

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress

First Regular Session

HOUSE BILL NO. 4340



INTRODUCED BY HONORABLE DANILO E. SUAREZ

EXPLANATORY NOTE

Delivery of basic services has always been crucial in effective governance. The government needs to ensure a provision for basic health services to promote the well-being of the people. Basic support services for agricultural and food production are likewise needed so that the people would be assured of their daily sustenance. Hence, there is a need to build bridges, construct roads and undertake basic infrastructure projects as support services on this matter.

It is sad to note, however, that these basic services are not delivered on time. Due to various factors, there is always delay in the implementation of government projects to the prejudice of the majority of the people who heavily rely on government support. One such factor is the lengthy period in the conduct of the bidding process in the acquisition of goods or consulting services and in the contracting of infrastructure projects. Under the present Republic Act No. 9184, otherwise known as "An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and for other Purposes", the whole process, starting from advertisement of a proposed project up to the bidding and award of the same, would last for almost five (5) months and fifteen (15) days or almost half a year. In the meantime, the government has incurred opportunity losses in terms of employment and investment.

This bill seeks to correct this situation by introducing amendments in RA 9184. The amendments are designed to shorten the allotted period for each stage of the process thus ensuring the immediate implementation of government projects. If approved, the existing time frame can be reduced to three (3) months and fifteen (15) days.

The approval of this bill is earnestly requested.

A handwritten signature of Danilo E. Suarez.

DANILO E. SUAREZ
Representative
Third District, Quezon Province

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AN ACT AMENDING SECTIONS 17 AND 45 OF REPUBLIC ACT NO. 9184 AND
FOR OTHER PURPOSES

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

SECTION 1. Section 17 of Republic Act No. 9184 is hereby amended to read as
follows:

"SEC. 17. Form and Contents of Bidding Documents. – The Bidding Documents shall be prepared by the Procuring Entity WITHIN A PERIOD NOT EXCEEDING FIFTEEN (15) CALENDAR DAYS, [following the standard forms and manuals prescribed by the GPPB.] The Bidding Documents shall FOLLOW THE STANDARD FORMS AND MANUALS PRESCRIBED BY THE GPPB AND SHALL include the following:

X X X

“SECTION 2. Section 38 of Republic Act No. 9184 is hereby amended to read as follows:

"SEC. 38. Period of Action on Procurement Activities. – The procurement process from the opening of bids up to the award of contract shall not exceed [three (3) months] FORTY FIVE (45) CALENDAR DAYS, or a shorter period to be determined by the procuring entity concerned. Without prejudice to the provisions of the preceding section, the different procurement activities shall be completed within reasonable periods to be specified in the IRR.

X X X

SECTION 3. Repealing Clause. – All laws, decrees, executive orders, and rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 4. Separability Clause. – If, for any reason, any section or provision of this Act is subsequently declared null and void for being unconstitutional, the other sections or provisions not so declared shall remain in full force and effect.

SECTION 5. Effectivity Clause. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,