



Republic of the Philippines
Department of Education

01 JUN 2018

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**CREATION OF ADDITIONAL BIDS AND AWARDS COMMITTEES
IN THE REGIONAL AND SCHOOLS DIVISION OFFICES**

To: Regional Directors
Schools Division Superintendents
All Others Concerned

1. Pursuant to Section 11 of the Implementing Rules and Regulations (IRR) of Republic Act No. 9184 also known as the Government Procurement Reform Act, each procuring entity shall establish a single Bids and Awards Committee (BAC) to undertake the functions specified in Section 12 of the IRR in order to facilitate professionalization and harmonization of procedures and standards. However, to expedite the procurement process for practical intents and purposes, **the Head of the Procuring Entity (HOPE) may create separate BACs** where the number and complexity of the items to be procured shall so warrant. The BACs shall be organized either according to: (a) geographical location of PMO or end-user units of the procuring entity, or (b) nature of procurement.

2. HOPE shall designate at least five but not more than seven members to the BAC with unquestionable integrity and procurement proficiency.

3. The qualified regular and provisional members are as follows:

Regular Members:

- a. Chairperson is an officer who is at least a third ranking permanent official of the procuring entity;
- b. Member is an officer who is at least a fifth ranking permanent official, or if not available, an officer of the next lower rank with knowledge, experience and/or expertise in procurement who, to the extent possible, represents the legal or administrative area of the procuring entity, provided that in the case of bureaus, regional offices and subregional/district offices, BAC members shall be, at least, third ranking permanent personnel;
- c. Member is an officer who is at least a fifth ranking permanent official, or if not available, an officer of the next lower rank with knowledge, experience and/or expertise in procurement, who, shall represent the finance area of the procuring entity, provided that in the case of bureaus, regional offices and subregional/district offices, BAC members shall be, at least, a third ranking permanent personnel;

Provisional Members:

- d. An officer who has technical expertise relevant to the procurement at hand, and, to the extent possible, who has knowledge, experience and/or expertise in procurement; and
- e. A representative from the end-user unit, who has knowledge of procurement laws and procedures.

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4. The Chairperson and the Vice-Chairperson shall also be designated by the HOPE. Moreover, the Vice-Chairperson shall be a regular member of the BAC. For purposes of the IRR, the term **permanent** shall refer to a plantilla position within the procuring entity concerned.

5. In no case shall the HOPE and/or the approving authority be the Chairperson or a member of the BAC.

6. Unless sooner removed for a cause, the members of the BAC shall have a fixed term of one year reckoned from the date of appointment, renewable at the discretion of the HOPE. Upon expiration of the terms of the current members, they shall continue to exercise their functions until new BAC members are designated. In case of resignation, retirement, separation, transfer, re-assignment, removal, or death, the replacement shall serve only for the unexpired term: Provided, however, that in case of leave or suspension, the replacement shall serve only for the duration of the leave or suspension. For justifiable causes, a member shall be suspended or removed by the HOPE.

7. Immediate dissemination of and strict compliance with this Order is directed.


LEONOR MAGTOLIS BRIONES
Secretary

Reference:

N o n e

To be indicated in the Perpetual Index
under the following subjects:

BIDS AND AWARDS
BUREAUS AND OFFICES
COMMITTEES
OFFICIALS
PROCUREMENT
RULES AND REGULATIONS