



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

EXECUTIVE ORDER NO. 49
Series of 2021

AN ORDER RECONSTITUTING THE BIDS AND AWARDS COMMITTEE (BAC) OF THE CITY GOVERNMENT OF DAVAO FOR GOODS AND 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, Article V Section 12 of R.A. 9184 provides that the BAC shall be responsible for ensuring that the Procuring Entity abides by the standards set forth under the said Republic Act and its IRR;

WHEREAS, Section 11 Section 3 of R.A. 9184 provides a one (1) year term for all the members of the Bids and Awards Committee;

WHEREAS, in the exigency of public service, there is a need to reconstitute the Bids and Awards Committee for Goods and Services and Consulting Services;

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

Section 1. COMPOSITION. – The Bids and Awards Committee for Goods and Services and Consulting Services is hereby reconstituted and shall be composed of the following, to wit:

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|------------------------------|---|---|
| Chairperson | - | Atty. Osmundo P. Villanueva, Jr.
Acting City Legal Officer |
| Vice-Chairperson | - | Atty. Janis Louis H. Esparcia
Asst. City Administrator (Operations) |
| Members: | | |
| Dr. Cerelyn B. Pinili | - | City Veterinarian |
| April Marie C. Dayap | - | Officer-In-Charge
Davao City Investment and Promotion Center |
| Chito A. Mercado | - | Officer-In-Charge
City Information and Technology Center |

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Section 2. POWERS, FUNCTIONS AND DUTIES. The duties and functions of the Bids and Awards Committee shall be in accordance with Section 12 of the IRR of R.A. 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 Office, 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 Secretariat assistant heads.

Section 5. OBSERVERS. – 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 form of 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 THE BAC MEMBERS, SECRETARIAT AND TWG MEMBERS. – The BAC Members, 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 R.A. 9184 and its IRR and the Department of Budget and Management Circular 2004-15, the average 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 Committee 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.

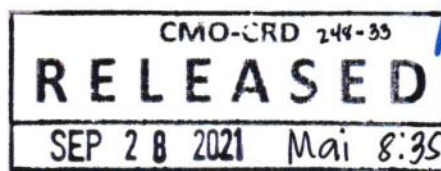
Section 9. EFFECTIVITY CLAUSE. – This Executive Order shall take effect immediately and shall remain effective unless otherwise revoked or modified.

Done in the City of Davao, this _____ Day of SEP 27 2021, 2021.


SARA Z. DUTERTE
City Mayor

Attested by:


ATTY. ZULEIKA T. LOPEZ
City Administrator



Ref. no. CRD092821-12

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