



Republic of the Philippines  
**OFFICE OF THE CITY MAYOR**  
City of Davao

760.11 ED, LMO (P)

**EXECUTIVE ORDER NO. 45**  
Series of 2019

**AN ORDER RECONSTITUTING THE BIDS AND AWARDS COMMITTEE (BAC) OF THE CITY GOVERNMENT OF DAVAO FOR GOODS & SERVICES AND CONSULTING SERVICES, PROVIDING FOR THEIR FUNCTIONS AND FOR OTHER PURPOSES.**

**WHEREAS**, Republic Act No. 9184, known as the "Government Procurement Reform Act" provides that each Procuring Entity shall establish a single Bids and Awards Committee (BAC) for its procurement which shall have at least five (5) but not more than seven (7) members; Alternatively, as may be deemed fit by the head of the procuring entity, there may be separate BACs where the number and complexity of the items to be procured shall so warrant;

**WHEREAS**, under Executive Order No. 13, Series of 2019 dated July 19, 2019, the Bids and Awards Committee for Goods and Services and Consulting Services and for Infrastructure Projects were reconstituted;

**WHEREAS**, Section 11 of R.A. 9184 provides a one (1) year term for all the members of the Bids and Awards Committee;

**WHEREAS**, due to the re-assignment of some of the members of the Bids and Awards Committee for Goods and Services and Consulting Services, there is a need to reconstitute the membership thereof in accordance with Section 11.2.6 of the Implementing Rules and Regulations of Republic Act No. 9184;

**WHEREAS**, the reconstitution of the membership of the Bids and Awards for Goods and Services and Consulting Services does not whatsoever affect the constitution of the members of the BAC Infrastructure Projects;

**NOW, THEREFORE, I, SARA Z. DUTERTE**, Mayor of the City of Davao, by virtue of the powers vested in me by law, do hereby reconstitute the Bids and Awards Committee (BAC), for Goods & Services and Consulting Services of the City Government of Davao, as follows:

**Section 1. COMPOSITION.** There is hereby created two (2) Bids and Awards Committees composed of the following:

**a.) GOODS & SERVICES AND CONSULTING SERVICES:**

Chairperson	-	<b>Atty. Leo Anthony R. Braceros</b> City Civil Registrar
Vice-Chairperson	-	<b>Atty. Marissa M. Torentera</b> OIC, Business Bureau

cmc rcd-2019-01382

Members:

<b>Dr. Cerelyn B. Pinili</b>	-	City Veterinarian
<b>Maria Luisa T. Bermudo</b>	-	City Social Services & Dev't Officer
<b>Atty. Janis Louis H. Esparcia</b>	-	Asst. City Administrator (Operations)

The representative of the end-user office or department shall serve as a provisional member of the BAC and shall participate and vote during the deliberations of the particular procurement of his/her office.

The membership of the Bids and Awards Committee for Infrastructure Projects shall not be affected by the reconstitution of the Bids and Awards Committee for Goods and Services and Infrastructure Projects.

**Section 2. FUNCTIONS OF THE BACs.** The duties and functions of the Bids and Awards Committees shall be in accordance with Section 12 of the IRR of RA 9184 and other pertinent provisions thereof.

**Section 3. TERM OF MEMBERS.** Unless sooner removed for a cause, the members shall have a fixed term of one (1) year reckoned from the date of appointment, renewable at the discretion of the City Mayor. Upon expiration of the terms of the current members, they shall continue to exercise their functions until new BAC members are designated

**Section 4. BAC SECRETARIAT.** There is hereby created a single and central Secretariat for both BACs, to be headed by the Head of the City General Services Officer, which will serve as the main support unit of the BAC. The respective BACs shall determine their support personnel/staff to the Secretariat, including their respective assistant heads of the Secretariat.

**Section 5. OBSERVER.** To enhance the transparency of the process, the BACs shall, in all stages of the procurement process, invite, in addition to the representative of the Commission On Audit (COA), at least two (2) observers, who shall be present and sit in its proceedings, one (1) from a duly recognized private group in a sector or discipline relevant to the procurement at hand, and the other from a non-government organization (NGO); Provided, however, that they do not have any direct or indirect interest in the contract to be bid.

**Section 6. HONORARIA OF BAC MEMBERS, SECRETARIAT AND TWG MEMBERS.** The BAC members, their Secretariat and TWG members, shall receive honoraria, or in lieu thereof and when applicable, overtime pay, subject to appropriate government auditing rules and regulations.

Pursuant to RA 9184 and its IRR and Department of Budget Circular 2004-15, the average amount of honoraria per month over one year shall not exceed twenty-five percent (25%) of the basic monthly salary. The honoraria shall be paid only upon successful procurement of each project.

**Section 7. FUNDING.** The funds for the operational and other expenses of the Bids and Awards Committees shall be sourced from the Annual Budget and Trust Fund coming from the sale of bid documents and other related fees.

**Section 8. REPEALING CLAUSE.** All Executive Orders or issuances inconsistent with the provisions of this Executive Order are hereby repealed, superseded or modified accordingly.

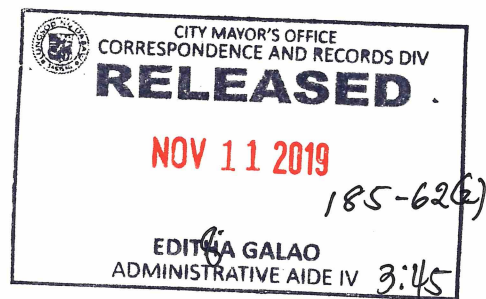
**Section 9. EFFECTIVITY CLAUSE.** This Executive Order shall take effect immediately and shall remain effective unless sooner revoked or modified.

Done in the City of Davao, Philippines this \_\_\_ day of 11 NOV 2019, 2019.

  
**SARA Z. DUTERTE**  
City Mayor

Attested by:

  
**ATTY. ZULEIKA T. LOPEZ**  
City Administrator



CMD: S-alulu  
CADD: 11/11/19  
CADD ASST.: 11 NOV 2019  
CADD OPER: NOV 11 2019 4:27pm  
CIO: 11-11-19  
CPDO: 11/11/19  
SP: 11/12/19  
DILG: STEPHANIE MARIE D. COLOMA  
DILG DAVAO CITY NOV 11 2019  
CCRO: 11/12/19  
BUREAU: 11/12  
CITY VET: 11-12-19  
CSSDO: 11-12-19  
BAC: Hured 11/14  
LSO: Hured 11/14  
COA: 11-14-19