



APPROVING THE GUIDELINES ON THE MANDATORY USE OF REAL-TIME EARLY PROCUREMENT ACTIVITY GENERATING INFORMATION AND ANALYTICS AS THE ONLINE SUBMISSION SYSTEM FOR THE CERTIFICATIONS RELATIVE TO THE UNDERTAKING OF EARLY PROCUREMENT ACTIVITIES

WHEREAS, Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act,” took effect on 26 January 2003, while its 2016 revised Implementing Rules and Regulations (IRR) took effect on 28 October 2016;

WHEREAS, Section 63.1(d) of the 2016 revised IRR of RA No. 9184 mandates the Government Procurement Policy Board (GPPB) to ensure the proper implementation by Procuring Entities (PEs) of the Act, IRR, and all other relevant rules and regulations pertaining to public procurement. Relatedly, Section 63.3(e) of the 2016 revised IRR of RA No. 9184 directs the GPPB-Technical Support Office (GPPB-TSO) to monitor the compliance to the Act and assist the PEs to improve their compliance;

WHEREAS, Section 7.6 of the 2016 revised IRR of RA No. 9184 provides that PEs are encouraged to undertake procurement activities short of award pending approval of the General Appropriations Act (GAA), corporate budget, or appropriations ordinance, or loan agreements in case of Foreign-Assisted Projects, as the case may be;

WHEREAS, commencing from Fiscal Year (FY) 2016, the GAA authorized PEs to undertake Early Procurement Activities (EPA) for the procurement Goods, Infrastructure Projects, and Consulting Services from the posting of procurement activity until the recommendation of award of the contract to the Head of Procuring Entity (HoPE), pending approval of the respective funding sources;

WHEREAS, since 2018, PEs have been required to undertake EPA for at least 50% of the value of goods and services based on the proposed budget¹ as among the eligibility requirements for the grant of the Performance-Based Bonus (PBB) in accordance with the Memorandum Circular (MC) No. 2018-1² issued by the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting System (AO 25 IATF);

WHEREAS, the Department of Budget and Management (DBM) issued Circular Letter Nos. 2018-8³ and 2018-12⁴ to guide PEs on the conduct of EPA under the FY 2019 National Expenditure Program. These Circular Letters require the submission of a Certificate of Compliance of undertaking EPA by PEs to the GPPB, among others;

WHEREAS, the GPPB, through its Resolution No. 14-2019,⁵ issued Circular No. 06-2019,⁶ which provides the guidelines on the implementation of EPA, particularly on the scope and application, preparatory requirements prior to the approval of the Annual Procurement

¹ This pertains to the National Expenditure Program, proposed corporate budget, or proposed appropriations ordinance, as the case may be.

² Dated 28 May 2018.

³ Dated 20 July 2018 entitled, “Prescribing Guidelines on the Conduct of Early Procurement for the Fiscal Year 2019 National Expenditure Program”.

⁴ Dated 21 November 2018 entitled, “Clarification on the Guidelines on the Conduct of EPA for the FY 2019 National Expenditure Program (NEP)”.

⁵ Dated 17 July 2019 entitled, “Approving the Issuance of the Circular on the Implementation of Early Procurement Activities and Amending Sections 7.5, 7.6, and 20.1(c)(i) of the 2016 revised IRR of RA No. 9184, the affected clauses in the Generic Procurement Manuals, and the Annual procurement Plan and Procurement Monitoring Report Formats.”

⁶ Dated 17 July 2019, entitled, “Guidelines for the Implementation of EPA.”

Plan (APP), and procedures in the conduct of the needed procurement activities to ensure proper implementation of EPA by PEs;

WHEREAS, in 2019, the AO 25 IATF issued MC Nos. 2019-1⁷ and 2019-2⁸ which require the HoPE to submit to the GPPB a Certification to be notarized or executed under oath, attesting to the compliance with EPA requirements. Starting FY 2020, subsequent MCs⁹ were issued by the IATF regarding the requirement that the notarized Certification reflect that the PE conducted EPA for at least 50% of the total value of its Eligible Procurement Projects (EPPs),¹⁰ as included in its Indicative APP;¹¹

WHEREAS, the Certifications required by the aforementioned MCs are necessary to ascertain whether the PE has conducted EPA or not, or if it falls under the category of either having no EPPs for EPA or Exception. Thus, the following Certifications shall be used by the PE depending on the purpose:

| Types of EPA Certifications | Purpose |
|---|---|
| Certificate of Undertaking or Non-Undertaking | <p>Submitted by PEs if:</p> <p>Successfully undertaken – and recommended for award of contract equivalent to at least 50% of the total value of EPPs</p> <p>Not successfully undertaken – if undertaken but recommended award of contract equivalent to less than 50% of the total value of the EPPs</p> <p>Not undertaken – if PE has EPPs but has not undertaken EPA</p> |
| Certificate of Exception | Submitted if PEs have no EPPs in their Indicative APP for the conduct of EPA (i.e. procurement projects are not subject to EPA based on the identified mode of procurement or the project is funded from lump-sum funds which do not have identified recipients and specific amounts are not yet approved) |

WHEREAS, to ensure a more efficient procurement reporting system, the GPPB issued Resolution No. 11-2020¹² approving Circular No. 02-2020¹³ that provided the mandatory

⁷ Dated 03 September 2019, entitled, "Guidelines on the Grant of PBB for FY 2019 under EO No. 80, s., 2012 and EO No. 201, s., 2016."

⁸ Dated 12 November 2019, entitled, "Supplemental Guidelines on the Grant of PBB for FY 2019 under EO No. 80, s., 2012 and EO No. 201, s., 2016."

⁹ AO 25 IATF Memorandum Circular Nos. 2020-1 dated 2 June 2020; 2021-1 dated 3 June 2021 and 2021-2 dated 25 October 2021; 2022-1 dated 26 March 2022 and 2023-1 dated 22 August 2023.

¹⁰ Eligible Procurement Projects (EPPs) shall refer to Goods, Infrastructure Projects, and Consulting Services reflected in the PE's indicative APP based on the NEP to be undertaken through Competitive Bidding and Alternative Methods of Procurement under RA No. 9184 and its revised IRR, except for modalities provided in GPPB Circular 06-2019 date 17 July 2019.

¹¹ The Indicative APP shall be posted on the agency Transparency Seal pursuant to Department of Budget and Management Circular Letter 2018-8 dated 30 July 2018. The Indicative APP is not submitted to the GPPB. Under PBB FY 2018, the requirement is that the PE must conduct at least 50% successful EPA based on the volume of the Procurement Projects.

¹² Dated 20 May 2020, entitled, "Approving the Electronic Submission of Annual Procurement Plans, Procurement Monitoring Reports and Agency Procurement Compliance and Performance Indicator Results, and Posting and Extension of Deadline for Submission of Annual Procurement Plans and Procurement Monitoring Reports."

¹³ Dated 20 May 2020, entitled, "Guidelines in the Posting and Submission of APPs, PMRs, and APCPIs".

submission of procurement reports, such as APPs, Procurement Monitoring Reports, and Agency Procurement Compliance and Performance Indicators (APCPI) results, through electronic mail (e-mail);

WHEREAS, the GPPB-TSO, as a validating agency for the grant of PBB, has been issuing a list of complying PEs, known as the "Positive List,"¹⁴ which is posted on the GPPB website. The List consisted of PEs that were evaluated as fully compliant in the submission of the Certification of Undertaking of EPA, among others. This is likewise endorsed to the AO No. 25 IATF for consideration in relation to the PBB requirement;

WHEREAS, in generating Positive Lists, the GPPB-TSO has, however, encountered challenges stemming from delays in obtaining real-time data on PEs' compliance with EPA requirements and human limitations. These limitations include noted deficiencies in submissions made by PEs, data entry errors by encoders, and manual validation of PEs to be included in the Positive List;

WHEREAS, to prevent the recurrence of the foregoing, the Real-time EPA Generating Information and Analytics (REGINA) has been developed in-house by the GPPB-TSO, leveraging digitization and online automation. The REGINA enables PEs to upload and encode information based on their submitted Certifications. The REGINA is designed to enhance efficiency, transparency, and accountability in the early stages of procurement, allowing for the timely and accurate submission of EPA Certifications, thereby promoting compliance with procurement rules and regulations;

WHEREAS, during the 8th GPPB meeting held on 30 November 2023, the GPPB-TSO introduced the newly developed REGINA as the proposed online submission system for EPA Certifications, seeking the approval of the Board for its use of all PEs. The System has the following key features:

- a. Automatically records the submission date and time by the PE;
- b. Enables PEs to upload Certifications and encode their own Certification details;
- c. Allows PEs to review all information and ensure form accuracy before submission;
- d. Enables PEs to monitor their submission status using the dashboard;
- e. Allows PEs to check their compliance status, address any deficiencies, and take necessary actions before the deadline;
- f. Enables PEs to submit a Request for Reconsideration with a single click in the dashboard within seven (7) days if they are found to be non-compliant with the EPA requirements; and
- g. Provides real-time basic analytics through a transparency dashboard;

WHEREAS, the GPPB-TSO informed the Board that EPA Certifications for the FY 2024 Proposed Budget, submitted prior to the implementation of the use of REGINA, shall be encoded by the GPPB-TSO, to facilitate the transition to the new System. Subsequently, PEs shall then be given the opportunity to validate the encoded data in REGINA against the notarized Certification they submitted via electronic mail;

WHEREAS, the GPPB-TSO further explained that the validation would entail cross-referencing the entered values in the System with the information in the uploaded notarized Certification to ensure accuracy and alignment with the total amount reflected in the Indicative APP regarding successful or unsuccessful EPA undertakings. In the event of any noted discrepancies between the encoded data and the Certification, the designated representative

¹⁴ Pursuant to Section 4.6 of GPPB Resolution 11-2020 dated 20 May 2020.
GPPB Resolution No. 18-2023, dated 30 November 2023.

from the GPPB-TSO shall promptly notify the PE through the REGINA, in order to allow the PE to address the issue by providing justification or resubmitting the Certification, as appropriate. Furthermore, the System is designed for PEs to review, revisit, and modify their respective submissions as needed before the deadline;

WHEREAS, the newly developed System can provide accurate and real-time data that can facilitate the determination of the GPPB regarding necessary policy interventions to enhance its performance monitoring of PEs. This is in view that the data can be used to identify any deficiencies and consider additional measures needed to assist PEs in addressing procurement challenges effectively. Further, the GPPB can explore if there is a need to expand the list of projects eligible for EPA or enforce mandatory EPA for certain projects of PEs, in order to improve overall procurement efficiency and promote fiscal discipline. It is also worth noting that this data can also inform the development of training programs intended to capacitate and improve the procurement performance of PEs;

WHEREAS, after due deliberations of the comments and suggestions of its members, the GPPB has agreed to approve the recommendations of the GPPB-TSO to:

1. Approve the mandatory use of the REGINA by all PEs as the online submission system for EPA Certifications, as required under the Guidelines on the Grant of the PBB;
2. Approve the Guidelines attached herewith as Annex "A" for the implementation on the use of REGINA; and
3. Inform the AO 25 IATF Secretariat¹⁵ regarding the Guidelines on the mandatory use of the REGINA for submission of EPA Certifications.

NOW, THEREFORE, for and in view of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law and other executive issuances, hereby **RESOLVE** to confirm, adopt, and approve, as **WE** hereby confirm, adopt, and approve the following actions pertaining to adoption on the use of REGINA, subject to further improvement of the System during its implementation, to wit:

1. **APPROVE** the mandatory use of REGINA by all PEs as the online submission system for EPA Certifications, as required under the Guidelines on the Grant of the PBB;
2. **APPROVE** the Guidelines attached herewith as Annex "A" for the implementation on the use of REGINA; and
3. **INFORM** the AO 25 IATF Secretariat regarding the Guidelines on the mandatory use of the REGINA for submission of EPA Certifications.

This Resolution shall take effect immediately.

APPROVED this 30th day of November 2023 at Pasig City, Philippines.

¹⁵ Refers to the Secretariat of the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting Systems (IATF) Technical Working Group (TWG).
GPPB Resolution No. 18-2023, dated 30 November 2023.

SGD.

GPPB, Chairperson
**DEPARTMENT OF BUDGET AND
MANAGEMENT**

SGD.

Alternate to the Chairperson
**DEPARTMENT OF BUDGET AND
MANAGEMENT**

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

DEPARTMENT OF EDUCATION

SGD.

DEPARTMENT OF ENERGY

SGD.

DEPARTMENT OF FINANCE

SGD.

DEPARTMENT OF HEALTH

**DEPARTMENT OF INTERIOR AND LOCAL
GOVERNMENT**

SGD.

DEPARTMENT OF NATIONAL DEFENSE

SGD.

**DEPARTMENT OF PUBLIC WORKS AND
HIGHWAYS**

SGD.

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

DEPARTMENT OF TRADE AND INDUSTRY

DEPARTMENT OF TRANSPORTATION

**DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY**

SGD.

PHILIPPINE SPACE AGENCY

SGD.

PRIVATE SECTOR REPRESENTATIVE

GUIDELINES ON THE MANDATORY USE OF THE REAL-TIME EARLY PROCUREMENT ACTIVITY GENERATING INFORMATION AND ANALYTICS (REGINA)

1. PURPOSE

This Guidelines is issued to guide all Procuring Entities (PEs) in the submission of the relevant Certifications on the Undertaking/Non-Undertaking and Exceptions of Early Procurement Activities (EPA), through the Real-time EPA Generating Information and Analytics (REGINA) System, including re-submissions and requests for reconsiderations.

2. SCOPE AND COVERAGE

This Guidelines shall apply to the submission of any of the aforementioned Certifications by any branch, constitutional commission or office, agency, department, bureau, office, or instrumentality of the Government of the Philippines (GoP), National Government Agencies, including Government-Owned and/or Controlled Corporations, Government Financial Institutions, State Universities and Colleges, and Local Government Units.

3. GENERAL CONSIDERATIONS

- 3.1. All PEs shall follow the rules and procedures provided under Government Procurement Policy Board (GPPB) Circular No. 06-2019,¹⁶ which provides guidelines for the implementation of EPA. Concurrently, PEs shall ensure compliance with the requirements of the EPA pursuant to relevant issuances, such as the Department of Budget and Management Memorandum Circulars,¹⁷ and Administrative Order No. 25 Inter-Agency Task Force Guidelines on the Harmonization of National Government Performance Monitoring, Information and Reporting Systems (AO 25 IATF) regarding Performance-Based Bonus (PBB).
- 3.2. Upon effectivity of the Guidelines, the REGINA System shall be utilized for the submission of the EPA Certifications to the GPPB – Technical Support Office (GPPB-TSO). Therefore, all PEs shall upload their respective Certifications in the System, accessible through this link: <https://airtable.com/appg5iDurvX3huaJ3/shrSbg7OEoCvZM7a2>.
- 3.3. Notwithstanding, to allow smooth transition from the email submission¹⁸ to the REGINA System, all submissions received by the GPPB-TSO via email shall be entered and uploaded in the System by the Performance Monitoring Division (PMD) of the GPPB-TSO, pending confirmation from the PEs and/or their respective authorized users within three (3) working days from receipt of the notice. The users may contact the PMD through monitoring@gppb.gov.ph for any inquiries or assistance on the use of REGINA System.
- 3.4. To prevent the unauthorized use of the REGINA System, the PE shall be responsible for establishing internal controls on the use of the System by its

¹⁶ Dated 17 July 2019, entitled, "Guidelines for the Implementation of EPA."

¹⁷ DBM Circular No. 2018-8 dated 30 July 2018, entitled, "Prescribing Guidelines on the Conduct of Early Procurement of the FY 2019 NEP, and DBM Circular No.2018-12 dated 21 November 2018, entitled, "Clarifications on the Guidelines on the Conduct of EPA for the FY 2019 NEP.

¹⁸ GPPB Resolution No. 11-2020 Dated 20 May 2020, entitled, "Approving the Electronic Submission of Annual Procurement Plans, Procurement Monitoring Reports and Agency Procurement Compliance and Performance Indicator Results, and Posting and Extension of Deadline for Submission of Annual Procurement Plans and Procurement Monitoring Reports."

authorized user(s). Further, the PE must ascertain the completeness and accuracy of the entries made in the System.

- 3.5. The EPA information to be entered by PEs shall comply with the use of personal data, in accordance with Republic Act No. 10173 or the "Data Privacy Act of 2012." Any data or information provided will be used to the extent possible under the said Act.

4. SUBMISSION OF REQUIRED CERTIFICATIONS

The following certifications shall be submitted by the PE depending on their purpose for validation by the GPPB-TSO to ensure their compliance with the EPA requirements:

- 4.1. Use of correct and updated Certification template:¹⁹

| Types of EPA Certifications | Purpose |
|---|--|
| Certificate of Undertaking or Non-Undertaking | <p>Submitted by PEs if:</p> <p>Successfully undertaken – and recommended for award of contract equivalent to at least 50% of the total value of the Eligible Procurement Projects (EPPs)²⁰</p> <p>Not successfully undertaken – if undertaken but recommended award of contract equivalent to less than 50% of the total value of the EPPs</p> <p>Not undertaken – if PE has EPPs but has not undertaken EPA</p> |
| Certificate of Exception | <p>Submitted if PEs has no EPPs in their Indicative Annual Procurement Plan (IAPP) for the conduct of EPA (i.e. procurement projects are not subject to EPA based on the identified mode of procurement or the project is funded from lump-sum funds which do not have identified recipients and specific amounts are not yet approved)</p> |

- 4.2 Affixed signature of the Head of Procuring Entity (HoPE) or his/her duly authorized representative on the Certification, confirming the accuracy of all information therein and compliance with the EPA requirements;
- 4.3 Submission of the Certification on or before the set deadline;
- 4.4 Notarization or execution under oath of the Certification; and
- 4.5 Exact match or consistency between the data encoded in the System and the uploaded Certification.

¹⁹ The folder of EPA Certification templates may be accessed through this link: <https://drive.google.com/drive/folders/1KmZKEPAdhxJv9DiYMZh5m89Q9wOP7YUp?usp=sharing>

²⁰ Eligible Procurement Projects (EPPs) shall refer to Goods, Infrastructure Projects, and Consulting Services reflected in the PE's indicative APP based on the NEP to be undertaken through Competitive Bidding and Alternative Methods of Procurement under RA No. 9184 and its revised IRR, except for modalities provided in GPPB Circular 06-2019 date 17 July 2019.

5. SYSTEM REGISTRATION

- 5.1. The PE shall register in Airtable© using its **official email address**.²¹ Upon registration, a confirmation email will be sent to activate the account. The PE must then log in to their email account and click on the “Confirm my Account” link. Following this, the PE should log in to Airtable© using the registered email address.
- 5.2. The PE must ensure that the email address used for registration remains active and accessible throughout the submission period. In case there is a change in the authorized user, it shall be the responsibility of the PE to update its information and details using the registered email account.
- 5.3. The PE shall monitor the registered email account for any notifications and updates related to the submission. If the email address becomes inaccessible and the submission ID cannot be retrieved, it is the responsibility of the PE to promptly notify the GPPB-TSO via email at monitoring@gppb.gov.ph.

6. PROCEDURE

As a guide in using the REGINA, a step-by-step procedure is provided below:

- 6.1. **Encoding of Information by the User:**
 - 6.1.1. Enter the registered email address.
 - 6.1.2. Select the proposed budget year covered by the EPA Certificate from the dropdown menu.
 - 6.1.3. Select the name of the PE from the dropdown menu. If the name of the PE is not listed in the dropdown menu, select “PE name cannot be found.”
 - 6.1.4. If “PE name cannot be found” is selected, the user shall manually input the respective name of the PE. The name of the PE must be complete and accurately spelled out. The user will then choose the appropriate category of the PE either:
 - i. NGA including SUC and LGU;
 - ii. GOCC including GFI and Water District;
 - iii. Congress including House of Representatives;
 - iv. Judiciary (all courts under judiciary); and/or
 - v. Constitutional Offices.
 - 6.1.5. Choose the type of Certificate to be submitted from the menu:
 - i. Undertaking;
 - ii. Non-undertaking; or
 - iii. Exception from EPA.
 - 6.1.6. Confirm if the prescribed template for the Certificate was used by selecting Yes or No.
 - 6.1.7. Confirm if the Certificate was signed by the HoPE by selecting Yes or No.
 - 6.1.8. Specify whether the submitted Certification is notarized by selecting Yes or No.
 - 6.1.9. Select the EPA status from the dropdown menu:
 - i. Successfully Undertaken;
 - ii. Not Successfully Undertaken;
 - iii. Not Undertaken; or

²¹ Refers to the designated email address of the PE that is maintained to send or receive the PE's formal communications.

- iv. Not covered by the EPA requirement.

Depending on the selected status, the user shall enter the necessary information, as prompted.

- 6.1.10. If “Successfully Undertaken” is selected, provide the following:
 - i. Total Amount of IAPP Based on NEP;
 - ii. Amount of Exceptions;
 - iii. Total Value of EPP;
 - iv. Amount of Successful EPA; and
 - v. Percentage of Successful EPA Projects.
- 6.1.11. If “Not Successfully Undertaken” or “Not Undertaken” is selected, provide:
 - i. Confirm if justification was reflected in the Certificate by selecting Yes, No or Not Applicable;
 - ii. Total Amount of IAPP based on the NEP;
 - iii. Amount of Exceptions;
 - iv. Total Value of EPP;
 - v. Amount of Successful EPA; and
 - vi. Percentage of Successful EPA Projects.
- 6.1.12. If “Not Covered by EPA requirement” is selected, proceed to the next step.

6.2 **Uploading of the EPA Certificate:**

- 6.2.1 Upload the Certification in Printable Document Format.
- 6.2.2 Certify the correctness and accuracy of entered information by selecting “Agree.”
- 6.2.3 Tick the checkbox to receive a copy of the responses.
- 6.2.4 Review all entered information and click “Submit”.

6.3 After completing the submission, the PE can return to its account and use the Code sent to its registered email account to check its compliance status. If the Certification has not been reviewed, the status will show as “Under Review”.

6.4 The PE can double-check and correct their entered values as many times as needed, including re-uploading the certification, before the set submission deadline. After the lapse of the deadline, the System will no longer accept any further revisions or submissions from the PE.

6.5 If the PE needs to amend or rectify the submitted certification, the User can log into the Airtable© and select the “Update Information” button on the dashboard.

7. **FILING OF REQUEST FOR RECONSIDERATION**

Upon receiving an automated notification indicating a “Non-Compliant” submission status, the PE must submit its Request for Reconsideration with justification within seven (7) days from the receipt of the notice. This can be done by clicking on the Request for Reconsideration link on the account dashboard page if the PE opts to request re-validation of their submission. Failure to file the Request for Reconsideration within the specified period shall result in considering its “Non-Compliant” status as final.

8. **REPORTING OF POSITIVE LIST**

The GPPB-TSO shall validate the compliance of submissions and submit the Positive List to AO 25 IATF Secretariat.

9. SANCTION FOR MISREPRESENTATION IN THE REGINA SYSTEM

In accordance with the Guidelines on the Grant of the PBB, the PE which has been determined to have committed misrepresentation on the submitted or posted reports and requirements shall be disqualified from the grant of the PBB and an appropriate administrative case shall be filed by the Civil Service Commission or the Ombudsman.

10. TRANSITORY PROVISION

Submissions made prior to the effectivity of this Guidelines shall be encoded by the GPPB-TSO in the REGINA. Accordingly, PEs are not required to resubmit their Certifications through the System. Nonetheless, PEs shall validate the entries encoded within seven (7) days from receipt of the automatic notification on the encoding of the same in the System. If the PE notes any errors in the entries made by the GPPB-TSO in the REGINA, the PE should promptly notify the GPPB-TSO for rectification via email at monitoring@gppb.gov.ph.

11. ENHANCEMENT OF THE SYSTEM

The GPPB-TSO is authorized to make enhancements and improvements in the REGINA during its implementation. An advisory reflecting such enhancements shall be issued by the GPPB-TSO to inform all PEs.

12. EFFECTIVITY

This Guidelines shall take effect fifteen (15) days after publication in the Official Gazette or in newspaper of general nationwide circulation.