



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CENTRAL OFFICE
Manila



24 OCT 2023

DEPARTMENT MEMORANDUM)

CIRCULAR NO.)
Series of 2023)

74

10/25/2023

FOR / TO : SENIOR UNDERSECRETARY
UNDERSECRETARIES
ASSISTANT SECRETARIES
REGIONAL DIRECTORS
BUREAU DIRECTORS
SERVICE DIRECTORS
HEADS OF UPMOs
DISTRICT ENGINEERS
HEADS OF ATTACHED AGENCIES
OTHERS CONCERNED
This Department

For information and guidance, attached is a copy of **GPPB Advisory No. 04-2023** dated October 12, 2023, with the subject: **"NOTICE ON THE POSTING OF BLACKLISTING ORDERS FOR INCLUSION IN THE CONSOLIDATED BLACKLISTING REPORT IN THE GOVERNMENT PROCUREMENT POLICY BOARD WEBSITE"**.

A copy of the said Advisory may also be downloaded from the DPWH website: <http://dpwhweb>. If an office cannot access the DPWH website, a hard copy may be obtained from the Records Management Division, HRAS, upon request.

For dissemination to all concerned.

MARICHU A. PALAFOX, CESO II
Assistant Secretary for Support Services

Encl: As stated

cc: Office of the Secretary

10.1.4 JVL/RAG/VGV



Republic of the Philippines
**GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE**

ADVISORY NO. 04 - 2023

FOR: ALL PROCURING ENTITIES

SUBJECT: NOTICE ON THE POSTING OF BLACKLISTING ORDERS FOR INCLUSION IN THE CONSOLIDATED BLACKLISTING REPORT IN THE GOVERNMENT PROCUREMENT POLICY BOARD WEBSITE


DATE: 12 October 2023

- 1.0 In light of the recent security incident involving our old and non-operational website and as a precautionary measure in case this is an ongoing attack, the Online Blacklisting Portal (OBP) is temporarily undergoing system downtime as improvements are being worked on.¹
- 2.0 To ensure, however, that the Procuring Entities will be able to continue to post their issued Blacklisting Orders and access the Consolidated Blacklisting Report (CBR), the Government Procurement Policy Board Technical Support Office established an alternative platform while the OBP security is being reinforced.
- 3.0 To properly guide our PEs, please see below details to view and post Blacklisting Orders:

OBP Functionality	Alternative Platform
Online verification on the inclusion in the CBR	<p>The PE may view the CBR in this link: https://www.gppb.gov.ph/consolidated-blacklisting-report/</p> <p>It is a must that PEs continue to observe due diligence in the conduct of their post-qualification, PEs shall also check the procurement performance of their prospective bidders from past contracts or procurement engagements.</p>
OBP Request for Registration of PEs	<p>Requests for registration may be submitted using this link: OBP Registration Form</p> <p>However, approval may take longer than usual as the protocols are being enhanced.</p>
Posting of Blacklisting Order (BO)	<p>For new BO, please submit the BO to monitoring@gppb.gov.ph for immediate posting on the GPPB website.</p> <p>Please use the BO form (<i>Appendix 1 - Attached</i>) and make sure that the submitted BO is accomplished accordingly, reflecting <u>complete information</u> among others, the name of blacklisted entity, the duration of the issued BO, offense committed, name of the project/contract, location of project, Approved Budget of the Contract, and other sanctions – if any, and is approved by the Head of the Procuring Entity</p> <p>We likewise highly encourage the posting of issued BO/s on your respective agency website and official Social</p>

	Media Accounts, or in their absence, posting on any conspicuous place reserved for the purpose.
Permanent/Temporary Delisting in the PEs OBP Account and CBR	The GPPB - Technical Support Office (TSO) in the exercise of its ministerial duty will manually effect delisting (permanent/temporary), and reposting of a Temporary Delisted Entity in accordance with GPPB Resolution 14-2020 dated 25 June 2020 on delisting and reposting. PEs may send their request to monitoring@gppb.gov.ph .
Reposting of a Temporary Delisted Entity after the lapse of the duration indicated in the Order issued by Quasi-judicial or Judicial Body	

- 4.0 The above-stated alternative platforms shall remain in effect until further notice.
- 5.0 For inquiries and/or clarification/s, you may contact the Performance Monitoring Division of the GPPB - TSO through electronic mail at monitoring@gppb.gov.ph or telephone no. (02) 7900-6741 to 44 local 102, Monday to Friday, 7:00 AM – 4:00 PM.
- 6.0 For the information and compliance of all concerned.


 Date:
 2023.10.12
 16:35:06
 +08'00'
ROWENA CANDICE M. RUIZ
Executive Director V

APPENDIX "1"

<PROCURING ENTITY'S LETTERHEAD>

BLACKLISTING ORDER No. __, series of 2020

Pursuant to [state legal basis] and upon the findings and recommendation/s of [name of committee or body which made the recommendation] in its [insert name of document], the undersigned, under [Department/Office Order / Board Resolution] dated [Date], hereby issues this Blacklisting Order to the entity/ies hereafter stated:

1. [Complete Registered Business Name of Blacklisted Entity] with [License number ____, if applicable] and PhilGEPS Registration No. ____ having [business/principal] address at [business or principal address of the Blacklisted Person/Entity] {Include if necessary: together with [Name of Blacklisted Person/Entity]}, is/are hereby **SUSPENDED/DISQUALIFIED** from participating in all government procurement –

[Select one]:

☐ for [Choose: 1 year or 2 years starting from [indicate start date] until [indicate end date]]

☐ permanently/in perpetuity

2. Specific ground/offense committed:

(Please choose the applicable offense committed by the bidder/contractor)

<i>During the Procurement Stage:</i>	
<input type="checkbox"/>	Submission of eligibility requirements containing false information or falsified documents.
<input type="checkbox"/>	Submission of Bids that contain false information or falsified documents, or the concealment of such information in the Bids in order to influence the outcome of eligibility screening or any other stage of the public bidding.
<input type="checkbox"/>	Allowing the use of one's name, or using the name of another for purpose of public bidding.
<input type="checkbox"/>	Withdrawal of a bid, or refusal to accept an award or enter into contract with the government without justifiable cause, after he had been adjudged as having submitted the Lowest Calculated Responsive Bid or Highest Rated Responsive Bid.
<input type="checkbox"/>	Refusal or failure to post the required performance security within the prescribed time.
<input type="checkbox"/>	Refusal to clarify or validate in writing its Bid during post qualification within a period of seven (7) calendar days from receipt of the request for clarification.
<input type="checkbox"/>	Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favor.
<input type="checkbox"/>	Refusal to enter into, or withdrawal from, a joint venture in the event of a contract award without justifiable reason.
<input type="checkbox"/>	Refusal to submit post-qualification requirements on time without justifiable reason or a finding against the veracity of such post-qualification requirements.
<input type="checkbox"/>	All other acts that tend to defeat the purpose of the competitive bidding, such as habitually withdrawing from bidding or submitting late bids or patently insufficient bids, for at least three (3) times within a year, except for valid reasons.
<input type="checkbox"/>	Withdrawal, without justifiable reason, of bid during the period of bid validity required in the bidding documents.
<input type="checkbox"/>	Failure or refusal, without justifiable reason, to accept the award and enter into contract or perform any and all acts necessary to the execution of the contract, in accordance with the bidding documents, after having been duly notified of the acceptance.

	start work or performance within the specified period in the Notice to Proceed ("NTP").
<input type="checkbox"/>	Failure by the contractor to fully and faithfully comply with its contractual obligations without valid cause, or failure by the contractor to comply with any written lawful instruction of the procuring entity or its representative(s) pursuant to the implementation of the contract.
<input type="checkbox"/>	Assignment and subcontracting of the contract or any part thereof or substitution of key personnel named in the proposal without prior written approval by the procuring entity.
<input type="checkbox"/>	Unsatisfactory progress in the delivery of the goods by the manufacturer, supplier or distributor arising from his fault or negligence and/or unsatisfactory or inferior quality of goods, as may be provided in the contract.
<input type="checkbox"/>	Poor performance by the consultant of his services arising from his fault or negligence - Defective design resulting in substantial corrective works in design and/or construction.
<input type="checkbox"/>	Poor performance by the consultant of his services arising from his fault or negligence - Failure to deliver critical outputs due to consultant's fault or negligence.
<input type="checkbox"/>	Poor performance by the consultant of his services arising from his fault or negligence - Specifying materials which are inappropriate, substandard, or way above acceptable standards.
<input type="checkbox"/>	Poor performance by the consultant of his services arising from his fault or negligence - Allowing defective workmanship or works by the contractor being supervised by the consultant.
<input type="checkbox"/>	Poor performance by the contractor or unsatisfactory quality and/or progress of work arising from his fault or negligence as reflected in the CPES rating sheet - Negative slippage of 15%.
<input type="checkbox"/>	Poor performance by the contractor or unsatisfactory quality and/or progress of work arising from his fault or negligence as reflected in the CPES rating sheet - Quality of materials and workmanship not complying with the approved specifications.
<input type="checkbox"/>	Willful or deliberate abandonment or non-performance of the project or contract by the contractor resulting to substantial breach thereof without lawful and/or just cause.
<input type="checkbox"/>	The contractor has engaged, before or during implementation of the contract, in unlawful deeds and behaviors relative to contract acquisition and implementation as enumerated in Section III.D. of the Guidelines on Termination of Contracts.
<i>During Warranty Period</i>	
<input type="checkbox"/>	Failure of contractor to repair works, at his own expense, of any defect or damage to the infrastructure projects on account of the use of materials of inferior quality within ninety (90) days from the time the HoPE has issued an order to undertake repair.
<i>Other Violations</i>	
<input type="checkbox"/>	Violation of Sec. 65(a) of R.A. No. 9184 - Opening of sealed bid prior to scheduled time of bid opening.
<input type="checkbox"/>	Violation of Sec. 65(a) of R.A. No. 9184 - Delaying, without justifiable cause, the screening for eligibility, opening of bids, evaluation and post evaluation of bids, and awarding of contracts beyond the prescribed periods of action.
<input type="checkbox"/>	Violation of Sec. 65(a) of R.A. No. 9184 - Unduly influencing or exerting undue pressure on any member of the BAC or any officer or employee of the procuring entity to take a particular action which favors, or tends to favor a particular bidder.
<input type="checkbox"/>	Violation of Sec. 65(a) of R.A. No. 9184 - Splitting of Contracts.
<input type="checkbox"/>	Violation of Sec. 65(a) in relation to Sec. 47 of R.A. No. 9184 - Abuse of Reservation Clause with manifest preference to relatives.
<input type="checkbox"/>	Violation of Sec. 65(b) of R.A. No. 9184 - Collusion among bidder.
<input type="checkbox"/>	Violation of Sec. 65(b) of R.A. No. 9184 - Maliciously submitting different bids through two or more persons, corporations, partnerships or any other business entity in which he has interest to create the appearance of competition.
<input type="checkbox"/>	Violation of Sec. 65(b) of R.A. No. 9184 - Agreeing to refrain from submitting, or withdrawal of bids.
<input type="checkbox"/>	Violation of Sec. 65(b) of R.A. No. 9184 - Employment of schemes to suppress competition.

<input type="checkbox"/>	Other violation: (Specify) State the violation and the legal basis
--------------------------	---

3. The penalty is being imposed in connection with the following procurement details:
 - a. [Name of the Project/Contract]
 - b. [Location of Project]
 - c. [ABC for offenses committed during procurement stage or Contract Amount for offenses committed during implementation stage]
4. In addition to the foregoing, the following sanctions are also imposed:
[Please check other applicable sanctions]
 - ☐ Forfeiture of Bid Security in the amount of PhP [amount of Bid Security] .
 - ☐ Forfeiture of Performance Security in the amount of PhP [Bid Security amount] .
 - ☐ Suspension of account in the PhilGEPS website.
 - ☐ Cancellation of account in the PhilGEPS website.
 - ☐ Denial of registration with PhilGEPS.
5. Additional information, if any: [Please specify]

The name/s of the foregoing persons and/or entities shall be posted within three (3) calendar days from the date of effectivity of this Blacklisting Order in the Consolidated Blacklisting Report (CBR) through the Online Blacklisting Portal pursuant to Section 10 of the "Uniform Guidelines for Blacklisting of Manufacturers, Suppliers, Distributors, Contractors and Consultants", *as amended by GPPB Resolution No. 14-2020 dated 25 June 2020*. The names of the Blacklisted Persons/Entity/ies shall be removed upon the lapse of the period of penalty.

Issued this [date of issuance] , in [place of issuance] .

SO ORDERED.

Name of HoPE/Appellate Authority

Received by: (Name of Blacklisted Entity's Representative)
 Designation: _____
 Date Received: _____

In case of concerns/clarifications, you may contact the agency through:

Address: _____
 Contact Person: _____

Posted on:

Date & time:

Name:

Position.:
