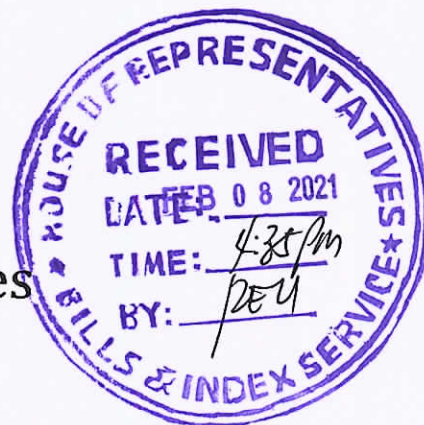




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Eighteenth Congress
Second Regular Session

HOUSE BILL NO. **8649**

Introduced by Representative Junie E. Cua

EXPLANATORY NOTE

This bill seeks to exempt local government units (LGUs) from complying with the procurement requirements under Republic Act No. 9184, otherwise known as the “*Government Procurement Reform Act*,” and other related laws to expedite the purchase and administration of the coronavirus disease 2019 (COVID-19) vaccines.

Section 15, Article II of the Constitution provides that “*The State shall protect and promote the right to health of the people and instill health consciousness among them.*”

Section 11, Article XIII states that “*The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.*”

The country and the Filipino people were severely affected by the COVID-19 pandemic with 533,587 cases and 11,058 deaths as of February 5, 2021, after more than one year when the first suspected case was investigated. The economy is still struggling and unemployment remains high despite the massive effort and response of the government. Experts says that the key to economic recovery is the containment of COVID-19 through the vaccination program.

The Philippine National Vaccine Roadmap that aims to vaccinate 60 to 70 million Filipinos in 3 to 5 years was already approved by President Rodrigo Roa Duterte. The role of LGUs in the vaccination program of the National Government is very crucial. The LGUs are not only grassroots implementers of the vaccination program but also the partner of the National Government to ensure the success of the deployment and administration of the vaccines.

The vaccination program must be implemented at the soonest possible time to contain, if not totally eliminate, the COVID-19. The availability of vaccine doses is essential to start the vaccination program. This bill proposes to exempt LGUs from the strict implementation of the procurement law and other related laws, such as Section 338 of Republic Act No. 7160, otherwise known as the "*Local Government Code of 1991*," and Section 88 of Presidential Decree No. 1445, otherwise known as the "*Government Auditing Code of the Philippines*," to secure at the earliest possible time the required vaccine doses.

The proposal includes the posting of information in conspicuous places for purposes of transparency and the removal of any doubt from the public that these exemptions may be used to commit graft and corruption. Time is of the essence. The COVID-19 vaccines must be given to the people the soonest possible time.

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



JUNIE E. CUA



Republic of the Philippines
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AN ACT

EXPEDITING THE PURCHASE AND ADMINISTRATION OF VACCINES FOR THE PROTECTION AGAINST THE CORONAVIRUS DISEASE 2019 BY EXEMPTING LOCAL GOVERNMENT UNITS FROM COMPLIANCE WITH THE PROCUREMENT REQUIREMENTS UNDER REPUBLIC ACT NO. 9184, OTHERWISE KNOWN AS THE "GOVERNMENT PROCUREMENT REFORM ACT," AND OTHER RELATED LAWS

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

SECTION 1. Notwithstanding the provisions of Republic Act No. 9184, otherwise known as the "*Government Procurement Reform Act*," Section 338 of Republic Act No. 7160, as amended, otherwise known as the "*Local Government Code of 1991*," and Section 88 of Presidential Decree No. 1445, as amended, otherwise known as the "*Government Auditing Code of the Philippines*," provinces, cities and municipalities may directly purchase vaccines for the protection against the coronavirus disease 2019 (COVID-19), and secure other goods and services necessary for their storage, transport and distribution. For these purposes, provinces, cities and municipalities may advance payment of not more than fifty percent (50%) of the

1 contract price if required by the supplier, manufacturer, distributor, contractor or
2 consultant.

3 SEC. 2. The provinces, cities and municipalities may only purchase COVID-19
4 vaccines that are registered with the Food and Drug Administration or issued with an
5 emergency use authorization status. For purposes of transparency, the following
6 information must be posted in a conspicuous place of the procuring local government
7 unit:

8 (a) Approved budget for the contract;

9 (b) Name of the supplier, manufacturer, distributor, contractor or consultant;

10 and

11 (c) Amount of contract as awarded.

12 The deployment of vaccine in every province, city and municipality must be in
13 accordance with the national guidelines being implemented by the Department of
14 Health and the National Task Force against COVID-19.

15 SEC. 3. Within five (5) days from the effectivity of this Act, the Secretary of
16 the Interior and Local Government shall, in coordination with the Government
17 Procurement Policy Board, issue the special procurement rules for the effective
18 implementation of this Act.

19 The non-promulgation of the rules and regulations provided under this section
20 shall not prevent the immediate implementation of this Act upon its effectivity.

21 SEC. 4. This Act shall remain in full force and effect during the period of the
22 state of calamity due to COVID-19 pandemic or until September 12, 2021, unless the

1 state of calamity is earlier lifted or extended by the President of the Philippines as
2 circumstances may warrant as provided under Proclamation No. 1021, Series of 2020.

3 SEC. 5. This Act shall take effect immediately upon its publication in the
4 *Official Gazette* or in a newspaper of general circulation.

5 Approved,

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