

23 FEB 14 P3:10

**SENATE**

S. No. 1877

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Introduced by Senator MANUEL "LITO" M. LAPID

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**AN ACT**  
**ESTABLISHING A GREEN PUBLIC PROCUREMENT PROGRAM FOR ALL**  
**BRANCHES OF GOVERNMENT**

**EXPLANATORY NOTE**

Public procurement refers to the purchase by the governments of goods and services. Governments are expected to carry it out efficiently and ensure not only high quality but also long-term sustainable service delivery. However, large scale procurements, whether public or private, have adverse impacts on the environment that should at least be minimized, if not totally removed or eliminated.

According to the World Economic Forum, public procurement is responsible for a substantial proportion of global greenhouse gas (GHG) emissions. Governments spends approximately \$11 trillion annually, that in turn produces 7.5 billion tons of direct or indirect GHG emissions, which is about 15% of the world's total.

As a party to the United Nations 2030 Agenda for Sustainable Development, the State remains committed to achieving the seventeen (17) Sustainable Development Goals (SDGs) by 2030. Guided by the SDGs and their targets, particularly SDG 12 which sets the Sustainable Consumption and Production Goal that is embodied in the long-term vision of AmBisyon Natin 2040, the State shall implement programs geared towards responsible and sustainable consumption and production with the end view of achieving a fully circular economy.

The government can regulate the market, provide necessary incentives, and guide the market players in order to meet our climate goals. The government can use its purchasing power to choose goods and services with a reduced environmental impact that will minimize GHG emissions and move towards a circular economy while providing financial savings for public authorities.

As the biggest procurer in the country, our government is in the position to take the lead in including sustainability as an indispensable factor in production.

Thus, this bill seeks to implement a Green Public Procurement (GPP) Program to achieve sustainable consumption and production in government procurement which gives preferential treatment to sustainable products and services.

In view of the foregoing, early passage of this bill is earnestly sought.



**MANUEL "LITO" M. LAPID**  
*Senator*

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



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1 **AN ACT**  
2 **ESTABLISHING A GREEN PUBLIC PROCUREMENT PROGRAM FOR ALL**  
3 **BRANCHES OF GOVERNMENT**

*Be it enacted by the Senate and the House of Representatives of the Philippines  
in Congress assembled:*

4 SECTION 1. *Short Title.* – This Act shall be known as the "Green Public  
5 Procurement Act".

6 SECTION 2. *Declaration of Policy.* – The State recognizes that sustainable  
7 development is a necessary policy for nation-building, and that it plays a lead role in  
8 promoting sustainable practices by incorporating environmental, economic and social  
9 factors in government decisions and processes. Further, the State, as a large  
10 consumer bloc in itself, recognizes that every product or service it purchases or avails  
11 of should be evaluated for its sustainability.

12 As party to the United Nations 2030 Agenda for Sustainable Development, the  
13 State remains committed to achieving the seventeen (17) Sustainable Development  
14 Goals (SDGs) by 2030. Guided by the SDGs and their targets, particularly SDG 12  
15 which sets the Sustainable Consumption and Production Goal that is embodied in the  
16 long-term vision of *AmBisyon Natin 2040*, the State shall implement programs geared  
17 towards responsible and sustainable consumption and production with the end view  
18 of achieving a fully circular economy.

19 SECTION 3. *Definition of Terms.* – As used in this Act:

- 1 a. *Green public procurement program* refers to a process whereby public  
2 authorities seek to procure goods and services with reduced environmental  
3 impact throughout their life cycle when compared to goods and services with  
4 the same primary function that would otherwise be procured. It ensures value  
5 for money in terms of source, quantity, quality, price, time and delivery. It  
6 prohibits the use of discriminatory criteria such as brands, labels or other  
7 suppliers' requirements that could distort the open competition.
- 8 b. *Circular economy* refers to a new and inclusive economic paradigm that aims  
9 to minimize pollution and waste, extend product lifecycles, and enable the  
10 broad sharing of physical and natural assets. It is a competitive economy that  
11 creates green and decent jobs and keeps resource use within planetary  
12 boundaries.
- 13 c. *Common-use supplies and equipment* refer to those goods, materials and  
14 equipment that are used in the day-to-day operations of procuring entities in  
15 the performance of their functions.
- 16 d. *Procuring entity* refers to the executive, judicial or legislative branch,  
17 constitutional commission or office, agency, department, bureau, office, or  
18 instrumentality of the government of the Philippines, including government-  
19 owned and controlled corporations (GOCCs), government financial institutions  
20 (GFIs), state universities and colleges (SUCs) and local government units  
21 (LGUs) procuring goods, infrastructure projects and consulting services.
- 22 e. *Philippine Government Electronic Procurement System (PHILGEPS)* refers to  
23 the electronic system that shall serve as the primary and definitive source of  
24 information on government procurement.

25 SECTION 4. *Establishment of a Green Public Procurement (GPP) Program in all*  
26 *Branches of Government.* – The executive, judicial and legislative branches of  
27 government, including constitutional commissions, state universities and colleges  
28 (SUCs), government-owned and controlled corporations (GOCCs), government  
29 financial institutions (GFIs), and local government units (LGUs), shall implement a

1 Green Public Procurement (GPP) Program to achieve sustainable consumption and  
2 production in government procurement in accordance with the GPP Roadmap  
3 established by the Government Procurement Policy Board (GPPB) for the purpose,  
4 consistent with the governing principles of Republic Act No. 9184, or the Government  
5 Procurement Reform Act.

6 SECTION 5. *Objectives of the Green Public Procurement (GPP) Program.*

7 – The GPP Program shall have the following objectives:

8 a. To promote the culture of making green, sustainable, and informed decisions  
9 in government, especially in government procurement;

10 b. To require the Philippine Government Electronic Procurement System  
11 (PHILGEPS) in coordination with the Procurement Service of the Department of  
12 Budget and Management to identify all government agencies procuring  
13 common-use supplies and equipment (CSE) and non-common use supplies and  
14 equipment (non-CSE) identified by GPPB as part of the Green Procurement  
15 Roadmap;

16 c. To promote the preferential use of green criteria in government procurement  
17 whenever possible and practicable;

18 d. For the relevant government agencies to develop technical specifications for  
19 CSE and non-CSE products, taking into account among others, the following  
20 processes and principles:

21 i. Development of a standard template consisting of scope, key environmental  
22 impact of a product in terms of its material composition, use and eventual  
23 disposal, product specifications, evidence, verification and references;

24 ii. Extensive research of GPP technical specifications, taking into account  
25 international and national specifications of countries with extensive GPP  
26 experience;

27 iii. Documentation of comments and feedback on the technical specifications  
28 of the various products;

- 1       iv.    Conduct of environmental impact studies of a product in terms of its material  
2            composition, use, and eventual disposal; and
- 3       v.    Inclusion of employment generation, safe working environment, and  
4            supply-chain management in the formulation of a long-term sustainability  
5            criteria.
- 6       e.    To establish and include green criteria or specifications developed by the GPPB  
7            in the project or product requirements of procuring entities; and
- 8       f.    For the relevant government agencies to develop programs for manufacturers  
9            and suppliers of green and sustainable products and services for relevant  
10           government agencies.

11           SECTION 6. *Functions of the Government Procurement Policy Board (GPPB).* –  
12   In addition to its existing functions, the GPPB shall perform the following:

- 13       a.    Protect the national interest in all matters affecting public procurement, giving  
14            due regard to the country’s regional and international obligations;
- 15       b.    Ensure the incorporation of the concept of sustainability in the procurement  
16            activities of the government. The GPP Program shall be implemented in phases,  
17            taking into account the readiness of both the government agencies as well as  
18            green product suppliers to implement the program;
- 19       c.    Centralize the information on GPP guidelines and procedure, green criteria,  
20            green product listing of information and verification methods;
- 21       d.    Design and conduct capacity building and training programs for government  
22            procuring entities and green product suppliers and service providers,  
23            particularly the Micro, Small and Medium Enterprises (MSMEs) to encourage  
24            consistency in the delivery of green products and services and efficiency in  
25            implementing the GPP requirements;
- 26       e.    Develop incentive schemes, such as recognition or awards for GPP performing  
27            units to increase motivation and catalyze action for better performance and  
28            environmental stewardship; and



- 1 f. Establish standard monitoring and evaluation mechanisms to measure the  
2 compliance of procuring entities to the criteria.

3 SECTION 7. *Submission of Plans and Reports.* – All agencies shall submit  
4 their respective GPP Programs to the GPPB, the specific requirements and mechanisms  
5 of which shall be defined in the rules and regulations to be promulgated to implement  
6 this Act. The GPPB shall, in turn, submit an annual report to the Committee on  
7 Sustainable Development Goals of the House of Representatives and to the Committee  
8 on Sustainable Development Goals, Innovation and Futures Thinking of the Senate on  
9 the compliance of the different agencies with the provisions of this Act.

10 SECTION 8. *Third-Party Verification.* – The GPPB identify competent third-party  
11 verifiers that will assess the environmental soundness and sustainability of the CSE  
12 and non-CSE that will be procured. All agencies of the government identified in this  
13 Act are mandated to comply with the green criteria established by the GPPB, along  
14 with the other technical specifications required by the agency for the particular  
15 procurement, in accordance with the relevant provisions of R.A. No. 9184 and its IRR.  
16 The GPPB shall provide a list of certified environmentally-sound and sustainably-  
17 produced products and services, and accredited testing centers and manufacturers for  
18 reference of the agencies which shall be updated regularly by the GPPB based on the  
19 established green criteria for specific goods and items included in the GPP Program  
20 and Roadmap.

21 SECTION 9. *Capability-building of Government Agencies and Information,*  
22 *Education and Communication (IEC) Awareness Programs.* – The GPPB shall regularly  
23 implement capacity building and information, education, and communication  
24 programs to develop capacities and enhance awareness and understanding on the  
25 implementation of the GPP Program. These programs will include the conduct and  
26 provision of the following:

- 27 a. Training needs assessment of the entire public sector;  
28 b. Relevant training programs and modules for all government agencies or  
29 procuring entities;

- 1 c. Technical assistance and conduct of awareness programs for suppliers,  
2 particularly the MSMEs; and
- 3 d. IEC awareness campaigns and programs for all government agencies or  
4 procuring entities, MSMEs, and the general public.

5 SECTION 10. *Implementing Rules and Regulations.* – Within thirty (30)  
6 days from the effectivity of this Act, the GPPB shall, in coordination with the  
7 Commission on Audit (COA) and National Economic and Development Authority  
8 (NEDA), promulgate and issue the necessary rules and regulations for the effective  
9 implementation of this Act.

10 SECTION 11. *Separability Clause.* — In the event that any part, section or  
11 provision of this Act shall be declared unconstitutional or invalid by a competent court,  
12 the remaining provisions thereby shall remain valid and in full force and effect as if  
13 the sections or provisions so annulled or voided had never been incorporated herein.

14 SECTION 12. *Repealing Clause.* — All laws, decrees, executive orders,  
15 issuances, rules and regulations, or parts thereof not consistent with the provisions of  
16 this Act are hereby repealed or modified and/or superseded as case may be by this  
17 Act accordingly.

18 SECTION 13. *Effectivity.* — This Act shall take effect fifteen (15) days after its  
19 complete publication in the Official Gazette or in at least two (2) newspapers of general  
20 circulation, whichever comes earlier.

21 *Approved,*