



RESOLUTION NO. 20-2014

APPROVING THE CIRCULAR ENCOURAGING THE HEAD OF THE PROCURING ENTITY TO RENEW THE APPOINTMENT OR DESIGNATION OF THE MEMBERS OF THE BIDS AND AWARDS COMMITTEE AND ITS SECRETARIAT

WHEREAS, Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act” and its revised Implementing Rules and Regulations (IRR) took effect on 26 January 2003 and 2 September 2009, respectively;

WHEREAS, Section 63 of RA 9184 mandates the Government Procurement Policy Board (GPPB) to protect national interest in all matters affecting public procurement;

WHEREAS, Sections 11, 12 and 14 of the IRR of RA 9184 provide for the composition and duties of the Bids and Awards Committee and its Secretariat, respectively;

WHEREAS, Section 11.2.6 of the IRR of RA 9184 states that the members of the BAC shall have a fixed term of one (1) year reckoned from the date of appointment, unless sooner removed for a cause, renewable at the discretion of the Head of the Procuring Entity (HOPE). Upon expiration of their term, they shall continue to exercise their functions until new BAC members are designated;

WHEREAS, to expedite the procurement process, under Section 14.3 of the IRR of RA 9184, the HOPE shall ensure that the members of the BAC and its secretariat shall give utmost priority to their BAC assignments over all other duties and responsibilities, until the requirements of the said assignments at hand are completed. Pursuant to Section 38 of the IRR of RA 9184, all BAC members shall be on a “jury duty” type of assignment until the Notice of Award is issued by the HOPE in order to complete the entire procurement process at the earliest possible time;

WHEREAS, delay in the procurement process could be attributed to the varying degrees of procurement knowledge, experience and expertise of the Bids and Awards Committee (BAC) members to handle the procurement activity, due to the following:

1. Members resign or refuse to be designated as BAC members to avoid lawsuits or Audit Observations issued by the Commission on Audit;
2. BAC members are busy with their regular functions;
3. There is no continuity on procurement expertise as the term of a BAC member is fixed to one (1) year from appointment.

WHEREAS, for purposes of continuity; integrity of procurement; institutional knowledge strengthening; sustainability of procurement reform measures; and efficient and accountable procurement, the GPPB-Technical Support Office (GPPB-TSO) recommended

the issuance of a circular encouraging the HOPE to renew the designation of the BAC and Ad Hoc Secretariat members, provided that they remain members in good standing, the BAC members should be reminded of their responsibilities to give utmost priority to their functions as BAC and Secretariat members under a “jury duty” concept pursuant to the IRR of RA 9184;

WHEREAS, during the 5th Regular GPPB Meeting on 8 August 2014, the Board discussed the matter, and after careful deliberations, favorably approved the recommendation of the GPPB-TSO. Aside from the BAC members, the Board likewise encouraged the renewal of the designation of Ad Hoc BAC Secretariat members in order to continuously provide administrative support to the BAC and expedite the procurement process;

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law, hereby **RESOLVE** to confirm, adopt and approve, as **WE** hereby confirm, adopt and approve the issuance of a Circular, as follows:

1. **ENCOURAGE** the Head of the Procuring Entity to **RENEW** the designation of the members of the Bids and Awards Committee (BAC) in good standing and its Ad Hoc Secretariat, for purposes of continuity; integrity of procurement; institutional knowledge strengthening; sustainability of procurement reform measures; and efficient and accountable procurement;
2. **REMIND** the BAC and Ad Hoc Secretariat members that under the “Jury Duty” concept, they should give utmost priority to their functions as such BAC and Secretariat members.

This Resolution shall take effect immediately.

APPROVED this 8th day of August 2014 at Pasig City, Philippines.

**DEPARTMENT OF BUDGET AND
MANAGEMENT**

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

DEPARTMENT OF EDUCATION

DEPARTMENT OF ENERGY

DEPARTMENT OF FINANCE

DEPARTMENT OF HEALTH

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

**DEPARTMENT OF NATIONAL
DEFENSE**

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

**DEPARTMENT OF TRADE AND
INDUSTRY**

**DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS**

PRIVATE SECTOR REPRESENTATIVE

Attested by:

DENNIS S. SANTIAGO
Board Secretary, GPPB
Executive Director, GPPB-TSO