



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
DPWH Compound, Bonifacio Drive, Port Area, Manila

097.13 DPWH

03-25-2013

MAR 22 2013

DEPARTMENT ORDER) **SUBJECT: EXEMPTION OF PUBLIC-PRIVATE**
) **PARTNERSHIP PROJECTS FROM THE**
) **PROVISIONS OF D.O. 52, SERIES OF 2011.**
No. 35)
Series of 2013 *MKA 03-25-13*)

Pursuant to *Section 4.4 paragraph (C) of the Revised Implementing Rules and Regulations of Republic Act 9184* otherwise known as the "Government Procurement Reform Act (GPRA)", projects conforming under the BOT Law shall not be subjected to the rules on procurement, to wit:

"Section 4.4. This IRR shall not apply to the following activities:

x x

- c) *Public-Private sector infrastructure or development projects and other procurement covered by RA 6957, as amended by RA 7718, entitled "An Act Authorized the Financing, Construction, Operation and Maintenance of Infrastructure Projects by the Private Sector, and for Other Purposes," as amended: Provided however, That for the portions financed by the GOP, regardless of sources of funds, whether local or foreign, the provisions of this IRR shall apply."*

The projects undertaken pursuant to the BOT Law involve more than the construction of civil works and thus require the engagement of transaction advisors and other consultants. These projects likewise at times require the presence of foreign contractors and participants.

Since the bids are pursuant to the BOT Law, the IRR allows such as an exemption. Further this will distinguish those who are serious bidders from those who are not.

The Special Bids and Awards Committee created under S.O. No. 117, Series of 2011 as amended, will recommend the cost of bid documents, subject to the approval of the Secretary.

This Order shall take effect immediately.


ROGELIO L. SINGSON
Secretary

Department of Public Works and Highways
Office of the Secretary



WIN3V12168