



MEMORANDUM ORDER
NO. 18
SERIES OF 2023

SUBJECT : GUIDELINES ON THE CREATION AND USE OF THE DEPARTMENT OF AGRICULTURE'S REGISTRY OF BIDDERS FOR ALTERNATIVE MODES OF PROCUREMENT

I. RATIONALE

Appendix A under Annex "H" of the 2016 Revised Implementing Rules and Regulations (IRR) of the Government Procurement Reform Act (RA 9184) prescribes the documents that the Bids and Awards Committee (BAC) shall require from suppliers, contractors and consultants for Alternative Modes of Procurement, to wit:

Alternative Modality	Mayor's/ Business Permit	Professional License /Curriculum Vitae (Consulting Services)	PhilGEPS Reg. Number	PCAB License (Infra.)	NFCC (Infra.)	Income/ Business Tax Return	Omnibus Sworn Statement
I. Direct Contracting [Section 50]	✓		✓			✓ For ABCs above P500K	
II. Shopping [Sec 52.1(b)]	✓		✓				
III. Negotiated Procurement			✓ **** PhilGEPS Platinum if legal eligibility requirements are not subject to revision after the conduct of the mandatory review ¹⁸⁷				
A. Two Failed Biddings [(Section 53.1)]							
B. Emergency Cases [(Section 53.2)]	✓			✓	✓ For ABCs above P500K	✓ For ABCs above P500K	✓
C. Take-Over of Contracts (Section 53.3.2; for new bidders)	✓	✓	✓	✓	✓		
D. Adjacent/ Contiguous (Section 53.4)				✓	✓		

Alternative Modality	Mayor's/ Business Permit	Professional License /Curriculum Vitae (Consulting Services)	PhilGEPS Reg. Number	PCAB License (Infra.)	NFCC (Infra.)	Income/ Business Tax Return	Omnibus Sworn Statement
E. Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services (Section 53.6)	✓	✓	✓			✓ For ABCs above P500K	
F. Highly Technical Consultant (Section 53.7)	✓	✓	✓				
G. Small Value Procurement (Section 53.9)	✓	✓	✓	✓		✓ For ABCs above P500K	✓ For ABCs above P50K
H. Lease of Real Property or Venue (Section 53.10)	✓ Except for gov't agencies as lessors		✓ Except for gov't agencies as lessors			✓ Except for gov't agencies as lessors	

Further, it provides that:

"III. Procuring Entities already maintaining an updated file of any of the bidder's abovementioned requirements, whether through the PhilGEPS Certificate of Registration and Membership or its own records, may no longer require its re-submission.(Underscoring ours)"

For purposes of veering away from repetitive submission of the same documents from bidders and to promote ease of doing business, it is desirable that a Registry of Bidders be created in the Department of Agriculture, subject to these guidelines.

II. APPLICABILITY

These guidelines shall apply to the procurement process for projects under the following alternative modes of procurement:

- A. Direct Contracting
- B. Shopping [Sec. 52.1 (b)]
- C. Negotiated Procurement
 1. Two-Failed Biddings
 2. Emergency Cases
 3. Take-Over of Contracts
 4. Adjacent/Contiguous
 5. Scientific, Scholarly or Artistic Work, Exclusive Technology and Media Services
 6. Highly Technical Consultant
 7. Small Value Procurement
 8. Lease of Real Property or Venue

III. PROCEDURES

1. The Procurement Division, through its Contract Management Section, shall create a Bidder's Registry which shall reflect the following columns:
 - a. Name of Bidder
 - b. Documentary Requirements already submitted and their corresponding expiration dates
 - c. Issuance date and expiration date of Certificate of Inclusion in the Bidder's Registry
2. Whenever a bidder submits its proposal for a project under any of the alternative modes as abovementioned, the Technical Working Group (TWG) shall validate the authenticity of the submitted documentary requirements..
3. Upon TWG's validation, the BAC shall issue a Resolution for inclusion of the concerned bidder in the Bidder's Registry.
4. The Procurement Division shall input the details of the concerned bidder in the Bidder's Registry.
5. A Certificate of Inclusion in the Bidder's Registry will be issued to the concerned bidder stating the project/requirement that the said bidder may be exempted from submitting its documentary requirements.
6. For subsequent projects, the bidder may submit a copy of the Certificate of Inclusion as an attachment to the Request for Quotation (RFQ) in lieu of the individual documentary requirements.
7. The Certificate of Inclusion in the Bidder's Registry shall be valid until the end of the year of its issuance.

IV. EFFECTIVITY CLAUSE

This Order shall take effect immediately upon posting in the Department of Agriculture website.

Done this 25th day of February, 2023.

DOMINGO F. PANGANIBAN
Senior Undersecretary



DA-CO-AS-BR20230215-00025