

Defense Cooperation  
Agreements and Inventory-  
Based Items

## NEGOTIATED PROCUREMENT



**Direct negotiation with an agency or instrumentality of another country with which the Philippines has entered into a defense cooperation agreement or otherwise maintains diplomatic relations when the procurement involves major defense equipment or materiel or defense-related consultancy services.**



**Direct negotiation with a supplier or manufacturer in procuring inventory-based items, pertaining to major defense equipment or materiel.**

(Reference: RA No. 12009, IRR Section 35.8)

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## AGENCY OR INSTRUMENTALITY OF ANOTHER COUNTRY

- ✓ Secretary of DND deemed it necessary to protect the interest of the country;
- ✓ Expertise or capability required is not locally available; **AND**
- ✓ Defense equipment or materiel or defense related consultancy services to be procured is included in the AFP Modernization Program previously approved by the President.

## SUPPLIER OR MANUFACTURER IN PROCURING INVENTORY-BASED ITEMS

- ✓ Direct negotiation will address compatibility, interoperability, and sustainability;
- ✓ Supplier or manufacturer has full and satisfactorily implemented contract of the same item with the DND or its bureaus or attached agencies or law enforcement agencies; **AND**
- ✓ Supplier or Manufacturer shall provide performance security.

(Reference: RA No. 12009, IRR Section 35.8)

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# NEGOTIATED PROCUREMENT

## Law Enforcement Agencies (LEA)



(Reference: RA No. 12009, IRR Section 35.8)