



Republic of the Philippines
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS

24 August 2012

DEPARTMENT ORDER NO. 2012-11

To : DOTC-CENTRAL OFFICE, SECTORAL OFFICES AND ATTACHED AGENCIES

Subject: UNIFORM POLICY ON THE CONDUCT OF PROCUREMENT UNDER REPUBLIC ACT NO. 9184

I. RATIONALE

For purposes of transparency and competitiveness in the procurement process and in compliance with Republic Act No. 9184 ("RA 9184") and its Revised Implementing Rules and Regulations ("Revised IRR"), the Bids and Awards Committees (BAC) of the Department of Transportation and Communications (DOTC)-Central Office, DOTC Sectoral Offices, including their regional offices (Sectoral Offices) and Attached Agencies and Corporations (Attached Agencies) shall uniformly observe the rules and policies set herein.

II. CONDUCT OF PRE-BID CONFERENCE

In addition to the provisions in RA 9184 and its Revised IRR, the following rules should be observed in the conduct of pre-bid conference in the process of public competitive bidding:

1. Pre-bid conferences shall be open to all interested bidders. Bidders who have not purchased the Bidding Documents shall be allowed to participate in the pre-bid conference and may raise queries or clarifications therein.
2. At the option of the procuring entity, only those who have purchased the Bidding Documents shall be allowed to raise or submit written queries/clarifications after the pre-bid conference.

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FOR PROCUREMENT

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III. ACCESS TO INFORMATION

1. In all stages of the preparation of the Bidding Documents, program of works, technical specifications, terms of reference and other similar documents and information, the procuring entity shall ensure equal access to information. Prior to their official release to prospective bidders, no aspect of the Bidding Documents and/or procurement-related documents shall be divulged or released to any prospective bidder or person having direct or indirect interest in the project to be procured, or to any party, except those officially authorized in the handling of the documents.
2. The name and number and other relevant information about the prospective bidders for all procurement projects are likewise considered confidential information and shall not be disclosed or released until the opening of bids.
3. It shall be unlawful for any public official, employee or any authorized private individual to divulge confidential information as mentioned above, which are officially known to them by reason of their office or function, either to further their private interests, give undue advantage to anyone or prejudice the public interest. Any public official or employee, regardless of whether or not he/she holds office or employment in a casual, temporary, holdover, permanent or regular capacity, or any private individual who commits a violation of the said rule shall be subject to administrative, civil, and/or criminal sanctions under appropriate laws.
4. All officials, employees and authorized individuals having access to confidential documents in relation to the procurement activities of the DOTC-Central Office/ Sectoral Offices/Attached Agencies shall maintain security measures in the custody of the same in order to preserve the confidential nature of the documents.

IV. POSTING REQUIREMENTS

1. In addition to the provisions in RA 9184 and its Revised IRR, the BAC, through its Secretariat, shall observe the required posting of the following documents in the Philippine Government Electronic Procurement System (PhilGEPS) website, the website of the DOTC-Central Office, Sectoral Offices and Attached Agencies and in any conspicuous place within the premises of the said office/agency and within the following relevant periods:

Document	Period for Posting	Place of Posting
Request for Quotations ¹	Within seven (7) calendar days	PhilGEPS, website and conspicuous place reserved for this purpose in the premises of

¹ Applicable to Shopping and Small Value Procurement.

Document	Period for Posting	Place of Posting
		the office/agency
Notice of Award	Within three (3) calendar days from the date of signing by the Head of the Procuring Entity	PhilGEPS, website and conspicuous place within the premises of the office/agency
Notice to Proceed	Within fifteen (15) calendar days from the issuance of the Notice to Proceed	PhilGEPS and website of office/agency
Approved Contract	Within fifteen (15) calendar days from the issuance of the Notice to Proceed	PhilGEPS and website of office/agency

2. Bidding Documents² and Supplemental/Bid Bulletins issued by the BAC shall also be posted on the PhilGEPS, the website of the office/agency and in a conspicuous place within the premises of the office/agency. In order to promote transparency and encourage competitiveness in their procurement activities, the DOTC-Central Office/Sectoral Offices/Attached Agencies shall establish their own websites wherein procurement-related documents, as mentioned above, may be accessed by the public and all interested parties.

V. REPORTING REQUIREMENTS³

1. The DOTC-Central Office, DOTC Sectoral Offices and Attached Agencies, through their respective BACs and BAC Secretariats, shall ensure that the following reports are posted in their respective websites:
- 1.1. Annual Procurement Plan (APP);
 - 1.2. Procurement Monitoring Report (PMR);
 - 1.3. List of Non-Governmental Organizations, Civil Society Organizations, or Professional Associations invited as observers; and
 - 1.4. Blacklisting and Delisting Orders against Suppliers, Constructors, and Consultants.⁴
2. For this purpose, the BAC shall designate the accountable officer/employee from its Secretariat who shall be in charge of posting or causing to be posted the foregoing reports including updates thereto.

² Bidding Documents should be posted in the PhilGEPS and the website of the office/agency from the date of the publication of the Invitation to Bid.

³ EO 662; Implementing Guidelines of EO 662.

⁴ Sec. 1.1, EO 662; Implementing Guidelines of EO 662.

3. After posting of the foregoing procurement reports, the accountable officer/employee shall notify and submit electronic copies of the same to the GPPB Technical Support Office.
4. An updated APP must be posted every quarter or at an earlier period, as may be determined by the BAC. The PMR and List of Observers must be likewise submitted and posted every semester.
5. The posting of the Blacklisting and Delisting Orders shall be made on the GPPB website. The offices/attached agencies are directed to submit to the GPPB, within seven (7) calendar days after their issuance, all Blacklisting or Delisting Orders.

VI. REGISTRATON AND USE OF THE PHILGEPS VIRTUAL STORE⁵

For the common-use items to be procured, the DOTC-Central Office and all Sectoral Offices and Attached Agencies of the DOTC shall register and utilize the PhilGEPS Virtual Store pursuant to the policy of modernization and standardization of government procurement systems. This is to ensure transparency and accountability in government transactions and enhance efficiency and effectiveness in the procurement of goods.

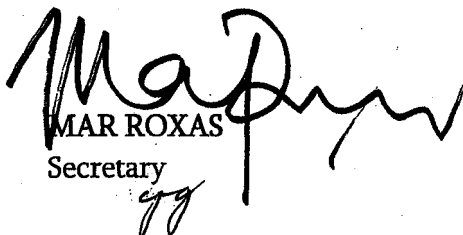
Thus, it is reiterated that DOTC-Central Office and all Sectoral Offices and Attached Agencies shall procure their common-use supplies from the DBM-Procurement Service and shall use the PhilGEPS Virtual Store and its features as they may become available and are implemented.

VII. REPEALING CLAUSE

All issuances of the Department, which are inconsistent herewith are hereby repealed, amended, or modified accordingly.

VIII. EFFECTIVITY

This Order shall take effect immediately.


MAR ROXAS
Secretary
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DOTC-OSEC OUTGOING 12-00721

⁵ Administrative Order No. 17, "Directing the Use of the Procurement Service and the Philippine Government Electronic Procurement System in Procurement Activities in Accordance with Republic Act No. 9184, and Improving the Operation of the Procurement Service"; Department of Budget and Management (DBM) Circular Letter No. 2011-6 (25 August 2011). *Supra*