

IMPLEMENTATION OF REPUBLIC ACT 9184 (GOVERNMENT PROCUREMENT REFORM ACT): PROCUREMENT OF GOODS, INFRASTRUCTURE PROJECTS, AND CONSULTING SERVICES IN A PHILIPPINE PUBLIC TERTIARY HOSPITAL

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Abstract

This study assesses the implementation of Republic Act 9184, also known as the Government Procurement Reform Act, with a focus on the procurement of goods, infrastructure projects, and consulting services in a selected Department of Health (DOH) operated hospital in the Philippines. The research employs a quantitative descriptive-comparative design and gathers data from 100 purposively selected stakeholders, including BAC members, TWG members, the BAC Secretariat, end-users, and suppliers/contractors. Key aspects of the procurement process—such as advertisement, pre-bid conferences, bid submission, bid evaluation, post-qualification, and notice of award—are evaluated based on stakeholder perceptions. Results indicate that the procurement procedures are strictly enforced across all assessed dimensions. Further, statistical analysis reveals no significant differences in stakeholder assessments when grouped by age, stakeholder status, or years of service. The findings unfold a high level of compliance with RA 9184 in the studied institution, implying an effective implementation of transparent and accountable procurement practices. Recommendations include incorporating qualitative methods in future research to deepen insights into procurement challenges and perceptions.

Keywords: Government Procurement, Practices in Governmental Organizations, Public Hospital

Introduction

The Government Procurement Reform Act (RA 9184) is a pivotal legislation in the Philippines overseeing public procurement, aiming for transparency and accountability. However, implementation challenges persist, notably in transparency, where unclear guidelines and inconsistent practices hinder monitoring and fairness (GPPB-TSO Presents its Proposed Amendments to RA No. 9184, 2023). Moreover, inadequate disclosure during bidding processes can skew the playing field for bidders, necessitating timely and complete dissemination of bid-related information (Magtalas et al., 2019).

Furthermore, loopholes in bid evaluation procedures and conflicts of interest among procurement officials pose significant threats to transparency and fairness. Clear guidelines, standardized criteria, and conflict management mechanisms are vital to mitigate these risks. Additionally, capacity-building initiatives are crucial for enhancing the competency of procurement practitioners and ensuring effective implementation of RA 9184 (GPPB-TSO Presents its Proposed Amendments to RA No. 9184, 2023).

In the pursuit of transparency, efficiency, and accountability in government procurement, strict implementation with Republic Act 9184, also known as the Government Procurement Reform Act, is ensured in a Selected Level III Department of Health Hospital. This landmark legislation, enacted to promote fair and competitive bidding processes, is regarded as fundamental in the efforts to procure goods, infrastructure projects, and consulting services that are essential to the mission of providing world-class mental health care and support to the Filipino people.

The Government Procurement Reform Act, which came into effect in 2003, represents a significant step towards fostering integrity and credibility in public procurement. A standardized approach to procurement across all government agencies is mandated by it, with emphasis on principles such as transparency, competition, and the efficient use of public funds. In a Selected Level III Department of Health Hospital, recognition is given to the paramount importance of adhering to this legislation in procurement activities. Understanding that the successful implementation of Republic Act 9184 is only a legal obligation but also a moral commitment to ensuring that the resources entrusted are utilized effectively and responsibly.

In this context, dedication to upholding the principles of RA 9184 in the procurement of goods, infrastructure projects, and consulting services is presented with pleasure. Through this commitment, enhancement of the quality and accessibility of mental health services is

aimed for while the highest standards of accountability and transparency are maintained. In the subsequent sections of this document, a comprehensive overview of procurement processes, guidelines, and practices that align with the provisions of Republic Act 9184 will be provided.

Continued support and trust in a Selected Level III Department of Health Hospital are sincerely appreciated as excellence in the field of mental health is strived for and diligent implementation with Republic Act 9184 is maintained. Together, a lasting impact on the lives of those served can be made. As such, this study underscores the significance of aligning procurement practices with the ideals set out by the Republic Act 9184, not only as a means to ensure implementation but also as a pivotal instrument in driving the growth and efficiency of hospital development, ultimately contributing to the enhancement of public services and the well-being of the community.

Certainly, in the procurement process in a Selected Level III Department of Health Hospital in implementation with Republic Act 9184 (Government Procurement Reform Act), various stakeholders play critical roles. The end-user within the institution identifies specific requirements and standards for goods, infrastructure projects, or consulting services, ensuring alignment with institutional needs and implementation with legal and quality standards.

The impact of the Government Procurement Reform Act (Republic Act 9184) on infrastructure advancement in the Philippines has been assessed in several studies. (Canlas, 2018) evaluates policy reforms in the government's infrastructure development program and the institutional arrangements for implementing these reforms. The study highlights progress achieved under the National Economic and Development Authority and the enactment of the Build-Operate-Transfer Law, which increased private sector participation in infrastructure projects. However, challenges remain in closing the infrastructure gap, particularly in transport, and addressing concerns such as corruption and fair allocation of public-private risk bearing. (David, Seth, Jones, 2013) examines recent reforms introduced by the Philippines government to improve its procurement system, including fostering competition, increasing transparency, and combating corruption. The study finds that while these reforms aimed to align the system with international best practices, their impact has been limited. (Edgardo et al. 2006) provide insights into managing the politics of reform processes, specifically focusing on the passage of legislation that significantly altered the rules governing public procurement in the Philippines. These studies offer valuable insights into the impact and challenges of the Government

Procurement Reform Act on the procurement of goods, consulting services and infrastructures projects.

The Bids and Awards Committee (BAC) oversees the entire procurement process. BAC members are responsible for managing bid documents, conducting pre-procurement activities, evaluating bids, and recommending contract awards. Their primary focus is on ensuring transparency, competitiveness, and accountability in implementation with RA 9184. Supporting the BAC, the Technical Working Group (TWG) provides technical expertise. They assist in evaluating technical aspects of bids and proposals, especially in areas like engineering designs or feasibility studies, ensuring implementation with the requirements and standards.

Additionally, the BAC Secretariat assists the committee by providing administrative support. They handle documentation, maintain records, organize meetings, and ensure implementation with prescribed procedures outlined in RA 9184. The Secretariat facilitates communication with stakeholders, manages inquiries, and disseminates information related to procurement activities. These stakeholders collectively contribute to upholding the principles of good governance, transparency, and efficiency in the procurement of goods, infrastructure projects, and consulting services in a selected Level III Department of Health while adhering strictly to the provisions of RA 9184.

This Selected Level III Public Hospital, as administered by Department of Health (DOH) is dedicated to delivering preventive, curative and rehabilitative mental health care services. It is categorized as Special Research Training Center and Hospital under Department of Health on January 30, 1987. It has an authorized bed capacity of 4,200 inpatients and served an average of 56,000 outpatients per year.

It was established in 1925 through Public Works Act 3258 and was formally opened on December 17, 1928. It also aligned with the government's efforts to streamline procurement processes, as outlined in Republic Act 9184, thereby enhancing the efficiency and effectiveness of the institution's operations.

Good governance is essential in the procurement process as it ensures that the acquisition of goods, services, and intellectual property is conducted in a fair, legal, and transparent manner, reflecting the organization's overall strategy and meeting specific business needs (Thomas, 2020). It also promotes accountability and reduces the risk of corruption by ensuring that all parties involved in the procurement process are held responsible for their actions. Good governance in procurement requires the establishment of

clear policies and procedures, effective monitoring and evaluation mechanisms, and the promotion of stakeholder participation and engagement.

This research assessed the level of implementation to Republic Act 9184 otherwise known as the Government Procurement Reform Act for the Procurement of Goods, Consulting Services and Infrastructure Projects in a Selected Level III Department of Health Hospital. Specifically, this answered the following:

The demographics of respondents be described in terms of the following:

- Position/Role/Designation
- Age
- Stakeholder Status
- Years in service

The implementation of RA 9184, as assessed by the participating respondents in terms of the following:

- Advertising and contents of the invitation to bid
- Pre-bid Conference
- Submission and receipt of bids
- Bid Evaluation
- Post-Qualification Evaluation, and
- Notice and execution of award.

Methods

This study employs a quantitative descriptive comparative research design and involve 100 participants, including Bids and Awards Committee (BAC) members, Technical Working Group (TWG) members, BAC Secretariat, End-users, and Suppliers/Contractors within a selected Level III Department of Health Hospital. A purposive sample was chosen to ensure diverse representation of perspectives and experiences related to the implementation of Republic Act 9184 in the procurement of goods, infrastructure projects, and consulting services. This sample includes 10 BAC Members, 5 Technical Working Group (TWG) members, 20 BAC Secretariat, 50 End-users from the following services: Hospital Service, Finance Service, Community Service, Hospital Operations and Patient Support Service, Nursing Service, and Offices Under MCC, and 15 Suppliers/Contractors, representing individuals with varying roles, responsibilities, and levels of experience in the procurement process. This composition provides a comprehensive understanding of the topic. Additionally, a purposive sampling of

10 participants will be used for a pilot test to refine the research instruments and methodology before conducting the study with the full sample.

The respondents in this study consist of employees in a Selected Level III Department of Health Hospital (DOH) who play distinct roles in the procurement process. These roles include Bids and Awards Committee (BAC) Members, BAC Secretariat personnel, BAC Technical Working Group (TWG) members, End-Users, and suppliers / contractors. BAC Members serve as key decision-makers, responsible for evaluating bids and ensuring implementation with Republic Act 9184. The BAC Secretariat supports administrative tasks, while the TWG provides technical expertise. End-Users initiate procurement needs and specify requirements. Suppliers and contractors vie for government contracts, but offer distinct services. Suppliers focus on delivering essential goods like equipment or materials, competing on price and quality for specific bid items. Contractors, on the other hand, offer specialized services like construction or IT work, submitting proposals based on expertise and cost-effectiveness to fulfill project requirements. The diverse representation within these groups, encompassing various levels of experience and expertise, enables a comprehensive assessment of RA 9184 implementation from multiple viewpoints. This diverse pool of respondents will contribute valuable insights to our study, aiding in the identification of areas for procurement process enhancement.

In this paper, a researcher-made questionnaire will serve as the primary research instrument to comprehensively investigate the "Implementation Assessment of Republic Act 9184 (Government Procurement Reform Act): Procurement of Goods, Infrastructure Projects, and Consulting Services in a Selected Level III Department of Health Hospital" from the perspectives of key stakeholders. The questionnaire will be structured based on the 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184 and will incorporate Likert scale questions. To ensure the validity and reliability of the instrument, it underwent review by three validators. This rigorous validation process guarantees that the questionnaire effectively captures the essential aspects of the procurement process. The instrument will enable the collection of quantitative data, including respondents' perceptions of the implementation of Republic Act 9184, otherwise known as the Government Procurement Reform Act, for the procurement of goods, consulting services, and infrastructure projects within the selected Level III Department of Health hospital.

Moreover, responses will be categorized through the 5-point Likert scale with the corresponding interpretations:

Score	Verbal Interpretation
5	Strictly Enforced
4	Enforced
3	Somewhat Enforced
2	Seldomly Enforced
1	Unenforced

Prior to the conduct of the study, the researcher sought permission from the agency to conduct the survey. Diverse types of personnel will be selected, including the BAC Members, TWG Group, End-Users, BAC Secretariat and Suppliers / Contractors. The data gathering procedure for this study on "Implementation with Republic Act 9184 (Government Procurement Reform Act): Procurement of Goods, Infrastructure Projects, and Consulting Services in a Selected Level III Department of Health Hospital will follow a systematic approach that will involve the administration of questionnaires. Firstly, a structured questionnaire will be designed, encompassing sections for demographic information and implementation assessment.

Subsequently, a targeted sample of respondents in a Selected Level III Department of Health Hospital, including Bids and Awards Committee (BAC) Members, BAC Secretariat, Technical Working Group (TWG) members, End-Users, and Suppliers / Contractors will be identified. The selected participants will be contacted, and their informed consent will be obtained, emphasizing the voluntary nature of participation and the assurance of confidentiality. The questionnaires will then be administered either electronically or in print, accommodating respondents' preferences. Reminders will be sent to ensure a higher response rate, and follow-up will be conducted as needed.

One-way Analysis of Variance (ANOVA) was employed to statistically test the null hypothesis.

Results and Discussions

Table 1. Demographic Profile of the Respondents

	Frequency	Percent
Age		
19 - 24 years old	5	5.0
25 - 40 years old	49	49.0
41 - 55 years old	38	38.0
Above 56 years old	8	8.0
Stakeholder Status		
BAC Member	12	12.0
BAC Secretariat	17	17.0
End-User	27	27.0
Procurement Staff	2	2.0
Supplier / Contractor	37	37.0
Technical Working Group	5	5.0
Years of Service in Position/Role/Designation		
0-5 years	59	59.0
6-15 years	23	23.0
16-25 years	12	12.0
26-35 years	5	5.0
Over 36 years	1	1.0

A total of 100 respondents are included in the study who are mostly from 25 to 40 years old (49%) while 38% are from 41 to 55. Moreover, different stakeholders are represented where 12 are BAC Member, 17 BAC Secretariat, 27 end users, 2 procurement staff, 37 supplier or contractor while remaining 5 are from technical working group. On years of service role majority are with 0 to 5 years of working (59%) while 23% are with 6 to 15 years of service.

Table 2. Assessment on the Dimensions (Procedural Steps) of RA 9184

Dimension	Mean	Verbal Interpretation
Advertising and Contents of the Invitation to Bid/ Request for Expression of Interest	4.80	Strictly Enforced
Pre-Bid Conference	4.72	Strictly Enforced
Submission and Receipt of Bids	4.78	Strictly Enforced
Bid Evaluation	4.65	Strictly Enforced
Post-Qualification Evaluation	4.79	Strictly Enforced
Notice and Execution of Award	4.77	Strictly Enforced
Overall Mean	4.75	Strictly Enforced

All dimensions of RA 9184 have garnered a verbal interpretation of *Strictly Enforced*, implying a resounding compliance and application of RA 9184 in the procurement of DOH-operated public hospital in the Philippines. Unsurprisingly, the overall computed mean of 4.75 is an indicator of a near-zealous compliance to RA 9184.

Table 3. Results of Test of Significant Difference in the Assessment of the Respondents Regarding the Implementation of RA 9184 when grouped according to their profile

	F Value	p value	Decision	Conclusion
Age	0.791	0.502	Fail to Reject Null	Not significant
Stakeholder Status	1.393	0.234	Fail to Reject Null	Not significant
Years of Service in Position/Role/Designation	0.307	0.873	Fail to Reject Null	Not significant

Because of the general consensus of the respondents with regard to the “strict enforcement” of all dimensions of RA 9184, it is logical that differences amongst the responses will be literally absent or, at least, tempered to a minimum.

From the findings, it can be concluded that the level of enforcement is strictly enforced. Specifically, the measures on Advertising and Contents of the Invitation to Bid/ Request for Expression of Interest is strictly enforced. Highest rating on strict enforcement is about the invitation to Bid contains the approved budget of Contract for the project. Likewise, measures on pre-bid conference were also strictly enforced where highest strict enforced is about “The BAC, BAC Secretariat, TWG, and other officials involved in procurement are expected to act in an impartial, courteous and professional manner in all their dealings and interactions with the bidders during all stages of the procurement.” Moreover, strict enforcement reading was also given specific to Submission and Receipt of Bids where highest rating is about the “Bidders must submit their bids through their duly authorized representatives using the forms specified in the Bidding Documents in two (2) separate sealed bid envelopes, to be submitted simultaneously.” Furthermore, bid-evaluation is also rated as strictly enforced where highest rating is about No contact rule. The study also reveals that measures on post-qualification evaluation is also rated as strictly enforced. In comparing the responses according to age, stakeholders and year of service in role, no significant different exist.

It is highly recommended that qualitative inputs be gathered to substantiate or validate the findings of this paper. Moreover, thematic narratives and analyses can be utilized to contextualize the procurement practices of various governmental organizations in the Philippines.

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