

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



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SENATE

P. S. RES. NO. 336

RECEIVED BY: _____

Introduced by **Senator WIN GATCHALIAN**

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF THE IMPLEMENTATION OF REPUBLIC ACT NO. 12009 OR THE NEW GOVERNMENT PROCUREMENT ACT

1 **WHEREAS**, on July 20, 2024, Republic Act No. 12009 otherwise known as the
2 *New Government Procurement Act* was signed into law in order to enhance
3 transparency, competitiveness, efficiency, proportionality, accountability, public
4 monitoring, procurement professionalization, sustainability, and value for money in
5 government procurement;

6 **WHEREAS**, in order to achieve this, the *New Government Procurement Act*
7 introduced various enhancements to the government procurement process such as:
8 (1) strengthening of procurement planning and budgeting linkage; (2) adoption of fit-
9 for-purpose modalities to achieve value for money; (3) modernization of procurement
10 process through the use of emerging technologies and innovative solutions; (4)
11 institutionalization of sustainable procurement process with environmental, social, and
12 economic considerations; (5) enhancement of transparency in procurement process
13 and ensuring greater accountability; and (6) professionalization of procurement
14 practitioners through development of qualification standards, competency and
15 certification framework, and a code of ethics to foster a skilled, competent, and ethical
16 workforce;

17 **WHEREAS**, in order to provide guidance and assistance to all branches and
18 instrumentalities of the national government, its departments, bureaus, offices and
19 agencies, including state universities and colleges, government-owned and controlled

1 corporations, government financial institutions, and local government units to
2 transition their procurement process from Republic Act No. 9184 otherwise known as
3 the *Government Procurement Reform Act* to the New Government Procurement Act,
4 the Government Procurement Policy Board ("GPPB") is mandated to, among others:

- 5 1) Develop decision-tree to guide the procuring entities on the new modes of
6 procurement most fit for their desired purpose;
- 7 2) Provide guidelines on the application of the Lifecycle Assessment and
8 Lifecycle Cost Analysis;
- 9 3) Issue rules and procedures for the procurement of Common-Use Supplies
10 and Equipment;
- 11 4) Promulgate rules to ensure the system interconnectivity of databases of
12 various government agencies;
- 13 5) Develop procurement policies in relation to direct procurement for science,
14 technology, and innovation;
- 15 6) Issue guidelines to implement the prohibition on splitting of government
16 contracts;
- 17 7) Recommend the qualification standards of public procurement professionals
18 to be hired to procurement positions created under the NGPA;
- 19 8) Adopt technological advances to enhance the procurement process
20 leveraging on emerging technologies and innovative procedures;
- 21 9) Ensure the implementation of green public procurement strategy in the
22 government; and
- 23 10) Maintain online registry of beneficial ownership information of bidders
24 established for government procurement which shall be accessible to the
25 public;

26 **WHEREAS**, on the other hand, the Procurement Service under the Department
27 of Budget and Management (PS-DBM) shall take charge in carrying out the mandated
28 enhancements to the operation of the Philippine Government Electronic Procurement
29 System (PhilGEPS);

30 **WHEREAS**, Section 113 of Republic Act No. 12009 allows for a three (3) year
31 transition period reckoned from approval of standard forms for procurement for full
32 implementation of Republic Act No. 12009;

1 **WHEREAS**, the GPPB, as the implementing agency, approved the Standard
2 Procurement Forms on May 14, 2025 through its Resolution No. 03-2025 thus, the
3 GPPB and all Heads of Procuring Entities, Procuring Entities, and the Bids and Awards
4 Committees have until May 15, 2028 to fully comply with Republic Act No. 12009 and
5 its Implementing Rules and Regulations;

6 **WHEREAS**, in light of the mandate of the New Government Procurement Act
7 and considering the May 15, 2028 compliance deadline, there is a need to assess the
8 status of the law's implementation in order to ensure the seamless transition to the
9 new procurement procedures;

10 **WHEREAS**, it bears noting that a transparent, effective and efficient
11 government procurement system ensures that public funds are spent judiciously in
12 order to maximize value for money in the delivery of public service and enhances
13 accountability in the use of public funds;

14 **NOW, THEREFORE BE IT RESOLVED BY THE SENATE OF THE**
15 **PHILIPPINES**, to direct the appropriate Senate Committee to conduct an inquiry, in
16 aid of legislation, on the status of the implementation of Republic Act No. 12009 or
17 the New Government Procurement Act.

Adopted,



WIN GATCHALIAN