



MEMORANDUM ORDER

No. 58

Series of 2024

SUBJECT : GUIDELINES ON PROCESSING OF PROCUREMENT CONTRACTS UTILIZING GOVERNMENT PROCUREMENT POLICY BOARD (GPPB)-PROVIDED CONTRACT AGREEMENT FORM

I. BACKGROUND

In line with the Department of Agriculture's ongoing efforts to streamline procurement processes, it has been noted that requiring legal review for procurement contracts utilizing the Contract Agreement Form provided by the Government Procurement Policy Board (GPPB) may extend the processing time of these contracts. These standard forms have been thoroughly vetted and approved for use across all government agencies, ensuring compliance with relevant laws and regulations.

This Memorandum Order is issued to clarify and standardize the procedures for processing procurement contracts that utilize GPPB-provided Contract Agreement Forms, emphasizing that such contracts do not require further legal review, thereby facilitating a more efficient procurement process.

II. LEGAL BASIS

1. **Section 6 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184** provides:

"Section 6. Standardization of Procurement Process and Forms

6.1 x x x

6.2 Procuring Entities are mandated to use the Generic Procurement Manuals (GPMs), Philippine Bidding Documents (PBDs), and other standard forms issued by the GPPB. x x x (Emphasis supplied)"


2. **Government Procurement Policy Board (GPPB) Resolution No. 16-2020** prescribes the forms of the following contracts:
 - a. Contract Agreement Form for the Procurement of Goods (Revised); and
 - b. Contract Agreement Form for the Procurement of Infrastructure Projects (Revised)
3. **Republic Act No. 11032** or an Act Promoting Ease of Doing Business and Efficient Delivery of Government Services, Amending for the Purpose Republic Act No. 9485, Otherwise known as the Anti-Red Tape Act Of 2007, and for other Purposes which standardizes processing time of transactions in the government.

III. GUIDELINES

1. **Contract Agreement Forms:** All procurement contracts utilizing the standard contract forms provided by the GPPB shall no longer be subject to legal review by the Legal Service of the Department of Agriculture.
2. **Submission for Approval:** The Procurement Division, along with the concerned offices or units, shall ensure that the standard forms provided by the GPPB are correctly filled out and that all necessary attachments and supporting documents are complete before submission for approval.
3. **Exceptions:**
 - a. Contracts that involve non-standard terms or modifications to the GPPB-provided forms, or those that include provisions requiring special legal interpretation, such as a Memorandum of Agreement (MOA) in Agency-to-Agency Procurement where the servicing agency proposes additional provisions to the drafted MOA, shall still be subject to review by the Legal Service.
 - b. In cases of doubt, the Department of Agriculture may seek clarification from the Legal Service or the GPPB to ensure compliance.

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

Done this 17th of DECEMBER, 2024.


FRANCISCO P. TIU LAUREL, JR.
Secretary *R*



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