

Challenges and Practices in the Implementation of RA 12009 (New Government Procurement Act) Within JRMSU

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ABSTRACT

This study employed a quantitative descriptive survey to assess the practices and challenges in implementing RA 12009 within the JRMSU System. Respondents consisted of procurement implementers within JRMSU. Data were collected using a validated questionnaire and analyzed using percentage, weighted mean, Kruskal-Wallis, and Mann-Whitney tests. Findings revealed that procurement practices across key areas, planning, electronic procurement, bidding processes, and contract management, are consistently implemented and generally rated as “always practiced,” indicating strong compliance with the law. However, challenges were assessed as “much challenging,” particularly in terms of planning inefficiencies, limited bidder participation, and procedural and administrative delays. Significant differences in practices were observed when respondents were grouped according to position and training attendance, while other profile variables showed no significant variation. The results underscore the need for strengthened planning mechanisms, continuous capacity-building initiatives/training, clearer procedural guidelines, and streamlined processes to further enhance efficiency, transparency, and overall procurement performance within the university.

Keywords: RA 12009, public procurement, procurement practices, procurement challenges

INTRODUCTION

In today's rapidly evolving governance landscape, transparent and efficient public procurement remains essential to economic growth and public accountability. In the Philippines, Republic Act No. 9184, or the Government Procurement Reform Act of 2003, modernized the procurement system by promoting transparency, competitiveness, and efficiency in the acquisition of goods, infrastructure, and consulting services. However, after 20 years of implementation, gaps in efficiency, flexibility and performance resulted in the enactment of Republic Act No. 12009, or the New Government Procurement Act (NGPA), signed into law on July 20, 2024. The NGPA brings in major reforms such as reducing the procurement cycle from 90 days to 60 days, adopting quality-based evaluation instead of lowest bid and institutionalizing new procurement methods such as pooled procurement and framework contracting. The measures aim at improving the professionalism, responsibility and innovation in the public administration. But the transition to RA 12009 presents operational and institutional challenges to procuring entities, especially State Universities and Colleges (SUCs), such as JRMSU as Procuring Entity, which must quickly adapt to new procedures, standardized bidding forms and revised evaluation mechanisms. Preliminary discussions with the BAC Secretariat indicate some confusion as to how Strategic Procurement Planning, in particular the newly introduced Market Scoping process and Procurement Strategy/Tools, is integrated in the NGPA's standard PPMP forms. The procurement offices and the Bids and Awards Committee (BAC) of Jose Rizal Memorial State University (JRMSU) are now in need of urgent capacity building, realignment of internal processes, and compliance with updated documentation and timelines. Preliminary observations at JRMSU suggest challenges in bid processing, adjustment to new procurement forms, and limited staff training during the transition to RA 12009. Similar concerns have also been informally observed among other SUCs adapting to the requirements of the New Government Procurement Act. However, this study primarily focuses on transition readiness and compliance perceptions of procurement personnel, rather than on the ultimate outcomes or effectiveness of the procurement process. The transition to the New Government Procurement Act (RA 12009) has been challenging for many State Universities and Colleges (SUCs), as institutions continue to adjust their procurement systems, processes, and compliance practices to align with the

new law. This study is limited to data obtained from JRMSU procurement individuals only, through self-reported survey responses, which may be subject to archival method and reports and records available as of 2025. It is concerned with compliance and challenges under RA 12009, not with financial efficiency and, the goal is to generate recommendations for the improvement of policy and practice.

Thus, this study aims to evaluate the practices and challenges in public procurement under RA 12009 at JRMSU. Specifically, the transitional adjustments and compliance issues encountered in the initial period of the implementation of NGPA. The results will help identify institutional, technical and procedural gaps in the procurement operations of SUCs under the new law.

Theoretical and Conceptual Framework

This study is anchored on Section 3 of the IRR of RA 12009, entitled “Governing Principles on Government Procurement”. The provision stated that Procurements by all branches and instrumentalities of the national government, its departments, bureaus, offices, and agencies, including state universities and colleges (SUCs), government owned or controlled corporations (GOCCs), government financial institutions (GFIs), and local government units (LGUs), shall, in all cases, be governed by these principles of transparency, competitiveness, efficiency, proportionality, accountability, participatory procurement through public monitoring of the procurement process and the implementation of contracts to guarantee that every step is in accordance with the provisions of the RA 12009 and its IRR, and to ensure prudent and judicious use of government resources; Sustainability in the procurement process and professionalism in procurement.

The variables of the study as reflected in the schema of the study were extracted from Republic Act 12009 and its Implementing Rules and Regulation (IRR), namely: 1) Strategic Procurement Planning; 2) Procurement by Electronic Means and the Philippine Government Electronic Procurement System (PhilGEPS); 3) Determination of the Modes of Procurement and Preparation of Bidding Documents and Invitation to Bid; 4) Post-Qualification and award, Implementation and Termination of the Contract;

Strategic Procurement Planning: Section 7.1 of the IRR of RA 12009 stated that All procurement shall be undertaken with proper and sufficient planning and preparation to ensure sound procurement decisions, taking into consideration, among others, the need of the Procuring Entity, relevance, and appropriateness of the project, value for money, and associated risks of the project. This includes the conduct of supply positioning, analysis of available modes of procurement, risk management, and disposal procedures as may be applicable. Khan (2018) stated that strategic procurement planning begins at the early stage of budget preparation and continues to be refined in terms of priorities, reasonableness of the estimated needs and their costs, and availability of funds. Furthermore, Apiyo and Mburu (2014), explains that procurement planning aims to provide answers to the following questions: what you want to buy, when and where to buy it, when resources are available, the methods to be used, the impact that a timely purchase or failure will have on the user of the item or items, the entity that is procuring and disposing of the item, the efficiency of the procurement process, and the people who are involved in the procurement. According to Msigwa (2017), asserted that in order to accomplish the overall goals of established procurement policies, procurement planning is a proactive and staged method to managing an entity's procurement process. In order to determine which assets are outdated and ought to be disposed of, the procedure also entails examining them annually. He further explained that procurement planning requires special attention and priority for local government authorities and a public in large because it stands as a stepping stone of effective control and a mechanism to manage the utilization of financial resources.

Procurement by Electronic Means and the Philippine Government Electronic Procurement System (PhilGEPS): Section 20.1 of the IRR of RA 12009, provided that to promote greater transparency, accountability, operational efficiency, and value for money, the PhilGEPS shall be the single electronic procurement portal that shall serve as the primary source of information and channel in the conduct of all procurement activities of the government. The PhilGEPS shall maintain an integrated system that covers procurement planning until payment. The PhilGEPS shall be managed by the PS-DBM. Setyadiharja et al (2014) concluded that creating an e-procurement implementation effectively followed by a strong political will to support the implementation of e-procurement systems is then able to reduce corruption and improve the quality in the procurement of goods and services.

Determination of the Modes of Procurement and Preparation of Bidding Documents and Invitation to Bid: Section 26.1 of the IRR of RA 12009 provides that The Procuring Entity shall adopt any of the following modes of procurement consistent with the Fit-for-Purpose procurement approach:

- a) Competitive Bidding;
- b) Limited Source Bidding;
- c) Competitive Dialogue;
- d) Unsolicited Offer with Bid Matching;
- e) Direct Contracting;
- f) Direct Acquisition;
- g) Repeat Order;
- h) Small Value Procurement;
- i) Negotiated Procurement;
- j) Direct Sales; and
- k) Direct Procurement for Science, Technology and Innovation.

Meanwhile, Section 47.1 of the IRR of RA 12009, provided that The Bidding Documents shall be prepared by the Procuring Entity following the standard forms and manuals prescribed by the GPPB. Following is the conduct of the pre-procurement conference in accordance to Rule VII, Section 49.1, which shall be attended by the BAC, TWG, the Secretariat, the End-User or Implementing Unit, including consultants hired by the Procuring Entity who prepared the draft Bidding Documents. In accordance with Section 50.1 of the IRR, of RA 12009, the In line with the principles of transparency and competitiveness and to ensure the widest possible dissemination thereof, all invitations to bid shall be published continuously by the Procuring Entity. Then, a pre-bid conference be shall held at least twelve (12) calendar days before the deadline for the submission and receipt of bids, but not earlier than seven (7) calendar days from the PhilGEPS posting of the Invitation to Bid or Bidding Documents and in the case of Consulting Services, from the determination of the shortlisted consultants as provided by Section 51.2 of the IRR of RA 12009.

Post-Qualification and Award, Implementation and Termination of the Contract: Rule X, Section 63.1, of the IRR of RA 12009, stated that the bidder with the LCB, MAB, or the MEAB, in the case of Goods and Infrastructure Projects, or the HRB, in the case of Consulting Services, shall undergo post-qualification to determine whether the bidder concerned complies with and is responsive to all the requirements and conditions as specified in the Bidding Documents. Section 63.3 provide that during post-qualification, the BAC shall verify and validate the veracity, authenticity, and validity of all the eligibility documents supporting the PhilGEPS Certificate of Registration (Platinum Membership), and all the other statements made, and documents submitted by the bidder with the Lowest Calculated and Responsive Bid (LCRB), Most Economically Advantageous and Responsive Bid (MEARB), Most Advantageous and Responsive Bid (MARB), Highest Rated and Responsive Bid (HRRB), Single Calculated and Responsive Bid (SCRB), Single Economically Advantageous and Responsive Bid (SEARB), Single Advantageous and Responsive Bid (SARB), and Single Rated and Responsive Bid (SRRB), using non-discretionary criteria, as stated in the Bidding Documents. Magtalas et al., (2019) corroborated that after the opening of bids, the supplier with the lowest bid offer will be subjected to a Post-Qualification Evaluation. In this stage, the Technical Working Group will verify the authenticity and validity of their eligibility documents and confirm their performance in the delivery of their previous contracts through their former clients or customers. If they pass the post-qualification stage, they will move on to the awarding stage. Then, Section 66.1 provided that The BAC shall recommend to the HoPE the award of contract to the bidder

with Lowest Calculated and Responsive Bid (LCRB), Most Economically Advantageous and Responsive Bid (MEARB), Most Advantageous and Responsive Bid (MARB), Highest Rated and Responsive Bid (HRRB), Single Calculated and Responsive Bid (SCRB), Single Economically Advantageous and Responsive Bid (SEARB), Single Advantageous and Responsive Bid (SARB), and Single Rated and Responsive Bid (SRRB) after the post-qualification process has been completed. Moreover, Section 66.3 stated that in case of approval, the HoPE or its duly authorized representative shall immediately issue the Notice of Award to the bidder with the Lowest Calculated and Responsive Bid (LCRB), Most Economically Advantageous and Responsive Bid (MEARB), Most Advantageous and Responsive Bid (MARB), Highest Rated and Responsive Bid (HRRB), Single Calculated and Responsive Bid (SCRB), Single Economically Advantageous and Responsive Bid (SEARB), Single Advantageous and Responsive Bid (SARB), and Single Rated and Responsive Bid (SRRB), as the case may be.

In the event that the approving authority shall disapprove the resolution on the award of the contract, such disapproval shall be based only on valid, reasonable, and justifiable grounds as enumerated under Section 70 to be expressed in writing. A copy of the decision disapproving the resolution shall be furnished to the BAC and the bidder.

Figure 1 illustrates the overall structure of the study, which employs a quantitative descriptive survey research design involving the Jose Rizal Memorial State University (JRMSU) Bids and Awards Committee (BAC) members, Technical Working Group (TWG), Bidders, and Observers. Anchored on the New Government Procurement Act (Republic Act No. 12009), this framework serves as the foundation for assessing the challenges and level of compliance in the procurement practices of the within JRMSU.

The study examines two main components: the perceived level of practices and the challenges encountered in the BAC processes. The first component focuses on four major areas of compliance—Strategic Planning, PhilGEPS posting, bidding process, and contract implementation. These encompass activities such as identifying procurement needs, aligning procurement plans with institutional goals and resources, ensuring proper publication through PhilGEPS, conducting transparent bidding, and managing contract execution. Common challenges in these areas may include limited planning capacities, delays in procurement activities, insufficient coordination among stakeholders, or inadequate monitoring mechanisms.

The second component, challenges encountered, is based on reports submitted to the Government Procurement Policy Board (GPPB) in 2025. These challenges may reflect systemic, procedural, or technical issues that affect compliance and performance under RA 12009. Interpretations are drawn from both primary data (survey responses from procurement stakeholders) and secondary data (GPPB reports and institutional records). Based on these analyses, the study formulates policy and practice enhancement recommendations to improve procurement efficiency, transparency, and accountability within JRMSU.

The scope of the study is confined to data gathered from JRMSU procurement stakeholders and reports available as of 2025. It focuses on compliance and challenges under RA 12009 without examining financial efficiency.

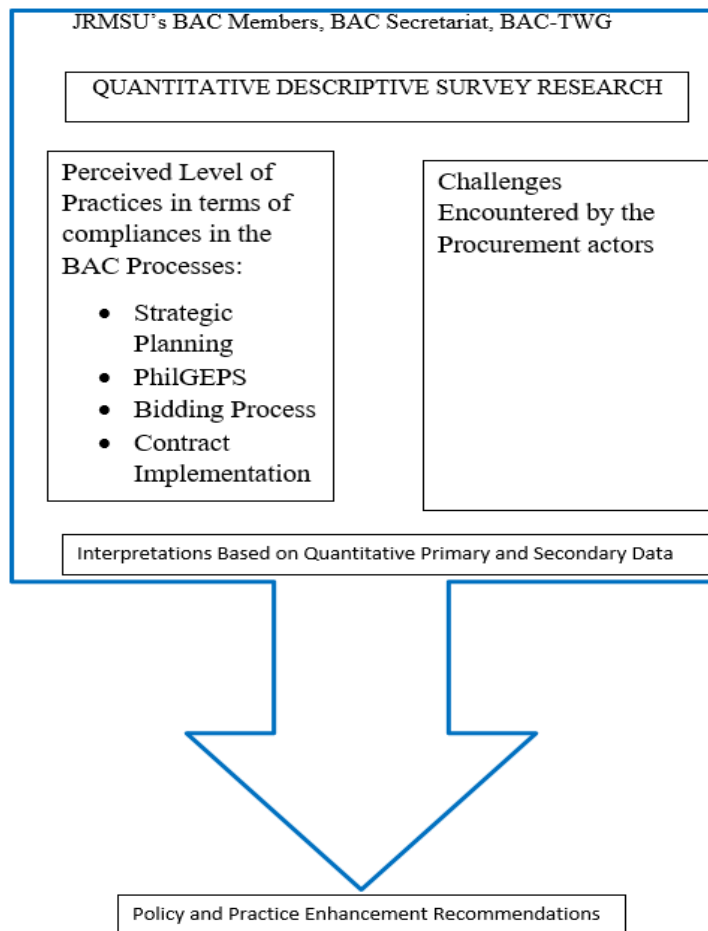


Figure 1. Schema of the Study

Objectives of the Study

The study aims to determine Challenges and Practices in the Implementation of RA 12009 within JRMSU for the year 2025-2026. Specifically, this study attempts to answer the following questions:

1. What is the demographic profile of the respondents in the study in terms of?
 - 1.1 Functions on Procurement Process;
 - 1.2 Number of Terms of Service as BAC, BAC Secretariat and BAC-TWG;
 - 1.3 Position/Designation in the University;
 - 1.4 Attendance to Seminars/Training on RA 12009 (New Government Procurement Act)
2. How often are the Practices in Public Procurement under RA 12009 observed/manifested by the respondents within JRMSU in terms of?
 - 2.1 Strategic Procurement Planning;
 - 2.2 Procurement by Electronic Means;
 - 2.3 Determination of the Modes of Procurement and Preparation of the Bidding Documents and Invitation to Bid and;

2.4 Post-qualification and Award, Implementation and Termination of the Contract

3. How do the respondents assess the Challenges in Public Procurement under RA 12009 within JRMSU?
4. Is there any significant difference between the Practices in Public Procurement under RA 12009 among JRMSU System when analyzed according to demographic profile?
5. Is there any significant difference between Challenges in Public Procurement under RA 12009 within JRMSU when analyzed according to demographic profile?
6. Based on the findings, what policy and practice enhancement recommendations can be proposed to strengthen the procurement processes within JRMSU?

METHODOLOGY

This study utilized a quantitative descriptive survey design to evaluate the practice and challenges in the implementation of Republic Act 12009 of among Jose Rizal Memorial State University System. To achieve the objectives of the study, the researchers administered a modified and adapted questionnaire. The validity and reliability of the research tool was tested through pilot testing, content validity and construct validity. A pilot test was performed on a sample of 15 respondents who were not part of the final study. Data from the pilot test was used to measure reliability by Cronbach's Alpha. A Cronbach's alpha score ≥ 0.70 was considered to have acceptable internal consistency. The instrument was prepared for data collection after undergoing validation procedures, reliability testing of the questionnaires, and securing ethical clearance approval from the University Ethics Committee. Data gathering will follow a clear ethical sequence. First, the researcher obtained ethical clearance, followed by a formal letter of support from the Dean of the Graduate School of Business Administration to initiate the study. Subsequently, permission was secured from the management of the Jose Rizal Memorial State University (JRMSU) System and concerned offices. The researcher distributed the questionnaires to the target respondents, composed of procurement personnel, either through secured electronic platforms or printed copies, depending on accessibility. Anonymity and voluntary participation were strictly ensured, and responses was treated with full confidentiality and used solely for academic purposes.

After data collection, the responses were organized and encoded, then referred to a statistician for appropriate statistical analysis. The results were interpreted in relation to the study's specific problems and objectives.

RESULTS AND DISCUSSIONS

Table 1 Profile of the Respondents as to Functions on Procurement Process

Particular	Frequency	Percent
BAC Chair	5	7.6
BAC Member	15	22.7
BAC Secretariat Member	17	25.8
BAC TWG	20	30.3
BAC Vice-Chair	3	4.5
Provisional BAC member	6	9.1
Total	66	100.0

Table 1 shows the profile of the respondents in terms of functions on procurement process. It shows the distribution of the respondents in terms of their roles in the Bids and Awards Committee (BAC). The largest group of 66 respondents is from the BAC Technical Working Group (TWG) with 20 respondents representing 30.3%. The next group is BAC Secretariat Members with 17 respondents (25.8%) and BAC Members with 15

respondents (22.7%). Meanwhile, Provisional BAC Members are represented by 6 respondents (9.1%) and BAC Chairs are represented by 5 respondents (7.6%). The group with the least representation is the BAC Vice-Chair with only 3 respondents or 4.5% of the total. Those answered NOT APPLICABLE, mostly from end-users as they didn't know as to provisions of the IRR that as end-users, they are automatically the Provisional BAC Members with respect to their requests. In the study of Malihan (2023) the results showed that, with regard to qualification processes, competitive bidding, and negotiation procedures, the Bids and Awards Committee Office demonstrated well monitored procurement practices. Future implementation of the action plan is anticipated to maximise the performance of the BAC Office in order to continually enhance the procurement procedure.

Table 2 Profile of the Respondents in terms of No. of Terms of Service as BAC Member, BAC Secretariat, and BAC TWG

No. Years	Frequency	Percent
1-YEAR TERM	12	18.2
MORE THAN 1 YEAR BUT LESS THAN 3 CONSECUTIVE YEARS	41	62.1
MORE THAN 3 CONSECUTIVE YEARS	5	7.6
NOT APPLICABLE	8	12.1
Total	66	100.0

Table 2 shows the profile of the respondents in terms of years of service as BAC Member, BAC Secretariat and BAC TWG. Of the total 66 respondents, the largest group is the more than 1 year but less than 3 consecutive years category with 41 respondents or 62.1%. Then, the next is those with 1-year term with 12 respondents or 18.2%. Meanwhile, 8 respondents or 12.1% indicated not applicable and only 5 respondents or 7.6% served for more than 3 consecutive years.

Section 41.2.6 of RA 12009 states that “Unless sooner removed for a cause, the members of the BAC shall have a fixed term of one (1) year reckoned from the date of designation renewable at the discretion of the HoPE; Provided, That no member of the BAC shall serve for more than three (3) consecutive terms, except when allowed by the HoPE. Upon expiration of the terms of the current members, they shall continue to exercise their functions until new BAC members are designated”.

Table 3 Profile of the Respondents in terms of Position\Designation in the University

Position	Frequency	Percent
Administrative Aide	5	7.6
Administrative Assistant	5	7.6
Administrative Officer	19	28.8
Chief Administrative Officer	1	1.5
DSAS	1	1.5
Director for Librarians	1	1.5
Faculty	28	42.4
Registrar	1	1.5
Supervising Administrative Officer	1	1.5
Vice President	1	1.5

cos	2	3.0
designation	1	1.5
Total	66	100.0

Table 3 shows the profile of the respondents according to their position/designation in the university. The largest group among the total of 66 respondents are the faculty members with 28 or 42.4% respondents. This is followed by Administrative Officers with 19 respondents or 28.8 percent. Other positions, such as Administrative Aide and Administrative Assistant, each have 5 respondents (7.6%).

The remaining positions, including Chief Administrative Officer, DSAS, Director for Librarians, Registrar, Supervising Administrative Officer, Vice President, and others, have minimal representation ranging from 1 to 2 respondents.

The distribution shows that most of the respondents are from the academic sector, which implies strong faculty involvement in procurement processes or research activities. Meanwhile, the low representation from higher level administration and specialised positions may suggest fewer perspectives from top management and specific functional units which may influence the comprehensiveness of insights gathered in the study.

This tendency is consistent with higher education governance literature indicating professors are often more active participants in committee work and decision-making forums than senior administrators or specialised technical units (TIAA Institute, 2009; UNESCO, 1994).

Table 4 Profile of the Respondents in terms of Attendance to Seminars/Training on RA 12009 (New Government Procurement Act)

Attendance to Seminars/Trainings	Frequency	Percent
0	14	21.2
1	26	39.4
2	17	25.8
3	5	7.6
4 or more	4	6.1
Total	66	100.0

Table 4 shows the profile of respondents with regards to attendance to seminars/trainings on RA 12009 (New Government Procurement Act) Table 9 presents the profile of respondents with regards to attendance to seminars/trainings on RA 12009 (New Government Procurement Act). Of the 66 respondents, the biggest group attended one (1) seminar/training with 26 respondents or 39.4%.

Next, those who were able to attend two (2) seminars/trainings have 17 respondents or 25.8%. On the other hand, 14 respondents or 21.2% had no attendance, 5 respondents or 7.6% attended three (3) seminars or trainings and only 4 respondents or 6.1% attended four or more seminars or trainings.

The APCPI results on the number of trainings show that some respondents, particularly end users, reported zero attendance in RA 12009 or procurement-related trainings. This indicates that not all personnel involved in procurement have undergone formal capacity-building on the updated procurement law. However, 2025 APCPI were postponed according to GPPB Public Advisory 04-2026. Thus, secondary data for this is not available right now (See attached appendix).

Table 5 Mean Results of the Level of Practices in Public Procurement under RA 12009 of the respondents within JRMSU in terms of Strategic Procurement Planning

Statements	Mean	Std. Deviation	Interpretation
1. All procurements have undergone proper and sufficient planning and preparation to ensure sound procurement decisions in accordance Section 7.1 of the IRR of RA12009	4.485	0.662	Always Practiced
2. JRMSU as Procuring Entity implements a procurement strategy that includes Fit-for-Purpose and Proportional approaches, such that the conditions and parameters in the development of requirements, choice of procurement mode, and implementation of contracts is reasonably proportional to the needs of the Procuring Entity and the nature of the project to be procured. (Section 7.1)	4.561	0.558	Always Practiced
3. During the planning stage, the Procuring Entity takes into account the following strategic considerations, among others, as may be applicable in accordance with Section 7.3 of the IRR of RA 12009, such as: a) Life cycle Assessment and Life cycle Cost Analysis; b) Subcontracting; c) Multi-year Contracting; d) Early Procurement Activities (EPA); e) Design and Build Scheme for Infrastructure Projects; f) Engagement of a Procurement Agent; g) Use of Framework Agreement; h) Pooled Procurement; i) Renewal of Regular and Recurring Services; or j) Warehousing and Inventory Activities.	4.439	0.726	Always Practiced
4. In accordance with Section 7.4 of the IRR of RA 12009, Procuring Entity ensures that the project has minimal economic, social, and environmental risks or negative impacts throughout its life cycle, consistent with Sections 13 (Life cycle Assessment and Life cycle Cost Analysis), 72 (Sustainable Public Procurement), 73 (Green Public Procurement Strategy), and 75 (Inclusive Procurement Program) of the IRR of RA 12009.	4.470	0.684	Always Practiced
5. All procurement activities in our institution are conducted within the approved budget of the Procuring Entity in accordance with Section 7.7 of the IRR of RA12009	4.773	0.422	Always Practiced
6. The End-User or Implementing Units of the Procuring Entity prepare their respective Project Procurement Management Plans (PPMPs) covering their programs, activities, and projects (PAPs). (Section 7.7.1)	4.803	0.401	Always Practiced
7. The Indicative PPMPs are submitted to the relevant offices of the JRMSU as Procuring Entity for evaluation of their merit for inclusion in the budget proposal. (Section 7.7.2)	4.712	0.489	Always Practiced

8. The Indicative PPMPs approved for inclusion in the budget proposal is forwarded to the BAC Secretariat for consolidation into an Indicative APP in accordance with Section 7.7.2	4.833	0.376	Always Practiced
9. In case of additional PPMPs or changes to the PPMPs will be undertaken, the End-User or Implementing Units of the Procuring Entity is responsible for the preparation of the new or revised PPMPs, while the BAC Secretariat incorporates the approved PPMPs into the APP, to be recommended by the BAC for approval of the HoPE in accordance with section 7.9	4.712	0.602	Always Practiced
10. The Procuring Entity, through the End-User or Implementing Unit, conducted market scoping as a preliminary undertaking in preparing its PPMP, which covers the proper cost estimation, project design and specifications, technical and selection criteria, delivery lead time, storage or warehousing requirements, related industry practices, and other relevant market information. in accordance with Section 10 of the IRR of RA 12009	4.591	0.632	Always Practiced
Grand Mean	4.637	0.555	Always Practiced

Table 5 shows the level of practices in public procurement under RA 12009 under JRMSU as Strategic Procurement Planning, and it also shows the respondents' assessment on procurement planning practices in compliance with the IRR of RA 12009. In general, all indicators are viewed as "Always Practiced" with a grand mean of 4.637 and a standard deviation of 0.555. This indicates that all items are implemented at a consistently high level.

Muturo et al (2018) cited Van Wheel (2005) study and argued that procurement planning is the process of determining the procurement needs and when they should be procured and funded so that the entire operations are met as required efficiently, and it produces energy that fuels the engine of the procurement process.

Table 6 Mean Results of the level of Practices in Public Procurement under RA 12009 of respondents within JRMSU in terms of Procurement by Electronic Means

Statements	Mean	Std. Deviation	Interpretation
1. The Procuring institution is duly registered with the PhilGEPS in accordance with Section 20.1.1	4.955	0.210	Always Practiced
2. JRMSU as Procuring Entity posts all procurement opportunities, bidding results, and related information on the PhilGEPS bulletin board. in accordance with Section 20.2.1.b	4.894	0.356	Always Practiced
3. JRMSU as Procuring Entity posts in the PhilGEPS bulletin board, which serves as a centralized electronic database of procurement stakeholders. in accordance with Section 20.2.9.a	4.879	0.448	Always Practiced
4. The stakeholders possess a digital certificate issued by a government-accredited certification authority to participate in procurement activities through PhilGEPS in accordance with Section 20.2.9	4.530	0.613	Always Practiced
Grand Mean	4.814	0.406	Always Practiced

Table 6 shows the level of practice in public procurement under RA 12009 of respondents within JRMSU in terms of Procurement by Electronic Means. It indicates how respondents feel about the procurement practices using the PhilGEPS as per Section 20 of the IRR of RA 12009. The mean of all indicators is 4.814 with a standard

deviation of 0.406, indicating that all indicators are perceived as "Always Practiced". This implies that users are highly conforming and behave consistently in the use of electronic procurement systems.

The results indicated that the institution is very good in compliance with the rules of electronic procurement particularly in registration and posting. But more needs to be done to ensure that all stakeholders abide by the rules on digital certification so that everyone can enjoy full participation and compliance with the rules of RA 12009. Electronic procurement methods have become popular in the past few years since they help in streamlining the process, reduce paperwork and increase accountability (Bhairi, 2020). Frequent use of electronic means for procurement would enable local government units to enhance the speed and accuracy of their procurement processes, and minimise the risk of corruption or favouritism in the awarding of contracts. The emphasis on transparency and efficiency in government procurement is crucial to ensure that public resources are being used effectively and ethically.

Table 7 Mean Results of the level of Practices in Public Procurement under RA 12009 of respondents within JRMSU in terms of Determination of the Modes of Procurement and Preparation of Bidding Documents and Invitation to Bid.

Statement	Mean	Std. Deviation	Interpretation
1. The Procuring Entity adopts any of the following modes of procurement consistent with the Fit-for-Purpose procurement approach in accordance with Rule IV - Section 26.1 of the IRR of RA 12009	4.667	0.564	Always Practiced
2. The Bidding Documents are prepared by the Procuring Entity following the standard forms and manuals prescribed by the GPPB. in accordance with Rule VI – Section 47.1	4.803	0.401	Always Practiced
3. Prior to the publication of the Invitation to Bid or Request for Expression of Interest, the BAC holds a pre-procurement conference for each procurement, as provided under Section 49.1 of the IRR of RA 12009 in accordance with Rule VII - Section 49.1 of RA 12009	4.924	0.267	Always Practiced
4. For Competitive bidding, Competitive Dialogue, and Unsolicited Offer with Bid Matching, the Invitation to Bid or Request for Expression of Interest is posted at any conspicuous place reserved for this purpose in the premises of the Procuring Entity concerned for seven (7) calendar days as certified by the head of the BAC Secretariat of the Procuring Entity concerned in accordance with Rule VII - Section 50.3.1a of the IRR of RA 12009	4.909	0.290	Always Practiced
5. For Competitive bidding, Competitive Dialogue, and Unsolicited Offer with Bid Matching, the Invitation to Bid or Request for Expression of Interest is posted continuously in the PhilGEPS website, the website of the Procuring Entity concerned, for seven (7) calendar days starting on the date of advertisement. (Rule VII - Section 50.3.1b)	4.894	0.310	Always Practiced
6. For the following modes, a) Limited Source Bidding under Section 28 of the IRR of RA 12009; b) Two Failed Biddings under Section 35.1 of the IRR of RA 12009; c) Small Value Procurement (For ABC above Two Hundred Thousand Pesos (₱200,000.00)) under Section 35.9 of the IRR of RA 12009; and	4.818	0.389	Always Practiced

d) NGO Participation under Section 35.11 of the IRR of RA 12009. the BAC, through its Secretariat, post the invitation or request for submission of price quotations/proposals in the PhilGEPS website, the website of the Procuring Entity concerned, and at any conspicuous place reserved for this purpose in the premises of the Procuring Entity for a period of at least three (3) calendar days. (Rule VII – Section 50.3.2)			
7. The pre-bid conference is conducted at least twelve (12) calendar days before the deadline for the submission and receipt of bids, but not earlier than seven (7) calendar days from the PhilGEPS posting of the Invitation to Bid or Bidding Documents and in the case of Consulting Services, from the determination of the shortlisted consultants. (Rule VII – Section 51)	4.909	0.290	Always Practiced
Grand Mean	4.846	0.358	Always Practiced

Table 7 shows the level of practice of respondents within JRMSU in public procurement under RA 12009 in terms of Determination of the Modes of Procurement and Preparation of Bidding Documents and Invitation to Bid. It reveals the respondents' assessment on procurement processes in terms of the preparation of bidding documents, posting of requirements, and conduct of procurement activities in relation to the IRR of RA 12009. All the indicators are rated as "Always Practiced" with a grand mean of 4.846 and a standard deviation of 0.358. This implies that there is a very high degree of compliance and consistency in the execution of procurement processes.

The findings, overall, show that the institution is mostly compliant with procurement regulations, particularly in the area of procedural requirements, such as conferences, postings and documentation. However, there is a need to further strengthen the consistency in the application of the most appropriate modes of procurement in line with the Fit-for-Purpose principle to ensure optimal procurement outcomes.

The Government Procurement Policy Board (GPPB) NPM No. 51-2004 states that "brand names shall not be used to indicate quality, source or origin." The policy also emphasises the importance of fair competition and transparency in government procurement process as it prohibits the use of brand names in bidding documents (Government Procurement Policy Board, 2015).

Table 8 shows the respondents' level of practices in public procurement under RA 12009 of respondents within JRMSU. In terms of Post-Qualification and Award, Implementation and Termination of the Contract

Statements	Mean	Std. Deviation	Interpretation
1.The Bidder with the LCB, MAB, or the MEAB, in the case of Goods and Infrastructure Projects, or the HRB, in the case of Consulting Services, undergoes post-qualification to determine whether the bidder concerned complies with and is responsive to all the requirements and conditions as specified in the Bidding Documents. (Rule X - Section 63.1)	4.833	0.376	Always Practiced
2.The post-qualification process is completed in not more than twelve (12) calendar days from the determination of the LCB, MEAB, or MAB. For Consulting Services, the post-qualification process is completed within twelve (12) calendar days after the negotiation with the bidder that submitted the Highest Rated Bid (HRB). (Rule X - Section 63.8)	4.818	0.389	Always Practiced

3.The Bids and Awards Committee (BAC) declares failure of bidding in accordance with Section 64.1 of the IRR of RA 12009.	4.864	0.346	Always Practiced
4.The Single Calculated Responsive Bid (SCRB), Single Rated Responsive Bid (SRRB), Single Economically Advantageous Responsive Bid (SEARB), or Single Advantageous Responsive Bid (SARB) is considered for award when it meets the circumstances specified in Section 65 of the IRR of RA 12009.	4.894	0.310	Always Practiced
5.The BAC recommends to the HoPE the award of contract to the bidder with the LCRB, MEARB, MARB, HRRB, SCRБ, SEARB, SARB or SRRB, as the case may be, after the post-qualification process has been completed. (Rule XI – Section 66.1)	4.879	0.329	Always Practiced
6.The BAC notifies all other bidders, within three (3) calendar days from the issuance of the resolution recommending award of contract in writing, of its recommendation. In accordance with Rule XI – Section 66.1 of the IRR of RA12009.	4.848	0.402	Always Practiced
Grand Mean	4.856	0.358	Always Practiced

Table 8 shows the respondents’ level of practices in public procurement under RA 12009 of respondents within JRMSU. In terms of Post-Qualification and Award, Implementation and Termination of the Contract it shows the respondents’ assessment of procurement practices in terms of post-qualification, evaluation and award of contracts in accordance with the IRR of RA 12009. All indicators are interpreted as “Always Practiced” with a grand mean of 4.856 and a standard deviation of 0.358, indicating a very high level of compliance and consistency in these critical stages of the procurement process.

The results revealed that the procurement practices were interpreted as “Always Practiced” based on the obtained grand mean. Furthermore, the low standard deviation values indicate that the responses of the participants were closely concentrated around the mean, signifying consistency and minimal variation in their perceptions. This implies that the respondents generally shared similar views regarding the implementation of procurement practices in the university, thereby reinforcing the reliability and stability of the findings. The combination of a high grand mean and low standard deviation suggests that the practices are not only frequently implemented but are also consistently observed across the different respondents involved in the procurement process.

Table 9 Mean Results of the Challenges encountered in the implementation on New Government Procurement Act

Statements	Mean	Std. Deviation	Interpretation
1.Poor planning of the BAC office due to the late submission of PPMP by the end user.	3.909	0.907	Much Challenging
2.Poor planning due to Realignment, late submissions of PR’s and poor crafted technical specifications.	4.076	0.847	Much Challenging
3.Limited number of bidders joining the bidding due to highly technical specifications requirements, difficulty in securing Mayor’s Permit and SEC Registration.	4.045	0.983	Much Challenging
4.Due to the limited and lack of skilled manpower, inadequate manpower and low salary of highly technical staffs.	3.773	0.957	Much Challenging
5.Leadership issues due to the transition of change of administration, very strict implementation rules and delegation of authority.	3.500	1.041	Much Challenging

6.Leadership issues due to the unforeseen projects of the HOPE (Head of procurement entity).	3.394	1.065	Challenging
7.Threat of administrative charges and different interpretation of the rules by COA and the guidelines of Agency to Agency are not clear.	3.667	1.043	Much Challenging
8.Delays of issuance of Notice of Award.	3.500	1.193	Much Challenging
9.Delay of process due to Multi-level	3.742	1.071	Much Challenging
10.Approval/Signatories.	3.833	0.986	Much Challenging
11.The guidelines of the Agency to Agency are not clear.	3.561	1.010	Much Challenging
Grand Mean	3.727	1.009	Much Challenging

Table 9 revealed the Level of challenges faced by the Bids and Awards Committee (BAC), BAC Secretariat and BAC Technical Working Group (TWG) in the implementation of Republic Act No. 12009. The overall rating showed a grand mean of 3.727 with a standard deviation of 1.009 which was interpreted as “Much Challenging”. This implies that the respondents generally face moderate to high levels of difficulties at different levels of procurement process. This reflects operational and systemic limitations in the implementation of procurement. Gannaban, ma. Victoria c., DPA, Narag, Edlyn R., Ph.D. and Zambale, Anthony Ceasar F., CPA (2025), said that officials and implementers have observed that even with explicit legislation, there are still problems with the correct application of procurement laws.

In general, the results show that the problems in procurement are mainly due to inefficiencies in planning, delay in documentation, bottlenecks in procedures and administrative and coordination problems. These findings underscore the need for better planning discipline, clearer guidelines and better coordination among units to minimize delays and improve the efficiency of the procurement process under RA 12009.

Table 10 Significant difference between the Practices in Public Procurement under RA 12009 in terms of Strategic Procurement Planning among JRMSU System when analyzed according to Demographic Profile

Factor	H-value	df	p	Interpretation
1.1 Functions on Procurement Process	5.659	5	.341	NOT SIGNIFICANT
1.2 Number of Terms of Service as BAC, BAC Secretariat and BAC-TWG	2.223	3	.528	NOT SIGNIFICANT
1.3 Position/Designation in the University;	9.970	3	.019	SIGNIFICANT
Factor	U-value	df	p	Interpretation
1.4 Attendance to Seminars/Training on RA 12009 (New Government Procurement Act)	409.0		.153	NOT SIGNIFICANT

Table 10 presents the test of significant differences on the practices on public procurement under RA 12009 New Government Procurement Act, particularly on strategic procurement planning when respondents are grouped according to their demographic profile. The results indicate that the p-values computed for Functions on Procurement Process ($H = 5.659$, $df = 5$, $p = .341$) and Number of Terms of Service as BAC, BAC Secretariat and BAC-TWG ($H = 2.223$, $df = 3$, $p = .528$) are greater than the 0.05 level of significance. This means that there were no statistically significant differences in the assessments made by the respondents. Thus, regardless of the respondents’ procurement roles or years of service, they have similar practices in strategic procurement planning.

Overall, the results suggest that the position/designation is an important factor affecting strategic procurement planning practices, while the functions, years of service and training attendance do not lead to significant variations among the respondents.

Table 11 Significant difference between the Practices in Public Procurement under RA 12009 in terms of Procurement by Electronic Means among JRMSU System when analyzed according to Demographic Profile

Factor	H-value	df	p	Interpretation
1.1 Functions on Procurement Process	2.468	5	.781	NOT SIGNIFICANT
1.2 Number of Terms of Service as BAC, BAC Secretariat and BAC-TWG	1.452	3	.694	NOT SIGNIFICANT
1.3 Position/Designation in the University;	8.787	3	.032	SIGNIFICANT
Factor	U-value	df	p	
1.4 Attendance to Seminars/Training on RA 12009 (New Government Procurement Act)	397.5		.174	NOT SIGNIFICANT

Table 11 presents the test of significant differences in the practices in public procurement under RA 12009 New Government Procurement Act, specifically in terms of procurement by electronic means, when respondents are grouped according to their demographic profile.

Overall, the findings indicate that position/designation plays a significant role in shaping practices in procurement by electronic means, while functions, length of service, and training attendance do not significantly affect these practices among respondents in the JRMSU System. In his study, “Bridging procurement gaps in higher education: Addressing challenges, policy reforms, and digital transformation” Manuel, M. B. (2025) says that the findings show an urgent need for structured training, updated policies, and the use of digital tools to improve processes and comply with the procurement law. The study recommends a phased approach to digital procurement with automation, skill development and policy enhancement. These recommendations are directed towards improving knowledge in the area of procurement, financial planning and procurement systems of public universities, to enable sustainable management of resources.

Table 12 Significant difference between the Practices in Public Procurement under RA 12009 in terms of Determination of the Modes of Procurement and Preparation of Bidding Documents and Invitation to Bid among JRMSU System when analyzed according to Demographic Profile

Factor	H-value	df	p	Interpretation
1.1 Functions on Procurement Process	2.500	5	.777	NOT SIGNIFICANT
1.2 Number of Terms of Service as BAC, BAC Secretariat and BAC-TWG	0.271	3	.965	NOT SIGNIFICANT
1.3 Position/Designation in the University;	12.52	3	.006	SIGNIFICANT
Factor	U-value	df	p	
1.4 Attendance to Seminars/Training on RA 12009 (New Government Procurement Act)	168.00		.003	SIGNIFICANT

Table 12 shows the test of significant differences in the practices in public procurement under RA 12009 New Government Procurement Act, particularly in terms of determination of the modes of procurement and

preparation of bidding documents and invitation to bid when the respondents are grouped according to their demographic profile. Overall findings show that position/designation and training attendance are significant factors affecting the procurement practices while functions and years of service are not significant factors affecting the differences among the respondents in JRMSU System.

Table 13 Significant difference between the Practices in Public Procurement under RA 12009 in terms of Post-Qualification and Award, Implementation and Termination of the Contract among JRMSU System when analyzed according to Demographic Profile

Factor	H-value	df	p	Interpretation
1.1 Functions on Procurement Process	2.032	5	.845	NOT SIGNIFICANT
1.2 Number of Terms of Service as BAC, BAC Secretariat and BAC-TWG	3.311	3	.346	NOT SIGNIFICANT
1.3 Position/Designation in the University;	9.935	3	.019	SIGNIFICANT
Factor	U-value	df	p	
1.4 Attendance to Seminars/Training on RA 12009 (New Government Procurement Act)	240.00		.050	SIGNIFICANT

Table 13 shows the test of significant differences in the practices in public procurement under RA 12009 New Government Procurement Act particularly on post-qualification and award and implementation and termination of the contract when respondents are grouped according to their demographic profile.

Overall, the results showed that the position/designation of the respondents and their attendance to training seminars on RA-12009 are significant factors affecting procurement practices in the JRMSU System while the functions in the procurement process and length of service does not have a significant influence to their practices. This is in agreement with studies that find that procurement training and competence of staff have a significant effect on compliance and quality of procurement practices while years of service and functional roles are often not significantly different in terms of effect on performance (Ameyaw et al., 2012). Additional research points out that position-based authority and access to formalised training are more important drivers for understanding and implementing procurement rules in public-sector institutions than tenure (Querijero et al., 2024; Strbač et al., 2024).

Table 14 Significant difference between the Challenges in Public Procurement under RA 12009 among JRMSU System when analyzed according to Demographic Profile

Factor	H-value	df	p	Interpretation
1.1 Functions on Procurement Process	5.379	5	.371	NOT SIGNIFICANT
1.2 Number of Terms of Service as BAC, BAC Secretariat and BAC-TWG	1.460	3	.692	NOT SIGNIFICANT
1.3 Position/Designation in the University;	5.735	3	.125	NOT SIGNIFICANT
Factor	U-value	df	p	
1.4 Attendance to Seminars/Training on RA 12009 (New Government Procurement Act)	160.0		.006	SIGNIFICANT

Table 14 presents the test of significant differences in the assessment of the respondents grouped according to the selection of profile variables. The computed p-values for Factors 1.1 to 1.3 are greater than the 0.05 level of significance thus there are no statistically significant differences in the respondents' perceptions.

The results of Kruskal-Wallis and Mann-Whitney U tests showed that attendance to seminars or training on RA-12009 significantly affected the respondents' understanding and evaluation of procurement practices but not their role, number of terms of service and position in the university. This is consistent with previous studies which showed that procurement training had a significant positive effect on the perception and implementation of procurement rules by officials, while demographic and positional characteristics are often not significantly different in their impact on perceptions (Ameyaw et al., 2012; Querijero et al., 2024;). Research in the Philippine context also reveals that even if BAC-related training is conducted, only those who actively participate exhibit higher awareness and consistency in applying procurement principles, indicating that exposure to training is a more potent determinant of perception than hierarchy or tenure (Querijero et al., 2024;). International studies of public procurement also show that training, legal clarity, and monitoring have a greater impact on perceptions and performance than rank or years of service, supporting the idea that targeted capacity-building interventions are more significant than demographic or positional factors (Strbač et al., 2024; Ameyaw et al., 2012;).

Jrmsu Main Campus: Proposed Policy Recommendations For Administrative Staff

The proposed recommendations are based on the findings of the study that procurement practices in JRMSU are generally well-implemented, but several gaps affect efficiency and consistency. Late submission, poor technical specifications and planning inefficiencies are problems that suggest the need for stricter policies and better technical capacity. The lower performance in electronic procurement also indicates the need to adopt digital systems to improve transparency and streamline processes.

The differences in procurement practices across different positions suggest a need for standardized roles and competencies and ongoing training. "Developing internal learning systems will help staff understand and better address procurement challenges.

Furthermore, the absence of clear guidance and the differing interpretations of audits highlight the necessity for a localized procurement manual and enhanced coordination with oversight bodies. The limited number of bidders and delays experienced further demonstrate the need to reduce the complexity of procedures and attract a wider pool of suppliers. These recommendations are meant to improve efficiency, compliance and accountability in JRMSU's procurement processes

Table 15 Policy and Practice Enhancement Recommendations to Strengthen the Procurement Processes within JRMSU

Research Finding	Strategic Area	Policy Enhancement (Rules)	Practice Enhancement (Actions)
Planning inefficiencies, late submissions, and weak technical specifications.	Planning & Technical Capacity	Strict Procurement Calendar: Institutionalize a "No PPMP, No Purchase" policy with fixed annual deadlines to eliminate late submissions.	Technical Writing Clinics: The BAC-TWG should conduct workshops for end-users on drafting "Generic but Functional" specifications to reduce failed biddings.
Lowest mean score (4.814) was in Procurement by Electronic Means.	Digital Transformation	Digital-First Mandate: Formally adopt the modern e-procurement features of RA 12009, requiring all bid tracking to be digitized.	Cloud-Based Dashboard: Implement a real-time tracking system where end-users can see the status of their PRs (Purchase Requests) without manual inquiries.
Position/Designation significantly influences	Role Professionalization	Role-Based Competency Profiles: Define specific KPIs and required skill sets for each designation (BAC, TWG,	Inter-Office Immersion: Conduct cross-training where administrative and faculty members shadow the

procurement practices.		Secretariat) to standardize performance.	Secretariat to understand the workflow bottlenecks.
Training attendance is the key factor in how challenges are perceived.	Continuous Education	Mandatory "Echo" Training: Require any staff attending external GPPB seminars to conduct an internal knowledge-sharing session within 15 days.	Procurement Certification Program: Develop an internal "Bronze, Silver, Gold" certification for JRMSU staff to incentivize mastery of the New Government Procurement Act.
Unclear guidelines and varying interpretations by oversight bodies (COA).	Governance & Audit	Localized Procurement Manual: Create a university-specific Operations Manual that harmonizes RA 12009 with specific JRMSU internal controls.	Pre-Audit Consultative Forum: Schedule bi-annual meetings with the Commission on Audit (COA) to align interpretations of new rules before the actual audit starts.
Limited bidder participation and bureaucratic delays.	Market Engagement	Incentivized Competitive Bidding: Policy to simplify requirements for "Small Value Procurement" to encourage more local MSMEs to participate.	Virtual Pre-Bid Conferences: Utilize video conferencing as a standard practice to allow bidders from outside the province to participate, increasing competition.
High level of procurement practices (mean = 4.637, "always practiced")	Internal Audit & Quality Control	Mandatory Post-Procurement Review: Establish a policy requiring the Internal Audit Service (IAS) to conduct a "Post-Award Review" on 10% of completed contracts to ensure adherence to RA 12009.	Digital Post-Qual Verification Checklist: Implementation of a standardized digital "Compliance Filter" for the BAC Secretariat. This tool serves as a final gatekeeping measure to verify the authenticity of bidder documents, technical capacity, and tax clearances, ensuring all "red flags" or inconsistencies are flagged and corrected before reaching oversight bodies like the COA.

CONCLUSIONS

In conclusion, the findings of the study reveal that the implementation of Republic Act No. 12009 within Jose Rizal Memorial State University (JRMSU) is generally effective and compliant with established procurement laws, rules, and procedures. The procurement practices of the university were consistently rated as "always practiced," indicating that procurement personnel are knowledgeable and capable of carrying out their responsibilities in accordance with legal standards. Despite this positive result, the study also identified several challenges that continue to affect the efficiency of procurement operations, particularly in the areas of planning, technical preparation, manpower availability, and procedural delays. Moreover, the results show that organizational roles and designations significantly influence procurement practices, while training attendance affects how procurement challenges are perceived and understood. These findings emphasize the importance of clearly defined responsibilities, effective coordination, and continuous capability-building among procurement

personnel. Overall, the study concludes that while JRMSU has successfully institutionalized the principles of RA 12009, there is still a need to strengthen planning mechanisms, improve technical capacity, streamline internal procedures, and enhance training programs to further promote efficiency, transparency, accountability, and effectiveness in the university's procurement system.

RECOMMENDATION

The study could also be enhanced if qualitative data from focus group discussion or interview with procurement stakeholders on the challenges encountered in the implementation of RA 12009 would be incorporated. Furthermore, for future studies, a study can be extended by comparing the procurement practices of the other State Universities and Colleges (SUCs) for a better understanding of the procurement landscape in the Philippines. The study would also benefit from a more in-depth analysis of the effect of the identified challenges on procurement outcomes, as well as practical recommendations on how to effectively address these challenges. Moreover, a more holistic and meaningful analysis would be to examine the possible long-term effects of the new procurement policy on institutional performance and accountability.

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