Republic of the Philippines
OFFICE OF THE PRESIDENT
NATIONAL IRRIGATION ADMINISTRATION
CENTRAL OFFICE

NATIONAL IRRIGATION ADMINISTRATION
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By:
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MEMORANDUM CIRCULAR No. 87
Series of 2026

TO : **THE SENIOR DEPUTY ADMINISTRATOR, DEPUTY ADMINISTRATORS, DEPARTMENT / REGIONAL / PROJECT MANAGERS, DIVISION MANAGERS, AND ALL OTHERS CONCERNED**

SUBJECT : **GUIDELINES ON THE STRICT OBSERVATION OF THE REQUIREMENTS COVERING THE CONDUCT OF COMPETITIVE BIDDING AS ONE OF THE PROCUREMENT MODALITIES UNDER REPUBLIC ACT NO. 12009, OTHERWISE KNOWN AS THE NEW GOVERNMENT PROCUREMENT ACT (NGPA)**

I. PURPOSE

This Memorandum Circular is issued to prescribe guidelines for the strict observance of the requirements governing the conduct of Competitive Bidding as a procurement modality under Republic Act No. 12009, otherwise known as the "New Government Procurement Act," its Implementing Rules and Regulations (IRR), and other applicable Government Procurement Policy Board (GPPB) issuances.

It aims to strengthen compliance with the procurement laws, ensure adherence to prescribed procurement procedures and timelines, reinforce internal control measures, and minimize procurement deficiencies that may result in delays, issuance of Audit Observation Memoranda (AOMs), Notices of Suspension (NS), Notices of Disallowance (ND), and other adverse audit findings by the Commission on Audit (COA).

II. LEGAL BASES

This Memorandum Circular is issued pursuant to the following:

1. Republic Act (RA) No. 12009, otherwise known as the "New Government Procurement Act"; and
2. The Implementing Rules and Regulations of Republic Act (RA) No. 12009.

III. COVERAGE

This Memorandum Circular shall apply to the Central Office, Regional/Integrated Irrigation Systems Offices/Project Management Offices, Irrigation Management Offices, Division Offices, Bids and Awards Committees (BACs), Technical Working Groups (TWGs), BAC Secretariats, End-User Units, and all officials and employees involved in any stage of the conduct of Competitive Bidding.

IV. GENERAL GUIDELINES

Unless otherwise specifically provided in this Memorandum Circular, the conduct of Competitive Bidding shall be governed by the provisions of Rules VI to XI of the IRR of RA No. 12009, together with all applicable GPPB issuances, COA Circulars, and other relevant laws, rules, regulations, amendments, and supplemental guidelines governing government procurement.

Accordingly, all concerned shall observe the following:

1. All procurement activities shall be undertaken only upon inclusion in the approved Project Procurement Management Plan (PPMP) and Annual Procurement Plan (APP), and shall be supported by the appropriate budget authorization in accordance with existing laws, rules, and regulations;
2. All bidding documents, technical specifications, cost estimates, procurement schedules, and all other procurement-related documents shall be complete, accurate, and prepared in accordance with RA No. 12009, its IRR, and applicable GPPB issuances;
3. The BAC, BAC Secretariat, TWG, End-User Unit, and all other concerned officials and employees shall faithfully perform their respective duties and responsibilities and ensure that every stage of Competitive Bidding is conducted in accordance with the prescribed procedures, timelines, and documentary requirements;
4. All concerned shall strictly observe the procurement timelines prescribed under RA No. 12009, its IRR, and applicable GPPB issuances to ensure the timely completion of procurement activities and avoid delays in project implementation and delivery of public services;
5. In exceptional cases where the prescribed period for post-qualification cannot be complied with due to justifiable reasons, the BAC shall submit a written request stating the reasons thereof, subject to the approval of the Head of the Procuring Entity (HoPE), in accordance with RA No. 12009 and its IRR. The approved request shall form part of the procurement records for audit and monitoring purposes;
6. Heads of Offices shall establish and strengthen appropriate internal control measures to ensure compliance with procurement laws, rules, and regulations, promote procurement efficiency, and prevent recurring audit observations; and
7. The BAC Secretariat and all concerned offices shall ensure the timely submission of all procurement-related reports required by the GPPB; the timely posting of the Invitation to BID (IB), Supplemental/Bid Bulletins, Notice of Award (NOA), Notice to Proceed (NTP), and other procurement-related notices and documents in the Philippine Government Electronic Procurement System (PhilGEPS), the NIA website, and in conspicuous places, as required under RA No. 12009, its IRR, and applicable GPPB issuances; and strict compliance with COA Circular No. 2009-001, including the submission to the Auditor concerned of copies of perfected contracts, purchase orders, and all required supporting documents within five (5) working days from the execution of the contract or issuance of the purchase order, as applicable.

V. USE OF OTHER MODES OF PROCUREMENT

Nothing in this Memorandum Circular shall be construed as prohibiting or restricting the lawful use of other procurement modalities authorized under RA No. 12009, and its IRR.

Other procurement modalities may be adopted whenever the circumstances, conditions, thresholds, and legal requirements prescribed under RA No. 12009 and its IRR, and applicable GPPB issuances are present.

However, all requests recommending procurement through modes other than Competitive Bidding shall:

1. Clearly identify the legal basis under RA No. 12009 and its IRR;
2. Demonstrate that the selected procurement modality is consistent with the Fit-for-Purpose Procurement approach;
3. Establish that the selected procurement modality will better achieve value for money, procurement efficiency, quality, and timely delivery of public services; and
4. Be supported by complete documentary justifications and the approvals required under existing laws, rules, and regulations.

The choice of a procurement modality shall not be used to circumvent competition, avoid procurement requirements, split contracts, or otherwise defeat the governing principles of government procurement.

VI. COMPLIANCE AND ACCOUNTABILITY

All Heads of Offices, BACs, TWGs, BAC Secretariats, End-User Units, and all officials and employees involved in procurement activities shall exercise due diligence and uphold the principles of transparency, competitiveness, accountability, integrity, fairness, professionalism, and value for money in the discharge of their respective duties and responsibilities.

They shall ensure strict compliance with the provisions of RA No. 12009, its IRR, this Memorandum Circular, and all applicable GPPB issuances.

All concerned shall strengthen internal control measures, ensure the completeness, accuracy, and timely preparation of procurement documents, and faithfully observe prescribed procurement procedures and timelines, including the timely processing of requests for extension of the post-qualification period and other extensions as may be allowed under applicable laws, rules, and regulations.

Any non-compliance with this Memorandum Circular and applicable procurement laws, rules, and regulations shall render the responsible officials and employees accountable in accordance with existing laws, rules, and regulations.

VII. EFFECTIVITY

This Memorandum Circular shall take effect immediately upon approval and shall remain in force unless amended, superseded, or revoked. All prior NIA issuances or portions thereof inconsistent with this Memorandum Circular are hereby amended or repealed accordingly.

For the information, guidance, and strict compliance of all concerned.

ENGR. EDUARDO EDDIE G. GUILLEN
Administrator

Date: 24 SEP 2026