

AGENCY PROCUREMENT COMPLIANCE AND PERFORMANCE INDICATORS (APCPI)
QUESTIONNAIRE

Name of Agency: OFFICE OF THE SOLICITOR GENERAL
Name of Respondent: SSS JOHN DALE A. BALLINAN

Date: June 24, 2022
Position: BAC Secretariat Head

Instruction: Put a check (✓) mark inside the box beside each condition/requirement met as provided below and then fill in the corresponding blanks according to what is asked. Please note that all questions must be answered completely.

1. Do you have an approved APP that includes all types of procurement, given the following conditions? (5a)

- Agency prepares APP using the prescribed format
- Approved APP is posted at the Procuring Entity's Website
please provide link: www.osg.gov.ph/transparencyseal
- Submission of the approved APP to the GPPB within the prescribed deadline
please provide submission date: 25 Mar 21

2. Do you prepare an Annual Procurement Plan for Common-Use Supplies and Equipment (APP-CSE) and Procure your Common-Use Supplies and Equipment from the Procurement Service? (5b)

- Agency prepares APP-CSE using prescribed format
- Submission of the APP-CSE within the period prescribed by the Department of Budget and Management in its Guidelines for the Preparation of Annual Budget Execution Plans issued annually
please provide submission date: 19 Nov 21
- Proof of actual procurement of Common-Use Supplies and Equipment from DBM-PS

3. In the conduct of procurement activities using Repeat Order, which of these conditions is/are met? (2e)

- N/A Original contract awarded through competitive bidding
- N/A The goods under the original contract must be quantifiable, divisible and consisting of at least four (4) units per item
- N/A The unit price is the same or lower than the original contract awarded through competitive bidding which is advantageous to the government after price verification
- N/A The quantity of each item in the original contract should not exceed 25%
- N/A Modality was used within 6 months from the contract effectivity date stated in the NTP arising from the original contract, provided that there has been a partial delivery, inspection and acceptance of the goods within the same period

4. In the conduct of procurement activities using Limited Source Bidding (LSB), which of these conditions is/are met? (2f)

- N/A Upon recommendation by the BAC, the HOPE issues a Certification resorting to LSB as the proper modality
- N/A Preparation and Issuance of a List of Pre-Selected Suppliers/Consultants by the PE or an identified relevant government authority
- N/A Transmittal of the Pre-Selected List by the HOPE to the GPPB
- N/A Within 7cd from the receipt of the acknowledgement letter of the list by the GPPB, the PE posts the procurement opportunity at the PhilGEPS website, agency website, if available and at any conspicuous place within the agency

5. In giving your prospective bidders sufficient period to prepare their bids, which of these conditions is/are met? (3d)

- Bidding documents are available at the time of advertisement/posting at the PhilGEPS website or Agency website;
- Supplemental bid bulletins are issued at least seven (7) calendar days before bid opening;
- Minutes of pre-bid conference are readily available within five (5) days.

6. Do you prepare proper and effective procurement documentation and technical specifications/requirements, given the the following conditions? (3e)

- The end-user submits final, approved and complete Purchase Requests, Terms of Reference, and other

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documents based on relevant characteristics, functionality and/or performance requirements, as required by the procurement office prior to the commencement of the procurement activity

- No reference to brand names, except for items/parts that are compatible with the existing fleet or equipment
- Bidding Documents and Requests for Proposal/Quotation are posted at the PhilGEPS website, Agency website, if applicable, and in conspicuous places

7. In creating your BAC and BAC Secretariat which of these conditions is/are present?

For BAC: (4a)

- Office Order creating the Bids and Awards Committee
please provide Office Order No.: OSG OFFICE ORDER # C-932-21
- There are at least five (5) members of the BAC
please provide members and their respective training dates:

Name/s	Date of RA 9184-related training
A. Atty. Sharon E. Millan-Decano	11-Nov-2021
B. Atty. Jocelyn P. Castillo-Sarmiento	11-Nov-2021
C. Atty. Emile Justin D. Cebrian	11-Nov-2021
D. Atty. Aileen P. Espina-Dalwatan	11-Nov-2021
E. Atty. Arleen T. Reyes	11-Nov-2021
F. Atty. Alanna Gayle Ashley B. Khio	11-Nov-2021
G. Dir. Bernadette M. Lim	11-Nov-2021
- Members of BAC meet qualifications
- Majority of the members of BAC are trained on R.A. 9184

For BAC Secretariat: (4b)

- Office Order creating of Bids and Awards Committee Secretariat or designing Procurement Unit to act as BAC Secretariat
please provide Office Order No.: OSG OFFICE ORDER # C-932-21
- The Head of the BAC Secretariat meets the minimum qualifications
please provide name of BAC Sec Head: John Dale A. Ballinan
- Majority of the members of BAC Secretariat are trained on R.A. 9184
please provide training date: November 11, 2021

8. Have you conducted any procurement activities on any of the following? (5c)

If YES, please mark at least one (1) then, answer the question below.

- | | |
|--|--|
| <input checked="" type="checkbox"/> Computer Monitors, Desktop Computers and Laptops | <input checked="" type="checkbox"/> Paints and Varnishes |
| <input checked="" type="checkbox"/> Air Conditioners | <input checked="" type="checkbox"/> Food and Catering Services |
| <input checked="" type="checkbox"/> Vehicles | <input type="checkbox"/> Training Facilities / Hotels / Venues |
| <input checked="" type="checkbox"/> Fridges and Freezers | <input checked="" type="checkbox"/> Toilets and Urinals |
| <input checked="" type="checkbox"/> Copiers | <input checked="" type="checkbox"/> Textiles / Uniforms and Work Clothes |

Do you use green technical specifications for the procurement activity/ies of the non-CSE item/s?

- Yes No

9. In determining whether you provide up-to-date procurement information easily accessible at no cost, which of these conditions is/are met? (7a)

- Agency has a working website
please provide link: www.osg.gov.ph
- Procurement information is up-to-date
- Information is easily accessible at no cost

10. In complying with the preparation, posting and submission of your agency's Procurement Monitoring Report,

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which of these conditions is/are met? (7b)

- Agency prepares the PMRs
- PMRs are promptly submitted to the GPPB
please provide submission dates: 1st Sem - July 13, 2021 2nd Sem - January 14, 2022
- PMRs are posted in the agency website
please provide link: https://www.osg.gov.ph/page?call=proc-reports
- PMRs are prepared using the prescribed format

11. In planning of procurement activities to achieve desired contract outcomes and objectives within the target/allotted timeframe, which of these conditions is/are met? (8c)

- There is an established procedure for needs analysis and/or market research
- There is a system to monitor timely delivery of goods, works, and consulting services
- Agency complies with the thresholds prescribed for amendment to order, variation orders, and contract extensions, if any, in competitively bid contracts

12. In evaluating the performance of your procurement personnel, which of these conditions is/are present? (10a)

- Personnel roles, duties and responsibilities involving procurement are included in their individual performance commitment/s
- Procuring entity communicates standards of evaluation to procurement personnel
- Procuring entity and procurement personnel acts on the results and takes corresponding action

13. Which of the following procurement personnel have participated in any procurement training and/or professionalization program within the past three (3) years? (10b)

Date of most recent training: November 11, 2021

- Head of Procuring Entity (HOPE)
- Bids and Awards Committee (BAC)
- BAC Secretariat/ Procurement/ Supply Unit
- BAC Technical Working Group
- End-user Unit/s
- Other staff

14. Which of the following is/are practised in order to ensure the private sector access to the procurement opportunities of the procuring entity? (10c)

- Forum, dialogues, meetings and the like (apart from pre-bid conferences) are conducted for all prospective bidders at least once a year
- The PE promptly responds to all interested prospective bidders' inquiries and concerns, with available facilities and various communication channels

15. In determining whether the BAC Secretariat has a system for keeping and maintaining procurement records, which of these conditions is/are present? (11a)

- There is a list of procurement related documents that are maintained for a period of at least five years
- The documents are kept in a duly designated and secure location with hard copies kept in appropriate filing cabinets and electronic copies in dedicated computers
- The documents are properly filed, segregated, easy to retrieve and accessible to authorized users and audit personnel

16. In determining whether the Implementing Units has a system for keeping and maintaining procurement records, which of these conditions is/are present? (11b)

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- There is a list of contract management related documents that are maintained for a period of at least five years
- The documents are kept in a duly designated and secure location with hard copies kept in appropriate filing cabinets and electronic copies in dedicated computers
- The documents are properly filed, segregated, easy to retrieve and accessible to authorized users and audit personnel

17. In determining if the agency has defined procedures or standards for quality control, acceptance and inspection of goods, works and services, which of these conditions is/are present? (12a)

- Agency has written procedures for quality control, acceptance and inspection of goods, services and works

Have you procured Infrastructure projects through any mode of procurement for the past year?

- Yes
- No

If YES, please answer the following:

- Supervision of civil works is carried out by qualified construction supervisors
Name of Civil Works Supervisor: _____
- Agency implements CPES for its works projects and uses results to check contractors' qualifications (applicable for works only)
Name of CPES Evaluator: _____

18. How long will it take for your agency to release the final payment to your supplier/service provider or contractor/consultant, once documents are complete? (12b) _____ 30 _____ days

19. When inviting Observers for the following procurement activities, which of these conditions is/are met? (13a)

- A. Eligibility Checking (For Consulting Services Only)
- B. Shortlisting (For Consulting Services Only)
- C. Pre-bid conference
- D. Preliminary examination of bids
- E. Bid evaluation
- F. Post-qualification

- Observers are invited to attend stages of procurement as prescribed in the IRR
- Observers are allowed access to and be provided documents, free of charge, as stated in the IRR
- Observer reports, if any, are promptly acted upon by the procuring entity

20. In creating and operating your Internal Audit Unit (IAU) that performs specialized procurement audits, which set of conditions were present? (14a)

- Creation of Internal Audit Unit (IAU) in the agency
Agency Order/DBM Approval of IAU position/s: through the Internal Audit Division of the OSG / October
- Conduct of audit of procurement processes and transactions by the IAU within the last three years
- Internal audit recommendations on procurement-related matters are implemented within 6 months of the submission of the internal auditor's report

21. Are COA recommendations responded to or implemented within six months of the submission of the auditors' report? (14b)

- Yes (percentage of COA recommendations responded to or implemented within six months)
100 %
- No procurement related recommendations received

22. In determining whether the Procuring Entity has an efficient procurement complaints system and has the capacity to comply with procedural requirements, which of conditions is/are present? (15a)

- The HOPE resolved Protests within seven (7) calendar days per Section 55 of the IRR
- The BAC resolved Requests for Reconsideration within seven (7) calendar days per Section 55 of the IRR
- Procuring entity acts upon and adopts specific measures to address procurement-related complaints, referrals, subpoenas by the Omb, COA, GPPB or any quasi-judicial/quasi-administrative body

23. In determining whether agency has a specific anti-corruption program/s related to procurement, which of these

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conditions is/are present? (16a)

- Agency has a specific office responsible for the implementation of good governance programs
- Agency implements a specific good governance program including anti-corruption and integrity development
- Agency implements specific policies and procedures in place for detection and prevention of corruption

ANNEX A
GOVERNMENT PROCUREMENT POLICY BOARD
Agency Procurement Compliance and Performance Indicator (APCPI) Self-Assessment Form

Name of Agency: _____
Date of Self Assessment: _____

Name of Evaluator: _____
Position: _____

No.	Assessment Conditions	Agency Score	APCPI Rating*	Comments/Findings to the Indicators and SubIndicators	Supporting Information/Documentation (Not to be Included in the Evaluation)
PILLAR I. LEGISLATIVE AND REGULATORY FRAMEWORK					
Indicator 1. Competitive Bidding as Default Method of Procurement					
1.a	Percentage of competitive bidding and limited source bidding contracts in terms of amount of total procurement	37.50%	0.00		PMRs
1.b	Percentage of competitive bidding and limited source bidding contracts in terms of volume of total procurement	8.18%	0.00		PMRs
Indicator 2. Limited Use of Alternative Methods of Procurement					
2.a	Percentage of shopping contracts in terms of amount of total procurement	2.08%	3.00		PMRs
2.b	Percentage of negotiated contracts in terms of amount of total procurement	57.80%	0.00		PMRs
2.c	Percentage of direct contracting in terms of amount of total procurement	2.61%	2.00		PMRs
2.d	Percentage of repeat order contracts in terms of amount of total procurement	0.00%	3.00		PMRs
2.e	Compliance with Repeat Order procedures	n/a	n/a		Procurement documents relative to conduct of Repeat Order
2.f	Compliance with Limited Source Bidding procedures	n/a	n/a		Procurement documents relative to conduct of Limited Source Bidding
Indicator 3. Competitiveness of the Bidding Process					
3.a	Average number of entities who acquired bidding documents	2.46	0.00		Agency records and/or PhilGEPS records
3.b	Average number of bidders who submitted bids	2.08	1.00		Abstract of Bids or other agency records
3.c	Average number of bidders who passed eligibility stage	2.00	2.00		Abstract of Bids or other agency records
3.d	Sufficiency of period to prepare bids	Fully Compliant	3.00		Agency records and/or PhilGEPS records
3.e	Use of proper and effective procurement documentation and technical specifications/requirements	Fully Compliant	3.00		Cost Benefit Analysis, Work Plans, Technical Specifications included in bidding documents
		Average I	1.55		
PILLAR II. AGENCY INSTITUTIONAL FRAMEWORK AND MANAGEMENT CAPACITY					
Indicator 4. Presence of Procurement Organizations					
4.a	Creation of Bids and Awards Committee(s)	Fully Compliant	3.00		Verify copy of Order creating BAC; Organizational Chart; and Certification of Training
4.b	Presence of a BAC Secretariat or Procurement Unit	Fully Compliant	3.00		Verify copy of Order creating BAC Secretariat; Organizational Chart; and Certification of Training
Indicator 5. Procurement Planning and Implementation					
5.a	An approved APP that includes all types of procurement	Compliant	3.00		Copy of APP and its supplements (if any)
5.b	Preparation of Annual Procurement Plan for Common-Use Supplies and Equipment (APP-CSE) and Procurement of Common-Use Supplies and Equipment from the Procurement Service	Fully Compliant	3.00		APP, APP-CSE, PMR
5.c	Existing Green Specifications for GPPB-identified non-CSE items are adopted	Compliant	3.00		ITBs and/or RFQs clearly indicate the use of green technical specifications for the procurement activity
Indicator 6. Use of Government Electronic Procurement System					
6.a	Percentage of bid opportunities posted by the PhilGEPS-registered Agency	100.00%	3.00		Agency records and/or PhilGEPS records
6.b	Percentage of contract award information posted by the PhilGEPS-registered Agency	100.00%	3.00		Agency records and/or PhilGEPS records
6.c	Percentage of contract awards procured through alternative methods posted by the PhilGEPS-registered Agency	0.00%	0.00		Agency records and/or PhilGEPS records
Indicator 7. System for Disseminating and Monitoring Procurement Information					
7.a	Presence of website that provides up-to-date procurement information easily accessible at no cost	Fully Compliant	3.00		Identify specific procurement-related portion in the agency website and specific website links
7.b	Preparation of Procurement Monitoring Reports using the GPPB-prescribed format, submission to the GPPB, and posting in agency website	Substantially Compliant	2.00		Copy of PMR and received copy that it was submitted to GPPB
		Average II	2.60		
PILLAR III. PROCUREMENT OPERATIONS AND MARKET PRACTICES					