



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

**EXECUTIVE ORDER NO. 13**  
Series of 2023

**AN ORDER RECONSTITUTING THE BIDS AND AWARDS COMMITTEES (BAC)  
OF THE CITY GOVERNMENT OF DAVAO FOR GOODS AND SERVICES AND  
CONSULTING SERVICES, AND INFRASTRUCTURE PROJECTS, 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) members 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 of complexity of the items to be procured shall so warrant;

**WHEREAS**, Article V Section 12 of Republic Act No. 9184 mandates that the BAC shall be responsible for ensuring that the procuring entity abides by the standards set forth by the said law and its Implementing Rules and Regulations (IRR);

**WHEREAS**, Section 11 of Republic Act No. 9184 provides a one (1) year term for all the members of the BAC;

**WHEREAS**, Executive Order No. 29 dated July 21, 2022 was issued reconstituting the Bids and Awards Committees, but recent events created several vacancies in the membership of the BACs;

**WHEREAS**, in the exigency of the service, there is a need to reconstitute the Bids and Awards Committees for Goods and Services, Consulting services, and Infrastructure Projects.

**NOW, THEREFORE, I, SEBASTIAN Z. DUTERTE**, City Mayor of Davao, by virtue of the powers vested in me by law, do hereby reconstitute the Bids and Awards Committee (BAC) for Goods and Services, Consulting services, and Infrastructure Projects.

**SECTION 1. COMPOSITION.** The Bids and Awards Committees for Goods and Services, Consulting services, and Infrastructure Projects are hereby reconstituted as follows:

**FOR GOODS AND SERVICES AND CONSULTING SERVICES:**

- |                  |   |   |
|------------------|---|---|
| Chairperson      | - | <b>Atty. Osmundo P. Villanueva, Jr.</b><br>Acting City Legal Officer              |
| Vice-Chairperson | - | <b>Atty. Janis Louis H. Esparcia</b><br>Assistant City Administrator (Operations) |

Members:

- April Marie C. Dayap** - Officer-In-Charge  
Davao City Investment and Promotion Center
- Maribel Paguican** - Officer-In-Charge  
Business Bureau
- Head of the Procuring Department/Office** - Provisional member

**FOR INFRASTRUCTURE PROJECTS:**

- Chairperson - **Atty. Joseph Dominic S. Felizarta, CE**  
Officer-In-Charge, City Engineer's Office
- Vice-Chairperson - **Engr. Ivan C. Cortez**  
City Planning and Development Coordinator

Members:

- Atty. Francis Mark H. Layog** - Acting City Administrator
- Ermelinda Furog Gallego** - City Budget Officer
- Engr. Jaime G. Adalin** - City Assessor

**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, the head of which shall be designated by the City Administrator through a Memorandum issued for the purpose, 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 from 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

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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 expenses 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.

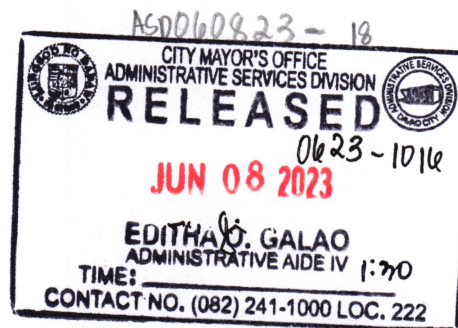
**SECTION 9. EFFECTIVITY CLAUSE.** This Executive Order shall take effect immediately upon its approval.

Done this JUN 08 2023 in the City of Davao, Philippines.

  
**SEBASTIAN Z. DUTERTE**  
City Mayor 

Attested by:

  
**ATTY. FRANCIS MARK H. LAYOG**  
Acting City Administrator



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