



Republic of the Philippines  
Province of Bataan  
City of Balanga  
**BIDS AND AWARDS COMMITTEE OFFICE**



Resolution No. 26-02-019  
Series of 2026

**A RESOLUTION ADAPTING AND IMPLEMENTING THE SPECIFIC NEW PROVISIONS, PROCUREMENT MODALITIES, GOVERNING PRINCIPLES, AND STANDARD PROCUREMENT FORMS UNDER REPUBLIC ACT NO. 12009 (NEW GOVERNMENT PROCUREMENT ACT), AND PROVIDING TRANSITIONAL GUIDELINES FOR PROCUREMENT ACTIVITIES OF THE PROVINCIAL GOVERNMENT OF BATAAN**

**WHEREAS**, the Provincial Government of Bataan – Bids and Awards Committee (BAC), as present holds onto the provisions of R.A. 9184 in terms of procurement of Goods and Services, Infrastructure and Consulting Services;

**WHEREAS**, Republic Act No. 12009, otherwise known as the *New Government Procurement Act (NGPA)*, and its IRR, which take effect on February 25, 2025, introduced substantial reforms to government procurement, including changes in procurement planning, market scoping, bidding procedures, contract implementation, sustainability measures, professionalization, and digitalization. The Implementing Rules and Regulations (IRR) of RA 12009 and the Standard Procurement Forms approved by the Government Procurement Policy Board (GPPB) mandate the use of updated forms, templates, and disclosures across all stages of procurement to take effect on September 21, 2025;

**WHEREAS**, there is a need to expressly adopt, operationalize, and institutionalize these new provisions and forms within the **PROVINCIAL GOVERNMENT OF BATAAN** to ensure legal compliance, audit readiness, and uniform implementation and to harmonize the application of R.A. 9184 and R.A. 12009 until the latter's full implementation in the year 2028;

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

**SECTION 1. Adoption of Governing Principles under RA 12009**

The procurement activities of the **PROVINCIAL GOVERNMENT OF BATAAN** shall henceforth be governed by the principles expressly introduced and strengthened under RA 12009, including but not limited to:

- a. **Proportionality**, allowing procurement procedures and documentary requirements to be commensurate with the value, risk, and complexity of the procurement;
- b. **Strategic and Sustainable Procurement**, integrating environmental, social, and economic considerations in procurement planning and specifications;
- c. **Open Contracting and Transparency**, including expanded disclosure requirements throughout the procurement lifecycle;
- d. **Professionalization and Accountability**, strengthening the roles and responsibilities of procurement officials.

**SECTION 2. Adaptation of New Procurement Planning Requirements**

In compliance with RA 12009 and its IRR, the following planning mechanisms are hereby adopted:

- a. **Mandatory Market Scoping / Market Research** prior to procurement, to determine availability, pricing, competition, and appropriate procurement modality;
- b. **Enhanced Project Procurement Management Plan (PPMP)** reflecting market scoping results, sustainability considerations, risk factors, and delivery timelines;
- c. **Annual Procurement Plan (APP)** aligned with agency strategic objectives, budget appropriations, and procurement packaging allowed under RA 12009.

All procurement shall be prohibited unless supported by duly approved PPMPs and APPs using the **new GPPB-prescribed forms**.



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### **SECTION 3. Adoption of Updated Procurement Modalities**

**PROVINCIAL GOVERNMENT OF BATAAN** hereby adopts and authorizes the use of the procurement modalities provided under RA 12009 and its IRR, including but not limited to:

- a. **Competitive Bidding (Open Competitive Procurement)** as the default mode;
- b. **Limited Source Bidding, Direct Contracting, Negotiated Procurement,** and other alternative methods, subject to justification under the NGPA;
- c. **Framework Agreements, Repeat Orders,** and other modern procurement tools as may be applicable.

The Bids and Awards Committee (BAC) shall ensure that the selected modality is justified, documented, and consistent with the principle of proportionality.

### **SECTION 4. Adoption of New Standard Procurement Forms**

The following **standard procurement forms issued pursuant to RA 12009** are hereby formally adopted and made mandatory for use, replacing all forms previously used under RA 9184:

- a. **Market Scoping / Market Research Form**
- b. **Revised PPMP and APP Templates**
- c. **Updated Philippine Bidding Documents (PBDs)** for Goods, Infrastructure, and Consulting Services
- d. **Bid Form for the Procurement of Goods and Infrastructure Projects**
- e. **Bid Securing Declaration**
- f. **Contract Form**
- g. **Omnibus Sworn Statement**
- h. **Performance Securing Declaration**
- i. **Price Schedule for Goods Offered from within the Philippines**
- j. **Price Schedule for Goods Offered Abroad**

No procurement transaction shall proceed unless the applicable RA 12009 forms are completely and properly accomplished.

### **SECTION 5. Transition and Applicability**

- a. All procurement activities **initiated after the effectivity** of this Resolution shall be governed by RA 12009, its IRR, and the adopted forms;
- b. Procurement activities already advertised or initiated under RA 9184 prior to effectivity shall continue to be governed by the old law, unless otherwise directed by the GPPB;
- c. All internal procurement manuals, checklists, and workflows shall be revised accordingly.

### **SECTION 6. Institutional Responsibilities**

- a. The **Head of the Procuring Entity (HoPE)** shall ensure overall compliance with RA 12009;
- b. The **BAC and BAC Secretariat** shall operationalize the new procedures and forms;

### **SECTION 7. Separability Clause**

The separability clause in both Republic Act No. 9184 (Government Procurement Reform Act) and Republic Act No. 12009 (New Government Procurement Act or NGPA) ensures that if any part of the law is declared unconstitutional or invalid, the remaining provisions will continue to be in full force and effect.

### **SECTION 8. Effectivity**

This Resolution shall take effect on April 1, 2026



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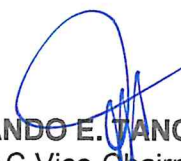
**RESOLVED FINALLY**, that a copy of this Resolution be furnished to the HOPE for his perusal and approval, at the BAC Office, Capitol, Balanga City, Bataan, this 11<sup>th</sup> day of February, 2026.

**UNANIMOUSLY APPROVED.**

CERTIFIED CORRECT:

  
AILEEN C. SAGUN  
BAC Secretariat

  
JEFFREY T. CALMA  
BAC Chairman


  
FERNANDO E. TANCIONGCO  
BAC Vice-Chairman

  
EDUARDO D. BANZON  
BAC Member

  
JOSEPH ANDREW J. JALOBER  
BAC Member

  
RICARDO C. HERRERA  
BAC Member

APPROVED:

  
JOSE ENRIQUE S. GARCIA III  
Provincial Governor  
Date 2-11-26