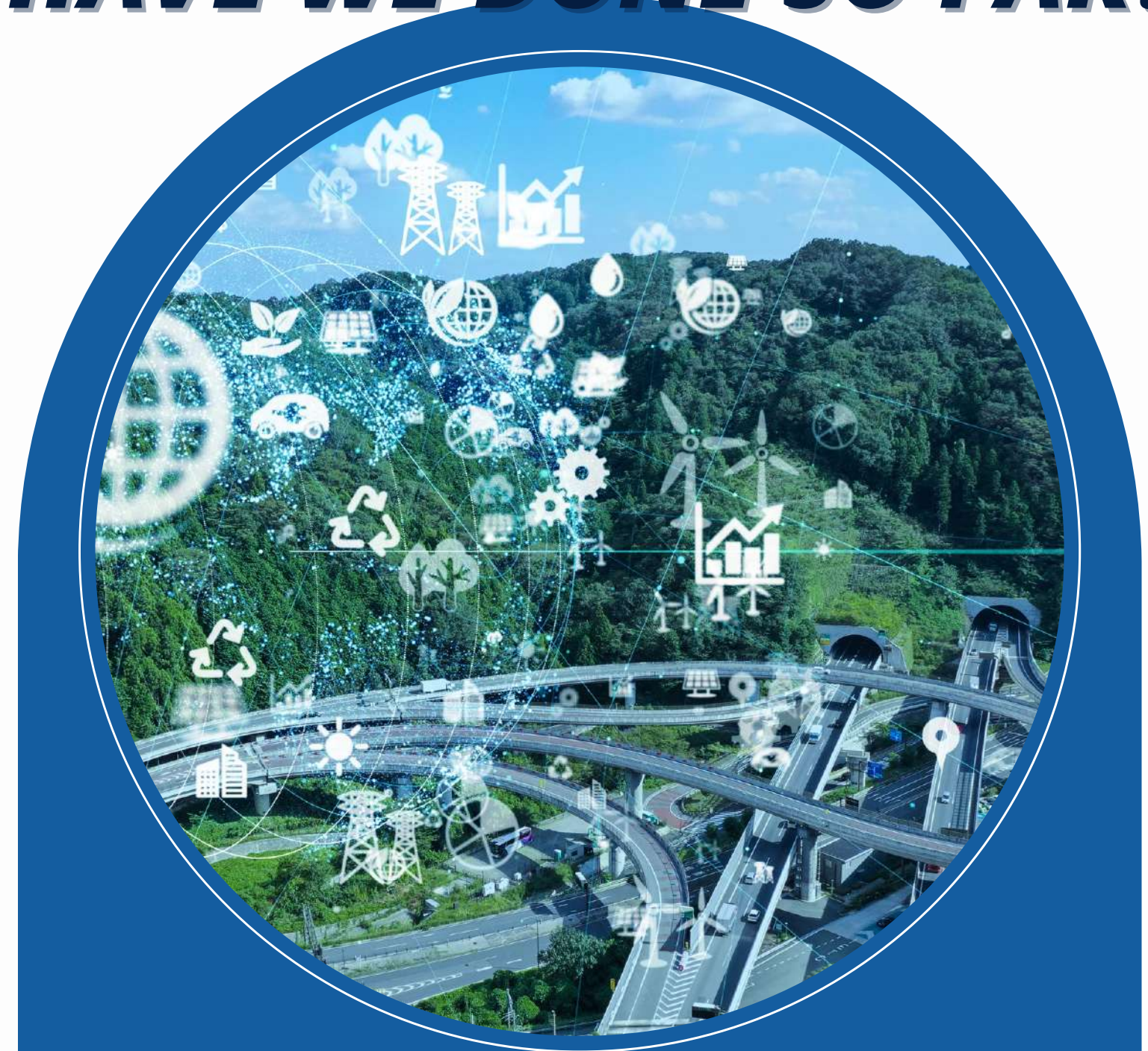
Construction Materials



Meetings, Incentives, Conferences, and Exhibitions



Food and Catering Services



Shift to Broad Product Categories with Mandatory Green Specifications

GPPB Resolution No. 07-2023, dated 24 August 2023

WHAT HAVE WE DONE SO FAR?



02 Sustainable Public Procurement

under RA No. 12009 or NGPA



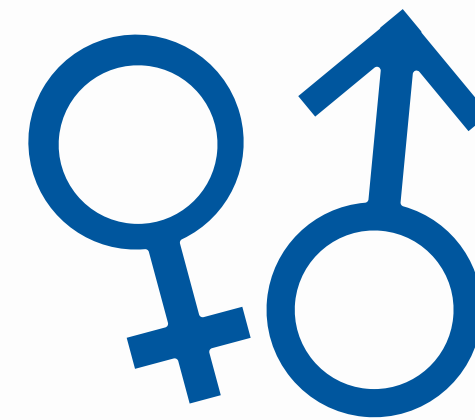
Sustainability Principle

sustainability should guide the procurement process, minimizing environmental impacts and promoting social equity



Inclusive Procurement Programs

supports initiatives ensuring marginalized groups have equal opportunities to participate in government procurement.



Development of a Gender-Responsive Procurement Framework

integrate gender considerations into procurement processes

02 Sustainable Public Procurement

under RA No. 12009 or NGPA



Green Public Procurement

promotes environmentally friendly practices, aligning public procurement with sustainable development goals



Green Local Market Development

development of a Green Local Market, promoting local products and services that adhere to sustainable practices.

Under RA 12009 or NGPA

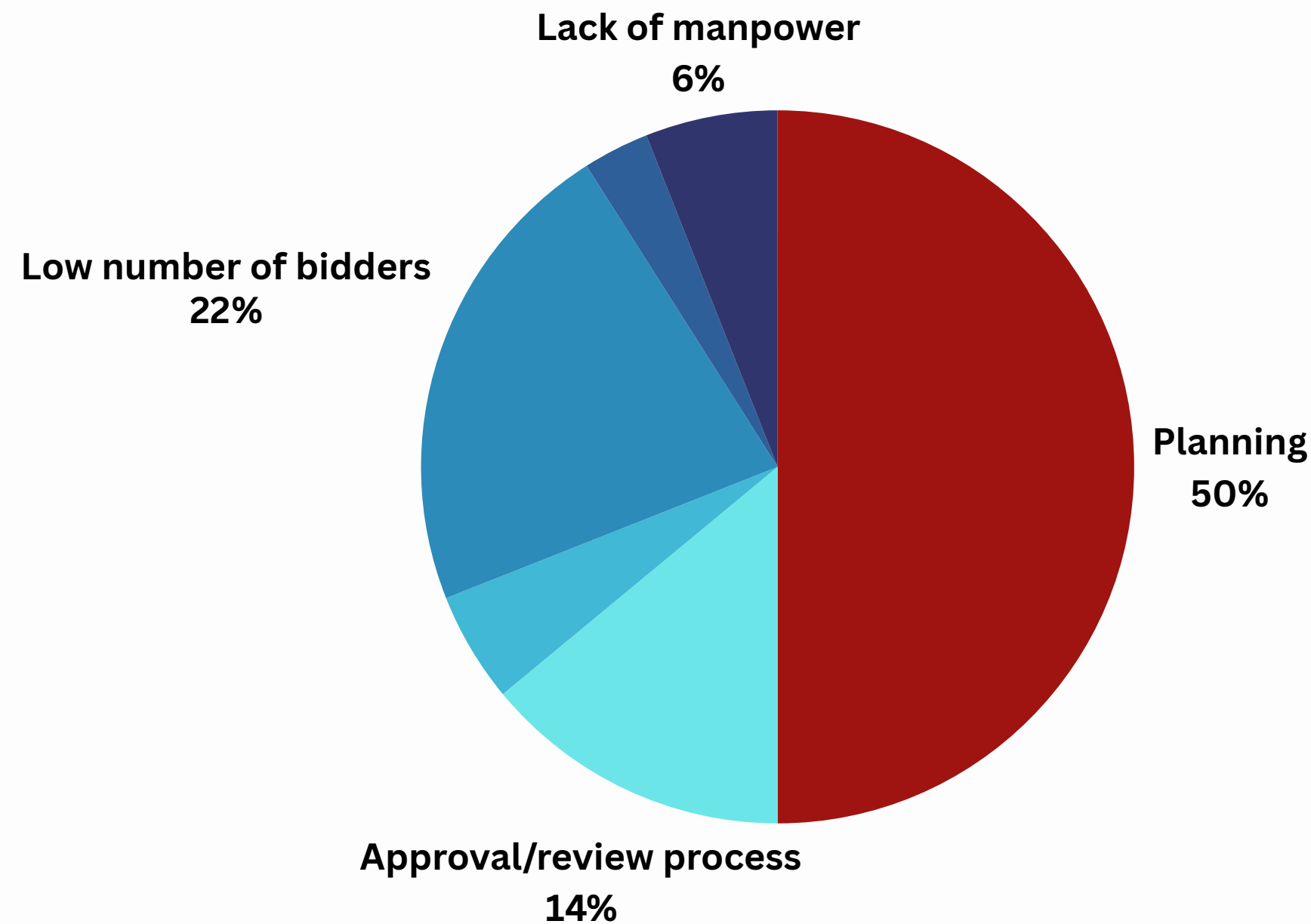
Integrate Strategic Procurement Planning & fit for purpose approach.



Republic of the Philippines
gppb
Government Procurement Policy Board

Republic of the Philippines
gppb-tso
Government Procurement Policy Board
Technical Support Office

DELAYS AND FAILURES IN BIDDING



11%

Poor cost estimates

17%

Problems on technical specifications/ terms of reference

22%

End-user's late submission of purchase request

WHAT HAVE WE DONE SO FAR?



**Module on
Project
Costing**

**Module on
Specifications
Writing**



**Executive Modules
on Strategic
Procurement
Management**



Green Public Procurement and
Lifecycle Costing



Risk Management

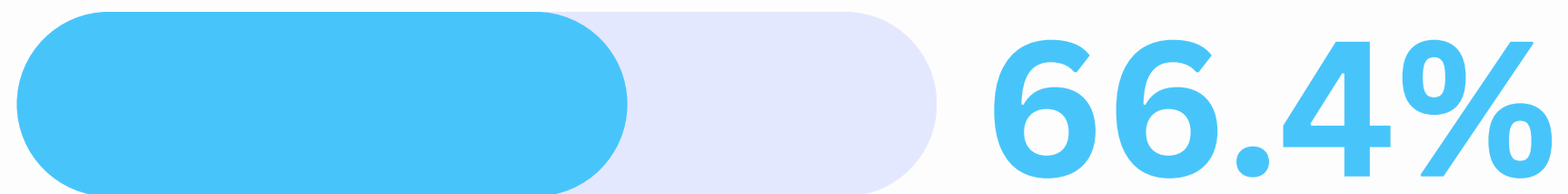


New Procurement Planning Modules

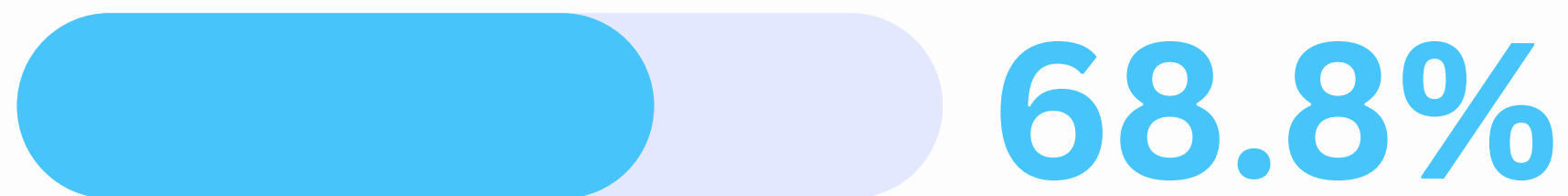
Launched in January 2019-2021



WHAT HAVE WE DONE SO FAR?



754 out of 1,136 PEs have successfully undertaken EPA



EPA procurement projects account for 68.8%, totaling Php 389,762,545,389.25, of their Indicative Annual Procurement Plan.



Early Procurement Activities

GPPB Resolution No. 14-2019 dated 17 July 2019



WHAT HAVE WE DONE SO FAR?



Use of Framework Agreement

GPPB Resolution No. 27-2019, dated 10 December 2019



Online Subscription Rules

GPPB Resolution No. 05-2022, dated 23 June 2022



WHAT HAVE WE DONE SO FAR?



Renewal of Regular and Recurring Services

GPPB Resolution No. 06-2022, dated 12 September 2022



Engagement of a Procurement Agent

GPPB Resolution No. 07-2022, dated 27 October

2022



03 Strategic Procurement Planning

under RA No. 12009 or NGPA



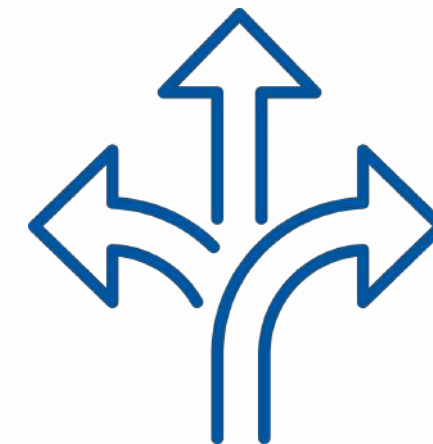
Value for Money

optimum combination of quality and cost to meet end-user requirements



Selection based on Quality Criteria

selection of winning bidders based on quality, in addition to cost



Flexibility in Procurement Methods

flexibility to select the most appropriate procurement methods based on specific needs and objectives



Mandatory Market Scoping

Conduct market scoping as a preliminary step in preparing their Project Procurement Management Plan and gathering relevant market information to inform procurement decisions effectively



Fit-for-Purpose Approach

Ensures that procurement processes are tailored to meet specific project needs, promoting flexibility, efficiency, and value for money while maintaining transparency and accountability



NEW MODALITIES: **COMPETITIVE DIALOGUE**

Two-stage bidding process where the PE invites suppliers, manufacturers, distributors, contractors, consultants, and service providers to a dialogue to propose solutions to address its needs and requirements.



NEW MODALITIES: **UNSOLICITED OFFER WITH** **BID MATCHING**

PE may consider unsolicited offers on a negotiated basis for Goods and Consulting Services.



NEW MODALITIES: DIRECT ACQUISITION

PE may procure directly from any known reputable source, its required non-CSEs and CSEs not available in the PS-DBM and services with an ABC not exceeding Php 200,000.00, subject to compliance with the identified legal, technical, and financial requirements.



NEW MODALITIES: DIRECT SALES

PE directly purchases non-CSEs from a supplier that has satisfactorily delivered non-CSEs to another government agency under a completed contract.



NEW MODALITIES: **DIRECT PROCUREMENT FOR SCIENCE, TECHNOLOGY, AND INNOVATION**

PE may procure goods and services used in the conduct of research and development projects or activities directly from a qualified manufacturer or a supplier, or from a qualified startup business.



Most Economically Advantageous Responsive Bid (MEARB)

New Bid Evaluation/Award Criterion: Allows for a rated criteria in the selection of a winning bidder.



Under RA 12009 or NGPA

Strategically embed use of technology and data analytics for procurement efficiency with systems integration and Electronic Government Procurement.





731 CDs

Longest Days for Payment

191 CDs

Post Qualification

133 CDs

Contract Signing



WHAT HAVE WE DONE SO FAR?



739,269
applications and users

Use of Digital Signature

GPPB Resolution No. 16-2019, dated 17 July 2019



Use of Video Conferencing

GPPB Resolution No. 24-2018, dated 04 December 2018



WHAT HAVE WE DONE SO FAR?



Electronic CNAS

GPPB Resolution No. 17-2020, dated 18 September 2020

Electronic Submission on Procurement Reports

GPPB Resolution No. 11-2020, dated 20 May 2020



WHAT HAVE WE DONE SO FAR?

5 rqtS BEFORE



Platinum Certificate



Mayor's/Business Permit or its Equivalent Document



Tax Clearance



PCAB license and registration



Audited Financial Statements

1 rqt AFTER



Platinum Certificate

Simplified Eligibility Requirements



WHAT HAVE WE DONE SO FAR?

GPPB Procurement Dashboard (2020)

731 days
longest days for payment

Interim Review of Procurement Performance (2020)

54.1%
failure during opening of bids

Use of Procurement Data Analytics



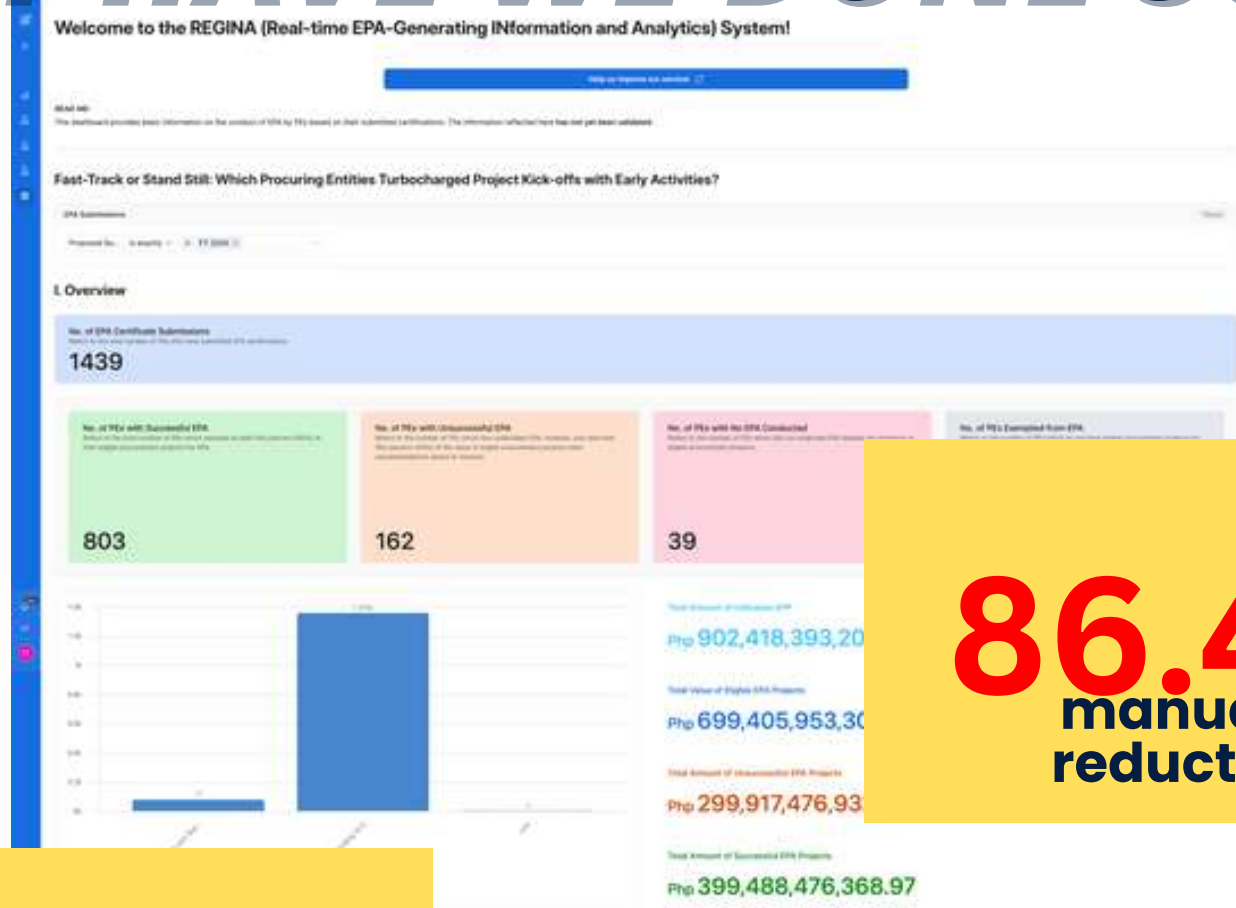
WHAT HAVE WE DONE SO FAR?



GPPB Philippine Bidding Documents Builder

GPPB Resolution No. 15 and 16, s. 2020 dated 28 July 2020 and 16 September 2020, respectively

WHAT HAVE WE DONE SO FAR?



86.45%
manual work
reduction rate

95.26%
client satisfaction rate



NEW!

REGINA System

GPPB Resolution No. 18-2023, dated 30 November 2023



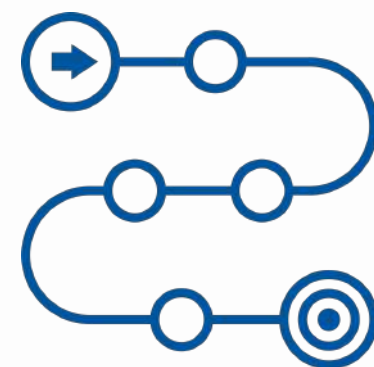
04 Modernized Procurement Process

under RA No. 12009 or NGPA



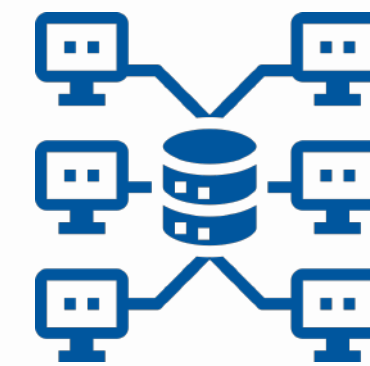
Enhanced Efficiency Principle

organized, uniform, and straightforward procurement process through innovative solutions and emerging technologies



Procurement Planning to Payment

an integrated system covering the entire procurement process, from planning to payment



Interconnected Database

establishment of a single portal for procuring entities to access an interconnected database of ongoing projects, licenses, permits, and other relevant information



04 Modernized Procurement Process

under RA No. 12009 or NGPA



Electronic Payment

Encourages multiple entities to collaborate in procuring goods or services, leading to economies of scale and improved bargaining power



Procurement Data Analytics

Ensuring effective management of ongoing regular and recurring services



Under RA 12009 or NGPA

Establish the legal framework
for the Professionalisation of
public procurement.



WHAT HAVE WE DONE SO FAR?



Public Procurement Specialist Certification Course

Launched in 2017



WHAT HAVE WE DONE SO FAR?

Year	No. of participants per level			Total no. of participants
	Level I (Basic)	Level II (Intermediate)	Level III (Advanced)	
Public Procurement Specialist Certification Course Program Graduates				
2017	279	49	0	328
2018	740	164	56	960
2019	423	233	67	723
2020	63	0	22	85
2021	79	0	41	120
2022	691	0	0	691
2023	667	201	0	868
2024	663	116	91	870
Total	3605	647	186	4645 participants



WHAT HAVE WE DONE SO FAR?



Annual Public Procurement Forum

Launched in January 2019



Annual Public Procurement Summit



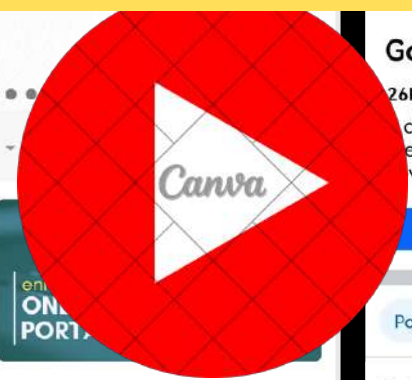
WHAT HAVE WE DONE SO FAR?

153
webinars

43k
participants

8k
institutions

3.7M
facebook views



Shift to Online Learning

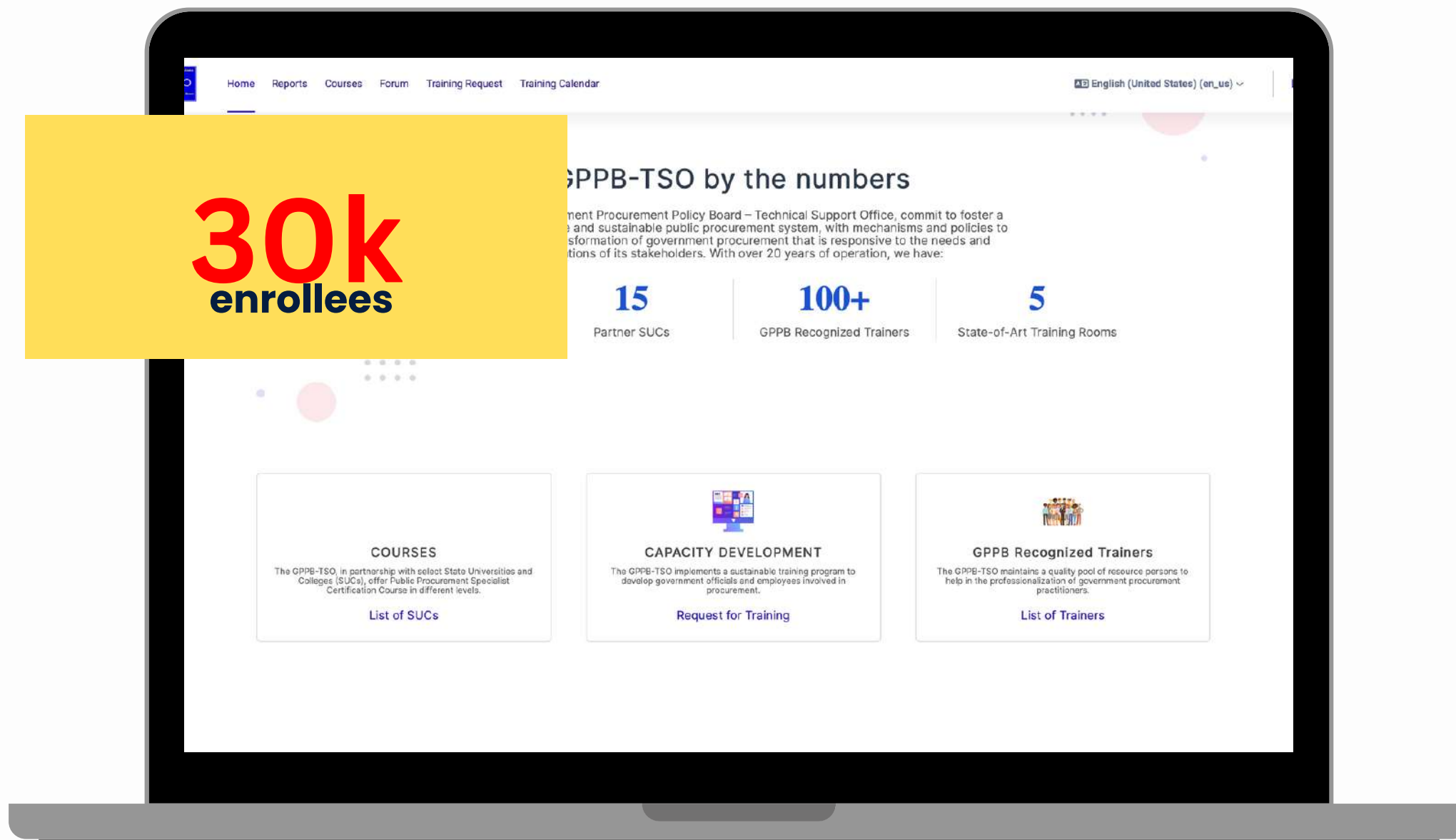
Launched in April 2020

[@GovernmentProcurementPH](#)



WHAT HAVE WE DONE SO FAR?

- ✓ Training Request with just a click of a button
- ✓ Self-Paced Training
- ✓ Various Modules to choose from



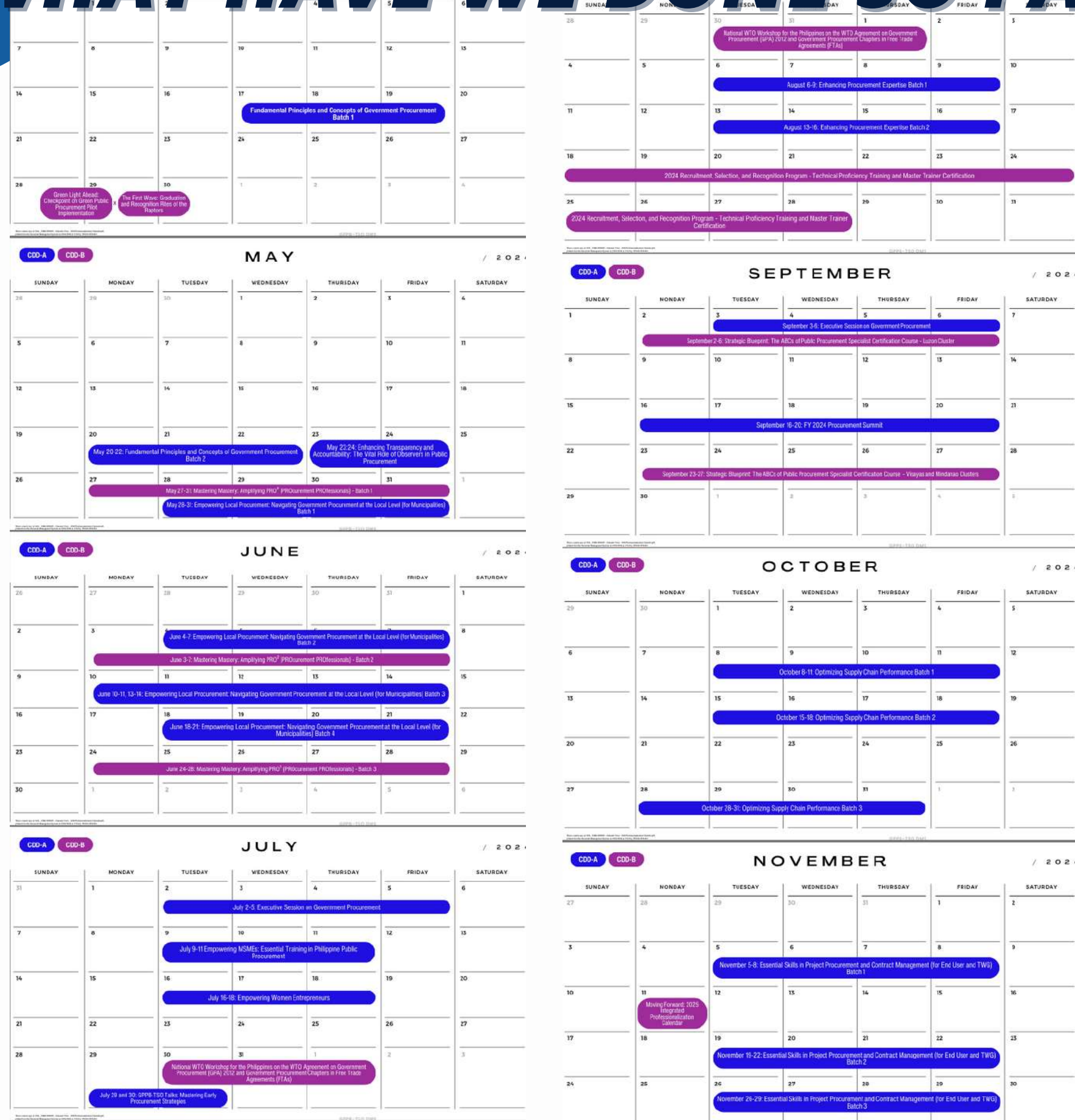
NEW!

PROcurement PROfessionals Online Hub

Launched in October 2023



WHAT HAVE WE DONE SO FAR?



NEW!!!



PROfessionalization Calendar

Launched in April 2024



05 Professionalization of Public Procurement

under RA No. 12009 or NGPA



Professionalization as a Declaration of Policy

importance of qualified personnel in the procurement process



Development of Qualification Standards

establishment of qualification standards for procurement positions



Competency Framework

to be developed to assess and certify procurement professionals



05 Professionalization of Public Procurement

under RA No. 12009 or NGPA



Licensing of Procurement Practitioners

introduces licensing for procurement practitioners to ensure only qualified individuals perform procurement functions



Code of Ethics for Procurement Professionals

creation of a code of ethics for procurement professionals

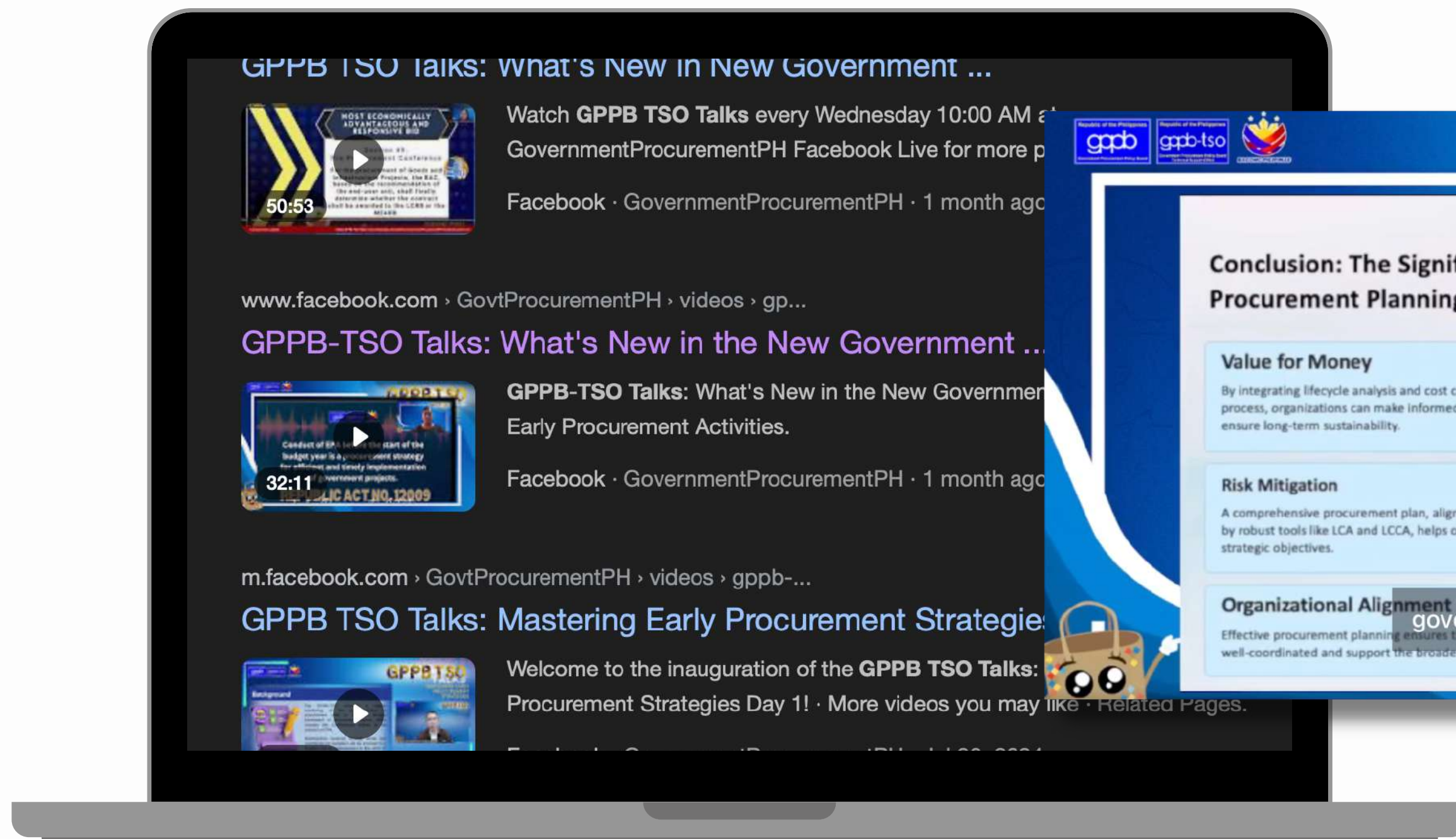


The NGPA Microsite (2024)

Provides a centralized, accessible, and comprehensive online resource for information related to the new procurement law. The Microsite also aims to facilitate input sharing from the Implementing Rules and Regulations Committees for their insights, guidelines, and recommendations, in order to ensure that the new law reflects up-to-date and comprehensive information based on the latest regulatory developments.



GPPB-TSO Talks (2024)



Conclusion: The Significance of Strategic Procurement Planning

- Value for Money**
By integrating lifecycle analysis and cost considerations into the procurement planning process, organizations can make informed decisions that optimize value for money and ensure long-term sustainability.
- Risk Mitigation**
A comprehensive procurement plan, aligned with organizational goals and supported by robust tools like LCA and LCCA, helps organizations mitigate risks and achieve their strategic objectives.
- Organizational Alignment**
Effective procurement planning ensures that an agency's procurement activities are well-coordinated and support the broader mission, vision, and priorities of the agency.

NEW GOVERNMENT ACT

government. Ra number twelve zero

NGPA Series (2024)

WHAT'S NEW
with the New Government Procurement Act?

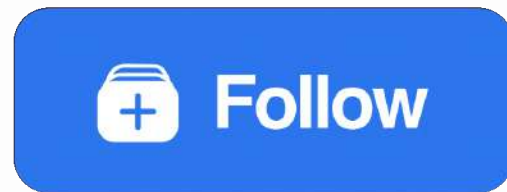
REPUBLIC ACT NO. 12009

NGPA Series #32
Fit-for-Purpose Procurement Modalities

BILLY BAYONG

#WeMakeThingsHappen
gppb gppb-tso





SUBSCRIBE

153
webinars

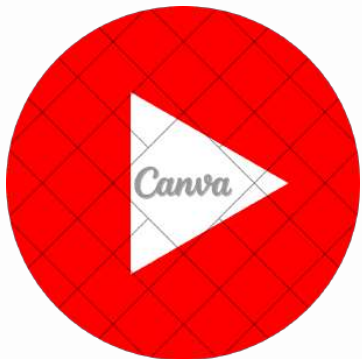


www.gppb.gov.ph

43k
participants



8k
institutions



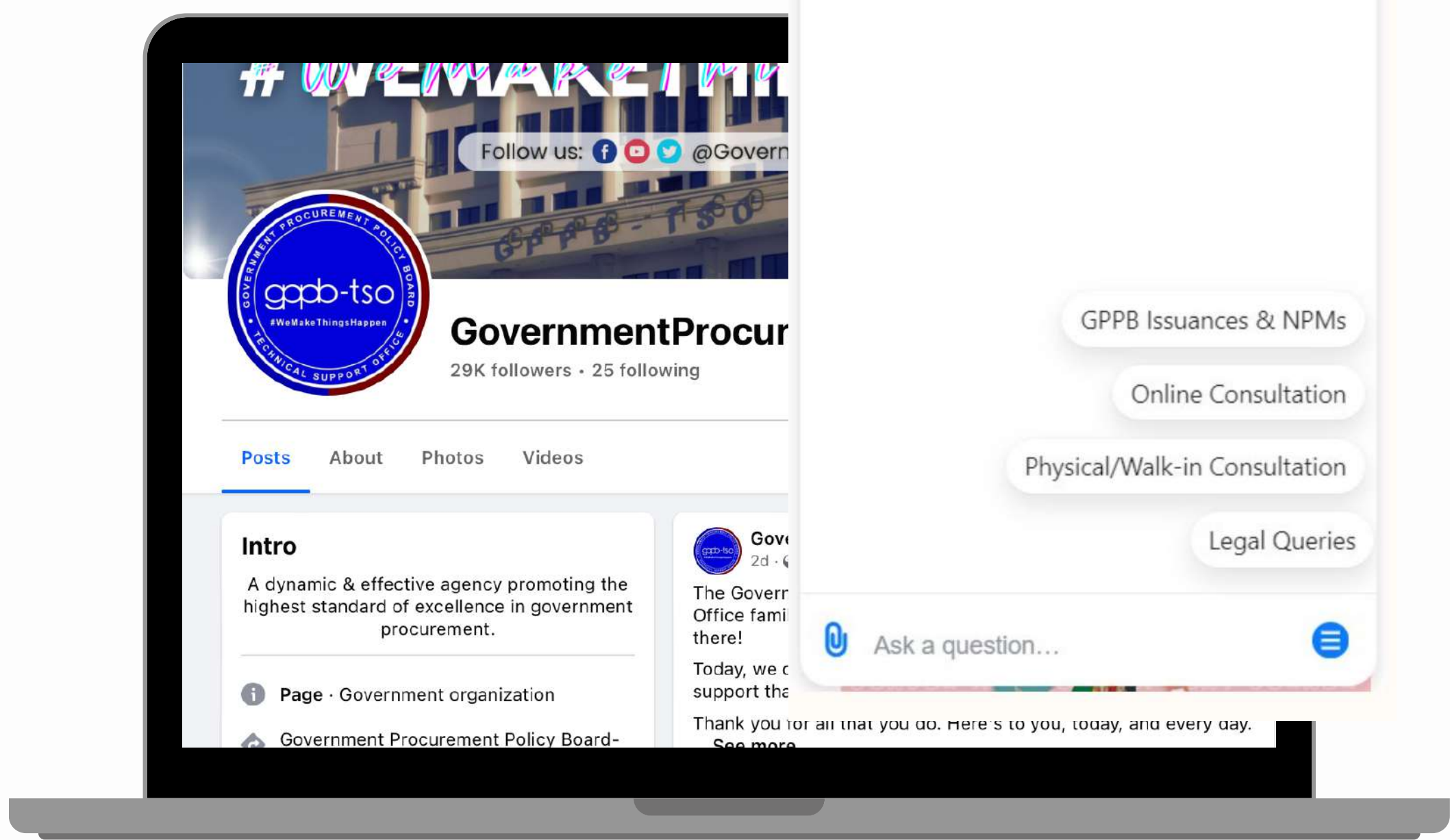
3.7M
facebook views



@GovernmentProcurementPH



NEW!!!



GPPB Ai Chatbot

Launched in June 2023 and enhanced in August 2024



THANK YOU!

Government Procurement Policy Board – Technical Support Office



(02) 5322 – 6BAC (6222)



www.gppb.gov.ph



gppb@gppb.gov.ph



Commonwealth Avenue, UP Diliman Campus, Quezon City, Philippines 1121

