



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
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MEMORANDUM CIRCULAR No. 2023-08

Series of 2023

GUIDELINES

**ON THE OFFICE OF THE GOVERNMENT CORPORATE COUNSEL'S
(OGCC) POST EXECUTION REVIEW OF CONTRACTS
(PURSUANT TO OGCC MEMORANDUM CIRCULARS 2023-04 AND 2023-06)**

The following guidelines shall be observed in the conduct of the review of executed contracts submitted by client government corporations pursuant to OGCC Memorandum Circulars 2023-04 and 2023-06:

1. Client government corporations shall submit to the OGCC on a monthly basis and not later than the 15th day of the succeeding month, a complete list of contracts executed by them without the OGCC's prior review (*List*) with these details: names of parties, nature and description of the executed contract, term of the contract, amount involved in the contract, and status of implementation.

The *List* shall be accompanied by a *Certification* issued by the Bids and Awards Committee (BAC) Chairman and the Head of Legal Services affirming that the relevant laws and issuances applicable to the executed contracts have been complied with, such as Republic Act (RA) 9184 and its Revised Implementing Rules and Regulations (RIRR), the Manual of Regulations for Banks, Commission on Audit (COA) Circulars on disposition of properties, Executive Order 301 on lease of government property, or COA-Department of Budget and Management (DBM) Circulars on the hiring of personnel through a Contract of Service or Job Order.

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This template shall be used for uniformity:

Contracts executed by ____
from ____ to ____

Parties	Nature and Description	Term of the Contract	Amount involved	Status

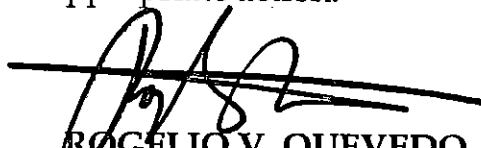
2. The following contracts shall be subject to mandatory review:

- a. Public Private Partnership (PPP) contracts;
- b. Joint Venture Agreements;
- c. Long term lease contract with private sector development or investment commitments;
- d. Syndicated loan agreements;
- e. Procurement contracts for infrastructure projects, supply of goods and services with contract amount above Five Million Pesos (PhP5,000,000.00) or its foreign currency equivalent;
- f. Consulting services contracts with a contract amount of One Hundred Thousand Pesos (PhP100,000.00) per month or above, or its foreign currency equivalent; and
- g. Contracts on the engagement of private counsel, including legal consulting services.

3. The client government corporation shall be notified if its executed contract is the subject of the OGCC's post-execution review and, thus, be required to submit all relevant documents to the OGCC for its appropriate review.

4. Once the post-execution review is done, the OGCC shall notify its client government corporation of its observations and recommendations, and if necessary, the OGCC shall inform the appropriate government agencies of the same for their own competent evaluation and appropriate action.

For compliance.


ROGELIO V. QUEVEDO
Government Corporate Counsel

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