**ANNEX O**

**PERTINENT PROVISIONS OF THE GOVERNMENT PROCUREMENT REFORM ACT**

**(RA 9184)**

**Section 38. Period of Action on Procurement Activities**

38.1. The procurement process from the opening of bids up to the award of contract shall not exceed three (3) months, or a shorter period to be determined by the Procuring Entity concerned. All members of the BAC shall be on a “jury duty” type of assignment until the Notice of Award is issued by the Head of the Procuring Entity (HoPE) in order to complete the entire procurement process at the earliest possible time.

For purposes of this section, the term “jury duty” shall be understood to mean a state by which the members give utmost priority to BAC assignment over all the other duties and responsibilities until the requirements for the said assignments at hand are completed.

38.2. The maximum periods and the recommended earliest possible time for action on specific procurement activities are provided for in Annex “C” of this IRR. In case the deadline for each activity falls on a non-working day (i.e. Saturday and Sunday), legal holiday, or special non-working holiday, the deadline shall be the next working day.

38.3. If no action on the contract is taken by the HoPE or the appropriate approving authority within the periods specified in this IRR, the contract concerned shall be deemed approved: Provided, however, That where further approval by the Office of the President is required, the contract shall not be deemed approved unless and until the Office of the President gives actual approval to the contract concerned.

