



Republic of the Philippines
OFFICE OF THE SECRETARY
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MEMORANDUM ORDER

No. 39
Series of 2024

SUBJECT : GUIDELINES ON PROCUREMENT OF LEASE OF PUBLICLY-OWNED VENUE

I. BACKGROUND

To promote economy and efficiency, this Department currently resorts to Negotiated Procurement – Agency to Agency in procuring government-owned venue for the conduct of trainings, seminars and workshops.

However, during a recently concluded workshop titled “Reorientation on the Procurement Process and the Roles of the Procurement Coordinators of the Department of Agriculture-Central Office,” held on July 1-4, 2024, it was clarified by the Government Procurement Policy Board (GPPB) Trainer that the more appropriate mode of procurement in securing the services of government-owned venue is Negotiated Procurement – Lease of Venue (publicly-owned).

II. LEGAL BASIS

Annex “H” of the 2016 Revised Implementing Rules and Regulations (RIRR) of the Government Procurement Reform Act (RA 9184) provides the policy considerations for Lease of Venue, to wit:

“D. NEGOTIATED PROCUREMENT. *Negotiated Procurement is a method of procurement of Goods, Infrastructure Projects and Consulting Services, whereby the Procuring Entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant in any of the following cases:*

X X X

9. LEASE OF REAL PROPERTY AND VENUE

X X X

b) Policy Considerations

- i. *Publicly-owned vis-a-vis privately-owned real property and venue*

It is preferred that government agencies lease publicly-owned real property or venue from other government agencies.

If there is an available publicly-owned real property or venue that complies with the requirements of the Procuring Entity, it may enter into a contract of lease with the government-agency owner.

In the event that the Procuring Entity would resort to privately-owned real property or venue, the End-User unit shall justify that the same is more efficient and economical to the government. (Underscoring ours)"

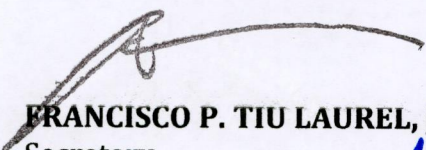
III. GUIDELINES

In view of the foregoing, all end-users are hereby directed to select **Negotiated Procurement - Lease of Venue** (Sec. 53.10) as the mode of procurement for the lease of publicly-owned venues in all relevant documents and platforms, including the following:

1. Procurement Project Management Plan (PPMP);
2. Purchase Request (PR) in the DA-Procurement Management System (PMS); and
3. Purchase Request (PR) in the mPhilGEPS.

This Order shall take effect immediately upon publication in the official website of DA.

Done this 9th of SEPTEMBER, 2024.


FRANCISCO P. TIU LAUREL, JR.
Secretary

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