



Republic of the Philippines
Department of Education

SEP 18 2024

DepEd MEMORANDUM

No. **049**, s. 2024

**CONDUCT OF FISCAL YEAR 2025 EARLY PROCUREMENT ACTIVITIES
BY THE CENTRAL, REGIONAL AND SCHOOLS DIVISION OFFICES**

To: Undersecretaries
Assistant Secretaries
Bureau and Service Directors
Regional Directors
Schools Division Superintendents
All Others Concerned

1. Pursuant to Section 7.6 of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184¹, Procuring Entities are encouraged to undertake Early Procurement Activities (EPA) to ensure the timely delivery of goods, implementation of infrastructure projects, rendition of consultancy services, or renewal of contracts for regular and recurring services².

2. Early Procurement Activities refer to the **conduct of procurement activities, from posting of the procurement opportunity, if required, until recommendation of the Bids and Awards Committee (BAC) to the Head of Procuring Entities (HoPE) as to the award of the contract, for goods to be delivered, infrastructure projects to be implemented and consulting services to be rendered in the following fiscal year, pending approval of their respective funding sources**³.

3. Early Procurement Activities cover goods, infrastructure projects, or consulting services. It applies to Procurement Projects undertaken through Competitive Bidding and Alternative Methods of Procurement, **except** for the following:

- a. Repeat Order,
- b. Shopping,
- c. Negotiated Procurement - Emergency Cases,
- d. Negotiated Procurement - Take-Over of Contracts, and
- e. Negotiated Procurement - Small Value Procurement.⁴

4. The requirements and procedures in the conduct of EPA are detailed in Appendix 31 of the RIRR, titled Guidelines on the Implementation of Early Procurement Activities (EPA).

5. Likewise, DepEd Order (DO) No. 051, s. 2021 titled Guidelines on the Conduct of Early Procurement Activities (EPA) at the Department of Education⁵, reiterates and emphasizes the full implementation of EPA in the Department of Education (DepEd)⁶. It prescribes the DepEd guidelines on the conduct of EPA to hasten procurement of

¹ Government Procurement Reform Act.

² *Id.* at Section 3.3; RIRR, Section 7.6.

³ 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184, Appendix 31, Section 3.1.

⁴ *Id.* at Items 1.3 and 1.4; RIRR, Sections 51, 52, 53.2, 53.3, and 53.9.

⁵ November 25, 2021.

⁶ Enclosure to DepEd Order 051, s. 2021, Item I.

resources and ensure utilization of budget within the year.⁷ It also states that compliance with the Guidelines⁸, and such related issuances that may be subsequently issued and in relation to the governing Memorandum Circular⁹, shall be used as the basis for determining the Performance-Based Bonus (PBB) eligibility of responsible units and individuals.

6. The conduct of 2025 EPA is further supported under the National Expenditure Program (NEP), Fiscal Year (FY) 2025, which provides in relevant part, *viz*:

Section 21. Early Procurement Activities. Notwithstanding the mandatory procurement timelines under existing government procurement laws, rules, and regulations, **agencies are authorized to undertake early procurement activities, as soon as the proposed national budget is submitted to Congress. However, agencies may only proceed with the issuance of notice of award of contract upon approval or enactment of their respective appropriations and issuance of budget authorization document and based on the amount authorized therein.**¹⁰ (Emphasis supplied)

2025 EPA for Central, Regional, and Schools Division Offices

7. To align with the objectives of EPA—ensuring the timely delivery of goods, the implementation of infrastructure projects, the provision of consultancy services, and the renewal of contracts for regular and recurring services—while also expediting procurement processes and budget utilization within their validity period, the DepEd, through its relevant offices across various governance levels, shall conduct EPA for applicable FY 2025 procurement projects.

8. CO, ROs, and SDOs shall strictly adhere to RA No. 9184 and its RIRR; DO 051, s. 2021; FY 2025 NEP; and pertinent government budgeting, accounting, and auditing rules and regulations in the conduct of EPA.

9. The funding requirements for the listed programs/projects in the Enclosures are certified to be covered under the FY 2025 NEP of DepEd. Contracts subject of EPA shall only be awarded after approval of FY 2025 budget as General Appropriations Act, or as reenacted, if applicable.

10. Under exceptional circumstances, subject to evaluation of and availability of funds at the CO, the ROs and SDOs may request an adjustment in the funding amount from the CO no later than ten (10) days before the commencement of the second round of bidding, following the failure of the first round.

EPA for CO

11. For CO, there are eleven (11) projects for EPA, with a total amount of Php12,400,763,013.61. Details of which are provided in **Enclosure No. 1**. The indicative timeline for CO EPA is in **Enclosure No. 2**.

⁷ *Id.* at Item IV.

⁸ DO 051, s. 2021, Item 4.

⁹ Inter-agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting Systems (Administrative Order No. 25, s. 2011); *i.e.*, MC No. 2021-1 for FY 2021, MC No. 2022-1 for FY 2022; MC No. 2023-1 for FY 2023.

¹⁰ Volume I, Part II – General Provisions.

EPA for ROs and SDOs

12. The ROs and SDOs, with their own programs and projects under the FY 2025 NEP, will also conduct EPA.

13. Additionally, there are six (6) projects with a total amount of Php 8,723,229,934.00 and four (4) projects with a total amount of Php 10,882,136,000.00 which are **to be directly released or downloaded by CO to ROs and SDOs, respectively. ROs and SDOs shall undertake EPA for said projects.** The details are in **Enclosure No. 3** and **Enclosure No. 4** for ROs and SDOs, respectively.

14. In accordance with Item 3.4.3¹¹ of Appendix 31 of the RIRR, **this Memorandum serves as the authority for ROs and SDOs to conduct EPA of CO directly released or downloaded projects.**

15. The indicative timeline for EPA in ROs and SDOs is provided in **Enclosure No. 5**, subject to their actual or final timelines as warranted by their respective circumstance, and provided that the prescribed periods for the conduct of EPA under RA 9184 and its RIRR are strictly observed.

16. On or before **September 20, 2024, CO, through the respective Program Owners, shall issue to ROs and SDOs the applicable necessary documents for the conduct of EPA**, i.e., guidelines/issuances, project and financial details, allocation list, technical specifications/scope of work/terms of reference.

17. Furthermore, in line with Item 3.5 of Appendix 31 of the RIRR, the CO Program Owners and the relevant offices shall ensure that all necessary conditions and/or documents required for the release of funds or sub-allotment prepared promptly to enable ROs and SDOs to commence procurement and award the contract within the prescribed period.

18. Based on Section 11 of RA No. 9184 and Section 11.1.2 of the RIRR, the ROs, and SDOs, through their respective HoPEs, **may create additional BACs**, as may be needed, to facilitate the conduct of EPA and their other procurement activities.

19. The CO through the relevant offices named in the succeeding paragraph, shall monitor, closely coordinate with, and provide technical assistance to ROs and SDOs for the conduct of EPA and the contract implementation of the procurement projects.

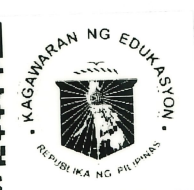
20. For clarifications, concerns, or requests for technical assistance, the CO relevant offices may also be reached by ROs and SDOs through the following contact details:

Office	Concerns	Contact details
Curriculum and Instruction Strand-Bureau of Learning Resources	Programs/projects and details for downloading or direct release regarding flexible learning option learning resources	blr.od@deped.gov.ph (02) 8634-1072 (02) 8634-0901 (02) 8634-1054

¹¹ 3.4.3 For Procurement Projects funded by forthcoming sub-allotments from the Central Office (CO) or Centrally-Managed Items, the written approval, in whatever form, from the CO identifying the implementing unit therefor with the corresponding amount and authorizing the conduct of EPA shall be the basis for the conduct of said activity.

Office	Concerns	Contact details
Administration Strand- Information and Communications Technology	Programs/projects and details for downloading or direct release regarding the DepEd Computerization Program	icts.od@deped.gov.ph (02) 8631-9636
Office of the Undersecretary- School Infrastructure and Facilities Strand	Programs/projects and details for downloading or direct release regarding Basic Educational Facilities Funds	ousif@deped.gov.ph (02) 8638-4044
Office of the Undersecretary- Operations Strand	Implementation concerns regarding governance levels	oure@deped.gov.ph (02) 8633-5313 (02) 8631-8492
Finance Strand- Budget Division	Concerns on budget, accounting, and finance	usec.financebpm@deped.gov.ph (02) 8633-9342
Office of the Undersecretary- Procurement Strand	Concerns on procurement activities under RA 9184 and RIRR	oupro@deped.gov.ph (02) 8635-3761 (02) 8633-1940

21. Immediate dissemination of this Memorandum is desired.



SONNY ANGARA
Secretary

Encls.: As stated

Reference:

DepEd Order (No. 051, s. 2021)

To be indicated in the Perpetual Index under the following subjects:

BIDS AND AWARDS
OFFICIALS
PROCUREMENT
PROGRAMS
PROJECTS
REQUIREMENTS
RULES AND REGULATIONS

CENTRAL OFFICE PROGRAMS/PROJECTS FOR 2025 EPA

Central Office Program Owner		Program	Project		Amount
Strand	Bureau/Service/Office		Name	No.	
Curriculum and Teaching	Bureau of Education Assessment - Education Assessment Division (BEA-EAD)	Procurement of Testing Materials	<u>PEPT- Regular Administration</u> (Php16,599,100.00) <u>PEPT- Special Administration</u> (Php14,227,800.00) <u>Accreditation & Equivalency</u> (Php30,843,000.00)	3	61,669,900.00
	Bureau of Learning Resources - Learning Resources Production Division (BLR- LRPD)	Textbooks/ Instructional Materials	<u>Textbooks & Materials</u> (Php5,321,002,790.69) <u>Kinder Activity Sheets</u> (Php168,469,982.02)	2	5,489,472,772.71
	BLR-Cebu	Learning Tools and Equipment	<u>Science and Mathematics Equipment</u> (Php2,100,000,000.00) <u>TVL Tool</u> (Php308,387,673.90)	2	2,408,387,673.90
Administration	Information and Communications Technology Service - Technology Infrastructure Division (ICTS-TID)	DepEd Computerization Program (DCP)	<u>e-Learning Cart Package</u> (Php 4,342,340,447.00)	1	4,342,340,447.00

	Administrative Service - Security Services	Contract of Security Service Provider	<u>Procurement of Security Service</u> (Php93,557,220.00)	1	93,557,220.00
Operations	Disaster Risk Reduction and Management Service (DRRMS)	Program of Venue with Board and Lodging for the Conduct of FY 2025 1st Fiduciary Workshop	<u>Planning and Finance Program</u> (Php4,960,000.00)	2	4,960,000.00
		Procurement of Venue with Board and Lodging for the Conduct of DRRMS Quarterly Evaluation and Planning Workshop (Batch 1)	<u>Planning, Research, Information System & Monitoring and Evaluation</u> (Php375,000.00)		375,000.00
TOTAL				11	Php 12,400,763,013.61

(Enclosure No. 2 to DepEd Memorandum No. 049, s. 2024)

INDICATIVE 2025 EPA TIMELINE FOR CENTRAL OFFICE

Activity	Date
1. Review of Program Owners' submitted procurement documents and preparation of Bidding Documents by Procurement Strand	Until September 30, 2024
2. Bidding Process*	October to December 2024
3. Preparation of RTA, including the tolling of period* until approval of GAA	December 2024
4. Revision of PPMPs based on GAA and submission of revised PPMPs, as reviewed by PS-PPD and Budget Division	January 10, 2025
5. Consolidation of CY 2025 PPMPs and Approval of CY 2025 APP	January 11 to January 25, 2025 *Deadline for submission to GPPB is on or before January 30, 2025
6. Approval of RTA, issuance of NOA & execution of Contract*	January 2025

*It should be noted that the applicable procurement periods prescribed under RA 9184 RIRR in relation to the conduct of EPA shall be complied with, *viz*:

8.1 Pursuant to Section 85 of Presidential Decree No. 1445 or the State Audit Code, no contract involving the expenditure of public funds shall be entered into unless there is an appropriation. Accordingly, pending approval and effectivity of the GAA, corporate budget or appropriations ordinance, or the loan agreement in the case of FAPs, the following periods shall be tolled or suspended:

8.1.1 the fifteen-day (15 day) period for the HoPE to approve the Resolution of the BAC and to issue the Notice of Award provided under Section 37; and

8.1.2 the three-month (3-month) period within which to complete the procurement process, from the opening of bids up to the award of contract, under Section 38 of RA No. 9184.

1.2 The period of time for the award of contract and termination of the procurement process, as the case may be, shall begin to run again upon the approval and effectivity of the GAA, reenacted budget, appropriations ordinance, corporate budget or loan agreement, as the case may be.

It shall not commence anew but rather, grants the HoPE the balance of the remaining period to award the contract or terminate the procurement process.

(Enclosure No. 3 to DepEd Memorandum No. 049, s. 2024)

**PROGRAMS/PROJECTS TO BE DIRECTLY RELEASED OR DOWNLOADED
TO REGIONAL OFFICES FOR 2025 EPA**

Central Office Program Owner		Program	Project		Amount
Strand	Bureau/Service/ Office		Name	No.	
Curriculum and Teaching	Bureau of Learning Resources - Manila	Flexible Learning Options – Learning Resources	<u>Procurement of Modules</u> (Php2,193,860,309.00)	1	2,193,860,309.00
			<u>Procurement of Tablets</u> (Php1,246,542,000.00)	1	1,246,542,000.00
Administration	Information and Communications Technology Service - Technology Infrastructure Division (ICTS- TID)	DepEd Computerization Program (DCP)	<u>Smart TV Package</u> (Php1,209,767,325.00)	3	2,667,611,625.00
			<u>Laptop for Teaching</u> (Php1,257,039,300.00)		
			<u>Laptop for Non-Teaching</u> (Php200,805,000.00)		
School Infrastructure Facilities	Education Facilities Division (EFD)	Basic Education Facilities Fund (BEFF) – Engineered Bamboo and 75% Allocation for School Furniture Program	<u>75% Allocation</u> (Php1,901,404,700.00)	1	2,615,216,000.00
			<u>Engineered Bamboo</u> (Php60,061,400.00)		
			<u>15% Allocation</u> (Php392,035,950.00)		
			<u>10% Allocation</u> (Php261,713,950.00)		
TOTAL				6	Php8,723,229,934.00

(Enclosure No. 4 to DepEd Memorandum No. 049 , s. 2024)

**PROJECTS TO BE DIRECTLY RELEASED OR DOWNLOADED
TO SCHOOLS DIVISION OFFICES FOR 2025 EPA**

Central Office Program Owner		Program	Projects		Amount
Strand	Bureau/Service/ Office		Name	No.	
School Infrastructure Facilities	Education Facilities Division (EFD)	Basic Education Facilities Fund (BEFF)	School Electrification Program (Php1,295,000,000.00)	3	7,897,136,000.00
			School Health Facilities (Php500,000,000.00)		
			BEFF Repair (Php6,102,136,000.00)		
		Last Mile Schools (LMS) Program	LMS Program (Php2,985,000,000.00)	1	2,985,000,000.00
TOTAL				4	PHP 10,882,136,000.00

**INDICATIVE FY 2025 EPA TIMELINE
FOR REGIONAL AND SCHOOLS DIVISION OFFICES**

Major Activities	Dates
CO	
For projects to be directly released or downloaded by CO, the CO Program Owners will release to ROs and SDOs their respective specific Guidelines for the conduct of EPA, including project and financial details, allocation list, technical specifications/scope of work/terms of reference.	September 20, 2024
ROs and SDOs	
1. Submission of initial PPMPs	September 2024
2. Approval and posting in the Transparency Seal of the Indicative APP	On or before September 30, 2024
3. Submission of Procurement Documents and preparation of Bidding Documents	September to October 2024
4. Bidding Process*	October to December 2024
5. Preparation of RTA, including the tolling of period* until approval of GAA	December 2024
6. Revision of PPMPs based on GAA	January 2025
7. Consolidation of CY 2025 PPMPs and Approval of CY 2025 APP	January 2025 *Deadline for submission to GPPB is on or before January 30, 2025
8. Approval of RTA, issuance of NOA & execution of Contract*	January 2025

*It should be noted that the applicable procurement periods prescribed under RA 9184 RIRR in relation to the conduct of EPA shall be complied with, viz:

8.1 Pursuant to Section 85 of Presidential Decree No. 1445 or the State Audit Code, no contract involving the expenditure of public funds shall be entered into unless there is an appropriation. Accordingly, pending approval and effectivity of the GAA, corporate budget or appropriations ordinance, or the loan agreement in the case of FAPs, the following periods shall be tolled or suspended:

8.1.1 the fifteen-day (15 day) period for the HoPE to approve the Resolution of the BAC and to issue the Notice of Award provided under Section 37; and

8.1.2 the three-month (3-month) period within which to complete the procurement process, from the opening of bids up to the award of contract, under Section 38 of RA No. 9184.

8.2 The period of time for the award of contract and termination of the procurement process, as the case may be, shall begin to run again upon the approval and effectivity of the GAA, reenacted budget, appropriations ordinance, corporate budget or loan agreement, as the case may be.

It shall not commence anew but rather, grants the HoPE the balance of the remaining period to award the contract or terminate the procurement process.