

[EXECUTIVE ORDER NO. 34, July 17, 2017]

FURTHER AMENDING EXECUTIVE ORDER NO. 423 (S.2005), AS AMENDED, PRESCRIBING THE RULES AND PROCEDURES ON THE REVIEW AND APPROVAL OF ALL GOVERNMENT CONTRACTS, PURSUANT TO REPUBLIC ACT NO. 9184, OTHERWISE KNOWN AS THE "GOVERNMENT PROCUREMENT REFORM ACT OF 2003"

WHEREAS, Section 4 of Executive Order (EO) No. 423 (s. 2005), as amended by EO No. 645 (s. 2007), provides that for government contracts amounting to atleast P500 Million, the Head of the Procuring Entity, before resorting to any of the alternative methods of procurement, is required to obtain the approval of the Government Procurement Policy Board (GPPB) that the proposed procurement undertaking falls within the exceptions from public bidding and that the proposed specific alternative mode of procurement is appropriate;

WHEREAS, under Republic Act (RA) No. 9184, otherwise known as the "Government Procurement Reform Act of 2003," and its revised Implementing Rules and Regulations (IRR), the authority to approve or disapprove the use of alternative modes of procurement, regardless of the amount of the Approved Budget for the Contract (ABC), lies with the Head of Procuring Entity or his duly authorized representative, who shall be accountable for determining whether all the required conditions are present for the use of the proposed alternative method of procurement;

WHEREAS, in the course of the implementation of EO No. 423, as amended, the Head of Procuring Entity or his duly authorized representative remains accountable in ensuring that government contracts have been executed in faithful compliance with all applicable laws, rules and regulations;

WHEREAS, the requirement of GPPB determination and approval as to the appropriateness of the alternative method of procurement to be adopted adds to the total procurement process and timeline, and defeats the very purpose of resorting to alternative methods of procurement, which is to promote economy and efficiency; and

WHEREAS, it has now become necessary to further amend Section 4 of EO 423, as amended, to streamline, expedite, and make more efficient the current procurement procedures in order to achieve a more optimal and expedient procurement system, pursuant to the provisions of RA 9184 and its IRR.

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order: