



EXECUTIVE ORDER NO. 09
Series of 2020

RECONSTITUTION OF THE BIDS AND AWARDS COMMITTEE (BAC), FUNCTION AND MEMBERSHIP THEREOF PURSUANT TO REPUBLIC ACT NO. 9184

WHEREAS; Republic Act No. 9184, otherwise known as the Government Procurement Reform Act and its implementing Rules and Regulations (IRR) mandates that the Bids and Awards shall have a membership of at least five (5) but not more than seven (7);

WHEREAS; in observance with the stipulations as set forth in the Article V, Section II of the RA 9184, reconstitution of Bids and Awards Committee (BAC) is deemed necessary as BAC Membership's tenure is for fixed period of one year based on the same Act, Rules V, subsections 11.2.5, of which renewal is subject to the discretion of the undersigned;

NOW, THEREFORE, by the powers vested in me by law, I, **TIMOTHY JOSEPH E. CAYTON**, Municipal Mayor, do hereby ORDER/DIRECT the reconstitution of the Bids and Awards Committee (BAC) of the Municipal Government of Dupax del Norte, define its Composition, duties and functions.

Section I. Composition

Chair:	DR. MARY RUTH C. REYES	-	Municipal Health Officer
Vice-Chair:	ENGR. AILEEN B. ELLAMIL	-	Municipal Engineer, HRMO-Designate
Members:	GENESIS B. DUGAY	-	Municipal Agriculturist
	MIRIAM M. OLIVEROS	-	Municipal Budget Officer
	JIMMY V. ESTRADA	-	GSO-Designate
	EPHRAEM M. GOLUYA	-	Municipal Civil Registrar Officer

Section II. Duties and Functions of the BAC. The BAC shall have the following duties and functions:

1. Advertise and/or post the invitation to bid/request for expressions of interest;
2. Conduct pre-procurement and pre-bid conferences;
3. Determine the eligibility of prospective bidders;
4. Receive bids;
5. Conduct the evaluation of bids;
6. Undertake post qualification proceedings;
7. Resolve motion for reconsideration;
8. Recommend award of contract to the Head of the Procuring Entity or his duly authorized representative;
9. Recommend the imposition of sanctions in accordance with Rule XXIII;
10. Recommend to the Head of the Procuring Entity the use of Alternative Methods of Procurement as provided for in Rule XVI hereof; and
11. Perform such other related functions as maybe necessary, including the creation of Technical Working Group (TWG) from a pool of technical, and / or experts to assist in the procurement process, particularly in the eligibility screening, evaluation of bids and post qualification.

Section III. Composition of the BAC Secretariat

Head	:	Joanne M. Estrada	-	Private Secretary II
Members	:	AGONGAN ARSENIO	-	LEO I
		Mary Anne D. Hufalar	-	Administrative Aide
		Ricamel P. Aromin	-	Administrative Aide
		Maricel A. Oliveros	-	Administrative Aide

Section IV. Duties and Functions of the BAC Secretariat. The BAC Secretariat shall have the following functions and responsibilities:

1. Provide administrative support to the BAC
2. Organize and make all the necessary arrangements for BAC meetings and conferences
3. Prepare minutes of meetings and resolutions of the BAC
4. Take custody of the procurement documents and other records
5. Manage the sale and distribution of Bidding Documents to interested bidders
6. Advertise and / or post bidding opportunities, including bidding documents and notice of awards
7. Assist in managing the procurement processes
8. Monitor procurement activities and milestones for proper reporting to relevant agencies when required
9. Consolidate PPMPs from various units of the procuring entity to make them available for review as indicated in Section 7 of IRR
10. Act as central channel of communications for the BAC with end users, PMOs, other units of the line agency, other government agencies, providers of goods, infrastructure projects and consulting agencies, observers and general public.

Section V. Composition of BAC Technical Working Group (BAC-TWG)

The composition of Bids and Awards Technical Working Group (BAC-TWG) shall be identified by the BAC members in accordance to the Implementing Rules and Regulations of R.A. 9184.

Section VI. Duties and Functions of BAC Technical Working Group. The TWG shall provide assistance to BAC in terms of technical, financial, legal and other aspects of the procurement at hand. It shall have the following responsibilities:

1. Assist the BAC in the preparation of the bidding documents, ensuring that the same properly reflects the requirements of the procuring entity and that these conforms to the standards set forth by RA 9184, its IRR-A and PBDs prescribed by the GPPB;
2. Assist the BAC in the conduct of eligibility screening of prospective bidders, and in the short listing of prospective bidders in case of bidding for consulting services;
3. Assist the BAC in the evaluation of bids and prepare the accompanying reports for the BAC's consideration and approval;
4. Assist the BAC in the conduct of post-qualification activities and prepare the post-qualification summary report for the BAC's approval;
5. Assist the BAC and the BAC Secretariat in preparing the resolution recommending award, with regard to the technical aspect, if necessary; and
6. Provide utmost priority to BAC assignments over all other duties and responsibilities, until the requirements for the procurement at hand are completed.

Section VII. Meetings. The Chairman or, in his absence, the Vice-Chairman, shall preside at all meetings of the BAC. The decision of at least a majority of those present at a meeting at which there is a quorum shall be valid and binding as an act of the BAC; provided, however, that the Chairman or, in his absence, the Vice Chairman, shall vote only in case of a tie. Observers and representatives of BAC members shall have no right to vote during BAC meetings, nor shall the representatives of BAC members be authorized to sign in behalf of the members represented.

Jury Duty of the BAC and BAC-TWG. It shall be the jury duty of the BAC and the TWG members to attend to procurement process, meetings, assignments, and other concerns that pertain to BAC operations, transactions, and others.

Section VIII. Observers. To enhance the transparency of the process, the BAC shall, in all stages of the procurement process, invite at least three (3) observers to sit in its proceedings;

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| 1. Vicente Danao | - | CSO Representative |
| 2. Alvin Endrinal | - | COA Representative |
| 3. | - | CSO Representative |

Section IX. Responsibilities of the Observers. The observers shall have the following responsibilities:

1. Preparation of the report either jointly separately indicating observation made on the bidding activity conducted by the BAC for submission to the Head of the Procuring entity, copy furnished the BAC Chairman. The report shall assess the extent of the BAC's compliance with the provision of this IRR-A and areas of improvement in the BAC proceedings. For this purpose, the BAC shall furnish them a copy of the following documents upon their request:
 - a. Minutes of related proceedings of BAC meetings;
 - b. Abstract of Bids;
 - c. Post-qualification summary report;
 - d. APP and related PPMP; and
 - e. Copies of "opened" proposals

Section X. Terms of Office. The members of the BAC, BAC Secretariat and BAC Technical Working Group shall have a fixed term of **one (1) year** from the date of appointment unless sooner revoked or otherwise discontinued for causes provided under RA 9184 and its IRR-A.

Section XI. Honoraria. The procuring entity may grant payment of honoraria to the BAC members in an amount not to exceed twenty-five percent (25%) of their respective basic monthly salary subject to availability of funds. Payment of honoraria shall be chargeable against sources defined by pertinent DBM Circulars.

The procuring entity may also grant payment of honoraria to the TWG and secretariat members, subject to the relevant rules of the DBM.

The payment of honoraria shall be granted for every successful bidding conducted.

Section XIII. Adoption of IRR OF RA 9184. All rules as far as practicable that can be applied to Local Government procurement process as provided for in RA 9184 and its implementing rules and regulations are hereby adopted accordingly.

Section XIV. Repealing Clause. All Executive Orders and other issuances or parts thereof inconsistent with this ORDER are hereby repealed modifies or amended accordingly.

Section XV. Effectivity. This Executive Order shall take effect immediately.

Done this 2nd day of March 2020 at Dupax del Norte, Nueva Vizcaya.


ATTY. TIMOTHY JOSEPH E. CAYTON
Municipal Mayor