

SEVENTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES

Second Regular Session

18 MAR -5 P3:26

S E N A T E S. B. No. <u>1722</u>



Introduced by Senator Aquilino "Koko" Pimentel III

AN ACT AMENDING SECTION 64 OF REPUBLIC ACT NO. 9184, OTHERWISE KNOWN AS "THE GOVERNMENT PROCUREMENT REFORM ACT," AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The government procurement law cannot be a one-size-fits-all policy. It should take into consideration the fact that different government agencies have distinct and unique needs depending on their mandate and function. One procurement process or method that works for one government agency, may not necessarily work for other agencies.

Republic Act No. 9184 and its Implementing Rules and Regulations standardized the procurement rules and regulations in all branches, departments, agencies, subdivision, and instrumentalities of government, including the executive, legislative, and judicial branches, government owned and/or controlled corporations, constitutional commissions, state universities and colleges, and local government units. The law aims to promote transparency, economy, and efficiency in the government's procurement activities, without taking into consideration the distinct functions and unique characteristics of the different agencies.

Hence, this bill addresses this situation by enhancing the representation of procuring entities in the Government Procurement Policy Board by including, as members, representatives from other branches and instrumentalities of the Government of the Philippines with distinct functions and unique needs.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

AQUILINO "KOKO" PIMENTEL III



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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 64 of Republic Act No. 9184 is hereby amended to read as follows:

SEC. 64. Membership.

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The GPPB shall be composed of the Secretary of the Department of Budget and Management, as Chairman, the Director-General of the National Economic and Development Authority, as Alternate Chairman, with the following as Members; the Secretaries of the Departments of AGRICULTURE, Education, Energy, ENVIRONMENT AND NATURAL RESOURCES, Finance, FOREIGN AFFAIRS, Health, INFORMATION AND COMMUNICATIONS TECHNOLOGY, THE Interior and Local Government, National Defense, Public Works and Highways, Science and Technology, SOCIAL WELFARE AND DEVELOPMENT, Tourism, Trade and Industry, and Transportation [and Communication]; CHAIRPERSONS

OF THE GOVERNANCE COMMISSION FOR GOCCS, COMMISSION ON HIGHER EDUCATION, and Commission on Audit; NATIONAL PRESIDENT OF THE LEAGUE OF PROVINCES or their duly authorized representatives; and a representative from the private sector to be appointed by the President upon the recommendation of the GPPB. The GPPB may invite [a] representativeS from the LEGISLATIVE AND JUDICIAL BRANCHES to serve as [a] resource personS.

SEC. 2. *Repealing Clause.* — All laws, decrees, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. *Separability Clause.* — If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof shall continue to be in full force and effect.

SEC. 4. *Effectivity Clause*.- This Act shall take effect fifteen days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,