



Republic of the Philippines
Department of Social Welfare and Development

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ADMINISTRATIVE ORDER

NO. 12
SERIES OF 2009

SUBJECT: GUIDELINES IN ESTABLISHING AND MAINTAINING A DSWD REGISTRY OF CLASS "A" DOCUMENTS SUBMITTED BY MANUFACTURERS, SUPPLIERS, DISTRIBUTORS, CONTRACTORS, AND CONSULTANTS

I. RATIONALE

The enactment of Republic Act No. 9184 (R.A. 9184) otherwise known as the "Government Procurement Reform Act" brought about major reforms in the government procurement system promoting the ideals of good governance.

One of the core issues that R.A. 9184 sought to address is the reduction of unnecessary paperwork that makes the affairs of a particular agency slow-moving. In this light, the said law provides for the establishment of a registry by the Bids and Awards Committee of a procuring entity that maintains key eligibility documents of prospective bidders. The registry will promote efficiency in the procurement process since it will facilitate eligibility check during bid opening.

With the establishment of a registry, the Department of Social Welfare and Development (DSWD) will no longer require DSWD-registered bidders to submit voluminous eligibility documents every time they participate in a DSWD procurement project, thus saving them of reproduction costs and shortening the conduct of eligibility checking. Likewise, the DSWD will no longer have to keep copies of eligibility documents submitted by bidders for every bid opening. The registry will also serve as a database of prospective bidders for DSWD's future procurement projects. It is for these reasons that the DSWD need to establish and maintain a registry of Class "A" documents submitted by manufacturers, suppliers, distributors, contractors, and consultants, which shall be updated at least once a year or more frequently when needed.

II. OBJECTIVE

These guidelines provide the process to establish and maintain a DSWD registry of Class "A" documents submitted by manufacturers, suppliers, distributors, contractors and consultants.

III. LEGAL BASES

1. **Republic Act No. 9184 (R.A. 9184) and its Revised Implementing Rules and Regulations (RIRR)** – prescribe the rules and regulations for the modernization, standardization, and regulation of procurement activities of the government.
2. **DSWD Administrative Order No. 12, series of 2005** – prescribes the schedule of fees for services rendered.

IV. SCOPE

This Administrative Order (AO) shall apply to all procurement, whether locally or foreign-funded, conducted by DSWD Central Office and Field Offices.

V. DEFINITION OF TERMS¹

For purposes of this Administrative Order, the following terms shall mean or be understood as follows:

1. **BAC.** Refers to the Bids and Awards Committee of the DSWD Central Office and Field Offices established in accordance with R.A. 9184 and its RIRR.
2. **BAC Secretariat.** Refers to the main support unit of the DSWD BAC whether at the Central Office or at the Field Office.
3. **Bidder.** Refers to an eligible contractor, manufacturer, supplier, distributor and/or consultant competing for the award of a contract in any procurement by the GOP.
4. **Competitive Bidding.** Refers to a method of procurement which is open to participation by any interested party. Also used interchangeably with the term "Public Bidding."
5. **Consulting Services.** Refer to services for infrastructure projects and other types of projects or activities of the GOP requiring adequate external technical and professional expertise that are beyond the capability and/or capacity of the government to undertake such as, but not limited to: (i) advisory and review services; (ii) pre-investment of feasibility studies; (iii) design; (iv) construction supervision; (v) management and related services; and (vi) other technical services or special studies.
6. **Goods.** Refer to all items, supplies, materials and general support services, except consulting services and infrastructure projects, which may be needed in the transaction of public businesses or in the pursuit of any government undertaking, project or activity, whether in the nature of equipment, furniture, stationery, materials for construction, or personal property of any kind, including non-personal or contractual services such as the repair and maintenance of equipment and furniture, as well as trucking, hauling, janitorial, security, and related or analogous services, as well as procurement of materials and supplies provided by the procuring entity for such services.
7. **GPPB.** Refers to the Government Procurement Policy Board created in accordance with Rule XX of the RIRR of R.A. 9184.
8. **Infrastructure Projects.** Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national buildings, school buildings, hospital buildings and other related construction projects of the government.
9. **PhilGEPS.** Refers to the Philippine Government Electronic Procurement System, which is the procurement portal of the Republic of the Philippines.
10. **Procuring Entity.** Refers to the DSWD which comprises its central office, bureaus, services, divisions, units and regional offices procuring Goods, Infrastructure Projects and Consulting Services.
11. **Registration.** Refers to the submission of Class "A" documents by prospective bidders for faster eligibility check and issuance by the BAC of a certificate of registration.

VI. REGISTRATION POLICIES

1. The Certificate of Registration shall be valid for one (1) year from the date of issuance.
2. The Certificate of Registration is non-transferable and may be renewed only at the instance of the registered manufacturer/supplier/distributor/contractor/consultant. Any misuse hereof shall cause the forfeiture of the established right and consequent debarment of the registered manufacturer/supplier/distributor/contractor/consultant concerned.
3. The registered manufacturer/supplier/distributor/contractor/consultant shall be responsible for updating its submitted Class "A" eligibility documents.
4. Registration is not tantamount to a finding of eligibility, nor is it a guaranty that a registered manufacturer/supplier/distributor/contractor/consultant may participate in a public bidding without first being determined to be eligible for that particular public bidding.

¹ Section 5 of R.A. 9184 and its RIRR.

VII. REQUIREMENTS

To qualify for registration in the DSWD's Registry of Class "A" Documents² submitted by Manufacturers, Suppliers, Distributors, Contractors, and Consultants, the registrant shall submit the following to the BAC, through the BAC Secretariat, properly tabbed as indicated below:

CLASS "A" ELIGIBILITY DOCUMENTS CHECKLIST	
TAB	REQUIREMENTS
Legal Documents	
A.	Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives
B.	Mayor's permit issued by the city or municipality where the principal place of business of the prospective bidder is located
Technical Documents	
C.	Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started <i>(Note: A Prospective bidder must comply with the relevant period for the contracts to be covered, as prescribed in the Bidding Documents for every public bidding it intends to participate into.)</i>
D.	For procurement of infrastructure projects only : <ul style="list-style-type: none"> A valid Philippine Contractors Accreditation Board (PCAB) license and registration <i>(Note: A prospective bidder must have a PCAB license that is applicable to the type and cost of every contract it will be bidding into.)</i>
E.	For procurement of consulting services only : <ul style="list-style-type: none"> Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions
Financial Documents	
F.	The prospective bidder's audited financial statements, showing, among others, the prospective bidder's total and current assets and liabilities, stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions, for the preceding calendar year <i>(Note: A prospective bidder must submit audited financial statements which should not be earlier than two [2] years from the date of bid submission for every public bidding it intends to participate into.)</i>
G.	For procurement of goods and infrastructure projects only : <ul style="list-style-type: none"> The prospective bidder's computation for its Net Financial Contracting Capacity (NFCC) or a commitment from a Universal or Commercial Bank to extend a credit line in favor of the prospective bidder if awarded the contract to be bid

VIII. REGISTRATION PROCEDURES

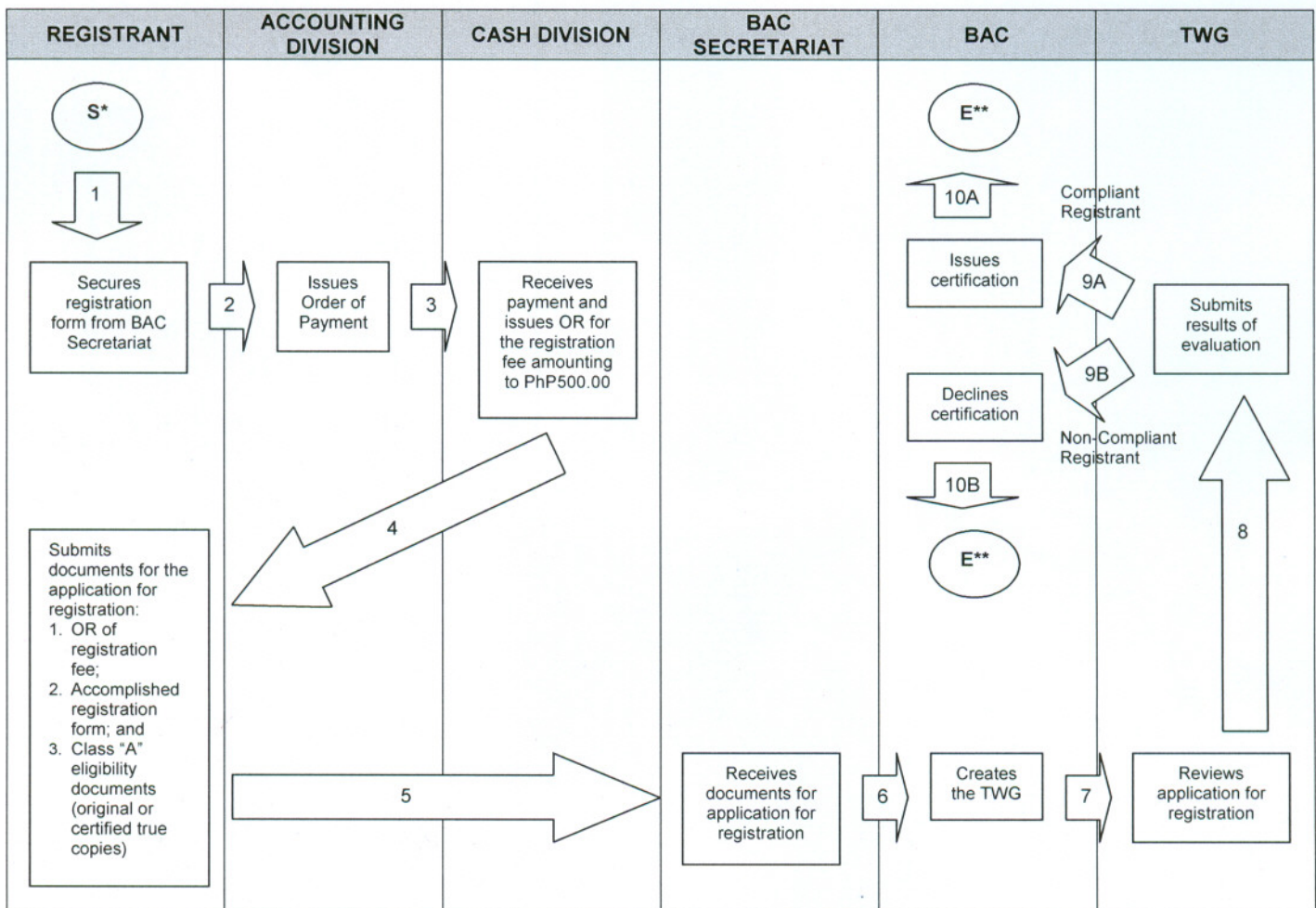
- The registrant shall secure a registration form (see **Annex "A"**) from the BAC Secretariat and then request an Order of Payment for the registration fee at the Accounting Division.
- The registrant shall then present the Order of Payment to the Cashier's Office and pay a non-refundable registration fee of Five Hundred Pesos (PhP500.00).³
- Upon payment of the registration fee, the registrant shall submit the following documents to the BAC Secretariat:

² Sections 23.1 and 24.1 of the RIRR of RA 9184.

³ As prescribed under DSWD Administrative Order No. 12, series of 2005.

- a. Official Receipt (OR) of payment of registration fee;
 - b. Duly accomplished registration form; and
 - c. Class "A" eligibility documents (originals or certified true copies).
4. The BAC Secretariat shall stamp as "Received" the documents enumerated in the immediately preceding number and forward the same to the BAC. Thereafter, the BAC shall create a Technical Working Group (TWG) that shall examine, validate and verify the documents submitted by the registrant.
 5. The approval of the application for registration shall be contingent on the completeness, correctness, validity and authenticity of the documents submitted which shall be concurred upon by a majority of the BAC members.
 6. The BAC shall act on the application within seven (7) working days upon receipt of the documents by the BAC Secretariat.
 7. If a registrant is found to have complied with all the necessary requirements for registration, the BAC shall issue a certificate of Registration duly signed by its Chairperson (see **Annex "B"**). Otherwise, the BAC shall issue a certification stating the reason why the application for registration has been denied along with the documents submitted by the registrant.

REGISTRATION FLOWCHART



Legend: * - Start; ** - End

Note: Please see **Annex "C"** for a simplified registration process flow.

IX. INSTITUTIONAL ARRANGEMENTS

A. The BAC shall:

1. Create a TWG with a minimum of three (3) members coming from a pool of technical, financial or legal experts in the DSWD, which shall aid the BAC in the examination, validation, and verification of the application submitted by a registrant.

2. Identify deviations, if any, committed by any registrant in the registration process.
 3. Ensure that the registration process is in faithful compliance with the provisions of the RIRR of R.A. 9184.
 4. Approve or disapprove the application for registration.
 5. Issue Certificate of Registration.
- B. The BAC Secretariat shall:
1. Issue registration form and provide instructions to registrants.
 2. Safekeep and maintain the documents submitted by registrants.
 3. Update the BAC members of any amendment or revision in the registration process prescribed under the RIRR of R.A. 9184.
- C. The TWG shall:
1. Provide the BAC a detailed evaluation of the documents submitted by a registrant together with its corresponding recommendation.
- D. The Cash Division shall:
1. Issue an Official Receipt (OR) to registrant for payment of the prescribed registration fee.
- E. The Accounting Division shall:
1. Issue an Order of Payment to registrant prior to payment of registration fee with the Cash Division.

X. SEPARABILITY CLAUSE

In the event that any provision of these guidelines is held invalid or not in accordance with existing laws, the other provisions not affected thereby shall remain valid and subsisting.

XI. EFFECTIVITY

This Administrative Order shall take effect after fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation.

Issued this 19th day of Oct 2009 in Quezon City.


DR. ESPERANZA I. CABRAL
Secretary



Republic of the Philippines
 Department of Social Welfare and Development
BIDS AND AWARDS COMMITTEE

ANNEX "A"

REGISTRATION FORM	
Application No.: _____	
Name:	_____
Address:	_____
Telephone Number(s):	_____
Fax Number(s):	_____
Email Address(es):	_____
Category:	
<input type="checkbox"/> Goods and Services	<input type="checkbox"/> Infrastructure Projects <input type="checkbox"/> Consultancy Services
_____ Authorized Representative (Signature over Printed Name)	
_____ Date	

BELOW THIS LINE FOR DSWD USE ONLY

CLASS "A" ELIGIBILITY DOCUMENTS CHECKLIST		
TAB	REQUIREMENTS	FINDINGS (e.g. validity period, certified true copy)
Legal Documents		
A.	Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives	
B.	Mayor's permit issued by the city or municipality where the principal place of business of the prospective bidder is located	
Technical Documents		
C.	Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started <i>(Note: A Prospective bidder must comply with the relevant period for the contracts to be covered, as prescribed in the Bidding Documents for every public bidding it intends to participate in.)</i>	
D.	For procurement of infrastructure projects only : <ul style="list-style-type: none"> • A valid Philippine Contractors Accreditation Board (PCAB) license and registration <i>(Note: A prospective bidder must have a PCAB license that is applicable to the type and cost of every contract it will be bidding in.)</i> 	
E.	For procurement of consulting services only : <ul style="list-style-type: none"> • Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions 	

CLASS "A" ELIGIBILITY DOCUMENTS CHECKLIST		
TAB	REQUIREMENTS	FINDINGS (e.g. validity period, certified true copy)
Financial Documents		
F.	The prospective bidder's audited financial statements, showing, among others, the prospective bidder's total and current assets and liabilities, stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions, for the preceding calendar year <i>(Note: A prospective bidder must submit audited financial statements which should not be earlier than two [2] years from the date of bid submission for every public bidding it intends to participate into.)</i>	
G.	For procurement of goods and infrastructure projects only : <ul style="list-style-type: none"> The prospective bidder's computation for its Net Financial Contracting Capacity (NFCC) or a commitment from a Universal or Commercial Bank to extend a credit line in favor of the prospective bidder if awarded the contract to be bid 	

Reviewed by:

TWG Chairperson

TWG Member

TWG Member

Bids and Awards Committee Action¹:

APPLICATION FOR REGISTRATION:

Approved

Disapproved due to _____

BAC Member

BAC Member

BAC Member

BAC Vice-Chairperson

BAC Chairperson

¹ Signature of BAC Chairperson/Vice-Chairperson and two (2) members will make this valid.

**Republic of the Philippines
Department of Social Welfare and Development
BIDS AND AWARDS COMMITTEE**

**CERTIFICATE OF REGISTRATION FOR PROCUREMENT OF
GOODS/SERVICES/INFRASTRUCTURE PROJECTS/
CONSULTANCY SERVICES**

No. _____

This Certificate of Registration is hereby issued to

with office address at _____ (*Address of Agency/Firm/Individual*) _____ for having registered its Class "A" documents with the Department of Social Welfare and Development.

This credential is non-transferable and may be renewed only at the instance of the above mentioned agency/firm/individual upon its expiration. Any misuse hereof shall cause the forfeiture of the established right and consequent debarment of herein named agency/firm/individual.

Issued this ____ day of _____, 20__ in _____ (*Metro Manila/Regional Office/Attached Agency*) _____ and valid until December 31, 20__.

By Authority of the Secretary of Social
Welfare and Development:

Chairperson
Bids and Awards Committee

REGISTRATION PROCESS FLOW

- Step 1** - Registrant secures registration form with checklist of requirements from the BAC Secretariat
- Step 2** - Registrant proceeds to Accounting Division which shall issue Order of Payment for the registration fee
- Step 3** - Registrant presents Order of Payment and pays PHP500.00 for the registration fee at the Cash Division
- Step 4** - Registrant must submit the following to the BAC Secretariat
 1. Official Receipt (OR) of registration fee
 2. Accomplished registration form
 3. Class "A" eligibility documents (original or certified true copy)
- Step 5** - BAC Secretariat receives documents of registrants
- Step 6** - BAC creates TWG to review application
- Step 7** - TWG reviews application for registration, checks completeness and correctness of documents, and establishes validity and authenticity of documents
- Step 8** - TWG recommends approval/disapproval of application
- Step 9A** - BAC finds registrant compliant with all the requirements
- Step 9B** - BAC finds registrant non-compliant with the requirement/s
- Step 10A** - BAC issues certificate of registration
- Step 10B** - BAC declines issuance of certification of registration