



Department of Budget and Management
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE

NPM No. 02-2014

4 March 2014

MS. LORNA T. DY
Vice President, Administration and Finance
NATIONAL POWER CORPORATION (NPC)
Quezon Avenue cor. BIR Road, Diliman,
Quezon City

Re: Bids and Awards Committee (BAC) Composition

Dear Ms. Dy:

This is in response to your letter dated 10 February 2014, which we received on 12 February 2014, seeking guidance on whether the fourth ranking permanent employee may be classified as third ranking based on the Head of the Procuring Entity's decision not to fill-up the second ranking permanent position.

As represented, the NPC Management intends to create two (2) BACs at the Head Office to be chaired by a Sr. Department Manager, currently a fourth ranking permanent official of the NPC as shown in the Table of Organization below:

President and Chief Executive Officer	JG	20
Sr. Vice President	JG	19
Vice President	JG	18
Sr. Department Manager	JG	17
Department Manager	JG	17
Division Manager	JG	16
Section Chief	JG	15

It is in this context that NPC is seeking our guidance on whether a Sr. Department Manager, a fourth ranking permanent official of NPC, can be classified as third ranking permanent official and designated as BAC Chairman based on the decision of the NPC Management not to fill-up the Sr. Vice President position, the second ranking permanent position.

Section 11.2.2 of Republic Act (RA) No. 9184 and its revised Implementing Rules and Regulations (IRR) provide that the Chairman of the BAC should be at least a third ranking permanent official of the Procuring Entity (PE). A PE's compliance with the ranking requirement under Section 11.2.2 of the IRR of RA 9184 for its BAC composition and membership is based on the term "permanent", which refers to a *plantilla* position within the PE concerned. The Head of the Procuring Entity (HOPE) may designate any personnel holding a "permanent" position in the agency, *i.e.*, a *plantilla* position in the organization, regardless of the status of appointment of the personnel occupying such *plantilla* position.

with the additional qualification that the person designated as BAC Chairperson must be occupying a third ranking *plantilla* position in the agency and is not the approving authority.¹

In an earlier opinion², we clarified that “it is the *plantilla* of the agency that will define whether the position qualifies for regular BAC membership, and the determination of ranking should take into consideration the hierarchy of the *plantilla* positions present in the PE and not whether an official has been appointed/designated/seconded and currently assumed or occupied the identified *plantilla* position.”

In this regard, we wish to clarify that the absence of a personnel occupying the position of Sr. Vice President (second ranking), does not make the *plantilla* positions for the Sr. Department Manager (fourth ranking) a third ranking *plantilla* position. As long as the entire organizational structure of NPC has the Sr. Vice President position in the *plantilla*, the Sr. Department Manager position remains a fourth ranking *plantilla* position, for which reason the Sr. Department Manager cannot be designated as BAC Chairman.

We hope this opinion issued by the GPPB-TSO provided sufficient guidance on the matter. Note that this opinion is being rendered on the basis of the facts and particular situation presented, and may not be applicable given a different set of facts and circumstances. Should you have additional questions, please do not hesitate to contact us.

Very truly yours,



DENNIS S. SANTIAGO
Executive Director V

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¹ NPM No. 95-2013 dated 20 December 2013.

² NPM No. 160-2012 dated 21 December 2012.

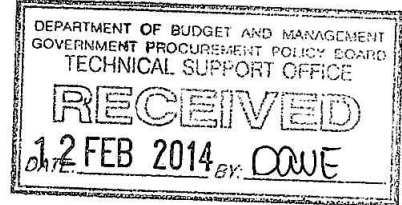


5/28/2014

National Power Corporation

10 February 2014

Atty. DENNIS S. SANTIAGO
Executive Director III
Government Procurement Policy Board
Unit 2506 Raffles Corporate Center,
F. Ortigas Jr. Road, Ortigas Center, 1605
Telephone No.: 9006741



Subject : **Chairman of the Bids and Awards Committee**

Dear Executive Director Santiago:

The Chairman of the Bids and Awards Committee (BAC) under Section 11 of RA 9184 and its IRR specifically states that the BAC shall be chaired by at least a third (3rd) ranking permanent official of the procuring entity other than its head. In the attached Table of Organization of National Power Corporation, the ranking of positions is as follows:

President and Chief Executive Officer	JG	20
Sr. Vice President	JG	19
Vice President	JG	18
Sr. Department Manager	JG	17G
Department Manager	JG	17
Division Manager	JG	16
Section Chief	JG	15

When the Sr. Vice President resigned in September 01, 2013 the position was no longer filled up and NPC Management has decided not to appoint anyone to the position. In view of the non-filling up of the said position, may we seek your guidance if the position of the Sr. Department Manager can now be classified as third (3rd) level for purposes of ranking so that its incumbents can be legally designated as Chairman of the BAC.

NPC Management intends to create two (2) BAC's at the Head Office with the Sr. Department Manager of Resource Management Service as Chair of BAC 1, and the Sr. Department Manager of Administration as Chair of BAC 2. Having (two) 2 BAC will fast track the procurement of items and immediately serve the requirements of our plants.

At present, the Chairman of the BAC at the NPC Head Office is the Vice President.

We look forward to your immediate response on the matter.

Thank you for your continued assistance to NPC.

Very truly yours,

LORNA T. DY
Vice President
Administration and Finance

*RZA,
Please prepare OPINION. kindly
refer to earlier opinions. The VP
is still the 3rd level per the
Org. Pattern/Structure. -pp, 05*



National Power Corporation

10 February 2014

OVP
Admin. & Finance
#AF-02/00/14-029
J2/00

Atty. DENNIS S. SANTIAGO

Executive Director III
Government Procurement Policy Board
Unit 2506 Raffles Corporate Center,
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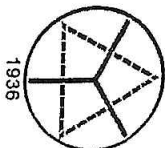
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Thank you for your continued assistance to NPC.

Very truly yours,

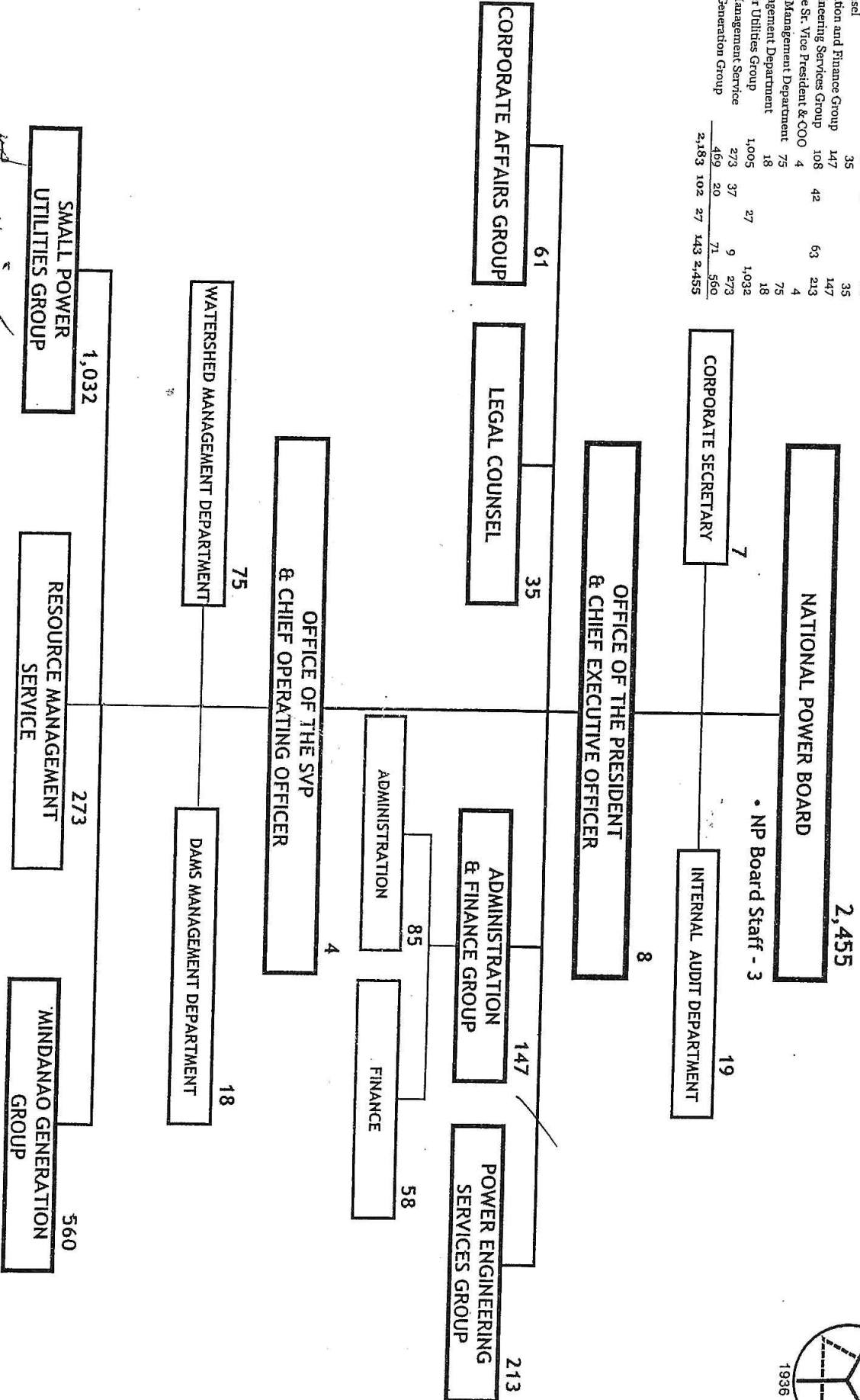

LORNA T. DY
Vice President
Administration and Finance


NATIONAL POWER CORPORATION CY 2012 Table of Organization



Summary:

	P	Cot	Con	Cas	Total
National Power Board Staff	3				3
Corporate Secretary	7				7
Internal Audit	19				19
Office of the President and CEO	8				8
Corporate Affairs Group	58	3			61
Legal Counsel	35				35
Administration and Finance Group	147				147
Power Engineering Services Group	108	42			147
Office of the Sr. Vice President & COO	4				4
Watershed Management Department	75				75
Dams Management Department	18				18
Small Power Utilities Group	1,005	27			1,032
Resource Management Service	273	37			273
Mindanao Generation Group	469	20			469
Total	2,183	102	27	143	2,455



Approved: 
FROILAN A. TAMPINCO
 President & Chief Executive Officer

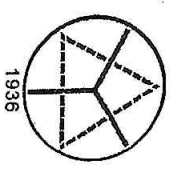
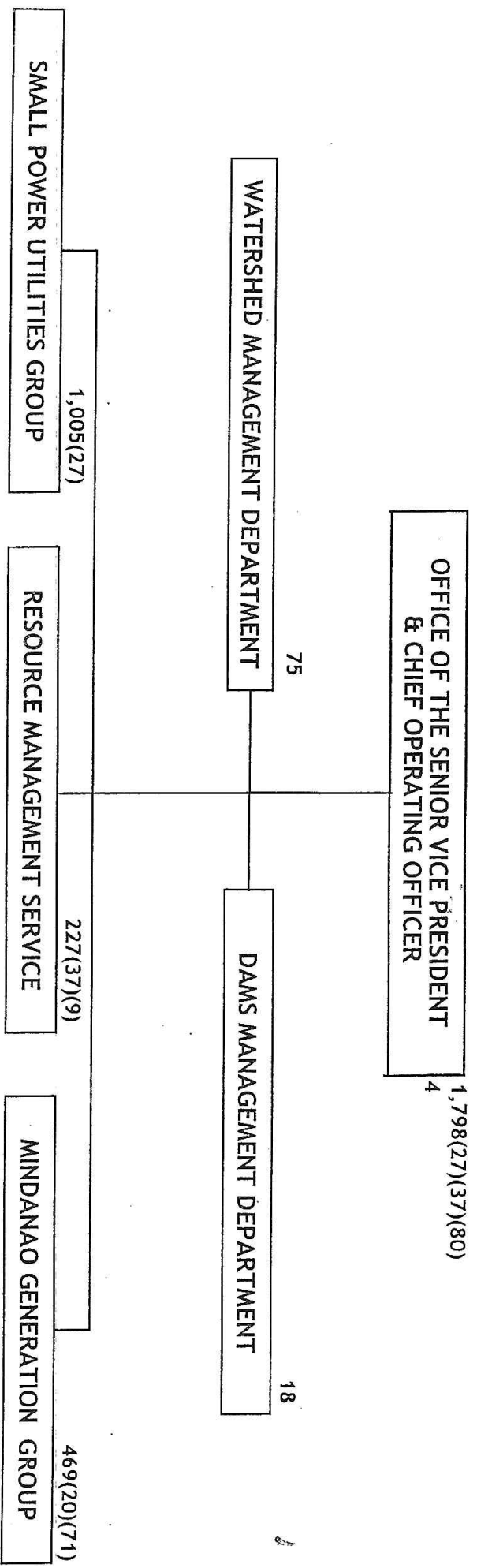
Approved under GCG MO No. 2012-06 dated 09 July 2012
 Confirmed under NP Board Resolution No.: 2012-029 dated 02 October 2012

Summary:

	P	Con	Cot	Gas	Total
Office of the Senior Vice President & COO	4				4
Watershed Management Department	75				75
Dams Management Department	18				18
Resource Management Service	227	37	9		273
Small Power Utilities Group	1,005	27			1,032
Mindanao Generation	469	20	71		560
TOTAL	1,798	27	57	80	1,962

**NATIONAL POWER CORPORATION
CY 2012 Table of Organization**

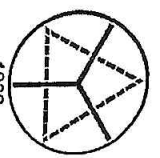
**OFFICE OF THE SENIOR VICE-PRESIDENT
& CHIEF OPERATING OFFICER**



Approved: *[Signature]*
FROILAN A. TAMPINCO
 President & Chief Executive Officer

Summary:
Office of the SVP and COO 4
Total 4

NATIONAL POWER CORPORATION
CY 2012 Table of Organization



OFFICE OF THE SENIOR VICE-PRESIDENT
& CHIEF OPERATING OFFICER

OFFICE OF THE SENIOR VICE PRESIDENT & CHIEF OPERATING OFFICER		JG	4
1	Senior Vice President	19	
1	Corporate Staff Officer B	16	
1	Secretary A	12	
1	Driver-Mechanic	8	

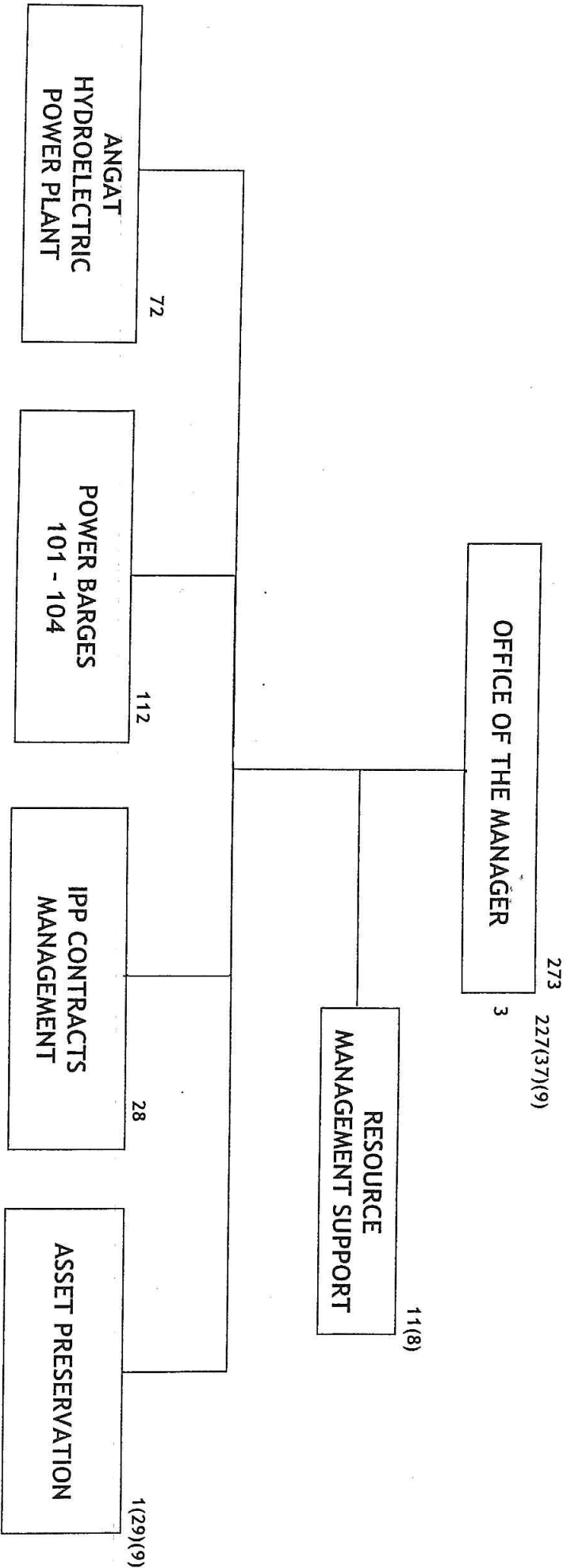
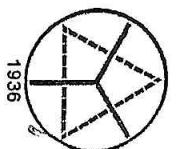
Approved: *Froilan A. Tampinco*
FROILAN A. TAMPINCO
 President & Chief Executive Officer

NATIONAL POWER CORPORATION
CY 2012 Table of Organization

Summary:

	P	Cot	Gas	Total
Office of the Manager	3			3
Resource Management Support	11	8	19	38
Angat Hydroelectric Power Plant	72		72	144
Power Barges 101, 102, 103 & 104	112		112	224
IPP Contracts Management	28		28	56
Plant Preservation	1	29	9	39
TOTAL	227	37	9	273

RESOURCE MANAGEMENT SERVICE



Approved:

Froilan A. Tampinco
FROILAN A. TAMPINCO
 President & Chief Executive Officer

Approved under GCG MO No. 2012-06 dated 09 July 2012
 Confirmed under NP Board Resolution No.: 2012-029 dated 02 October 2012

Summary:
Office of the Manager
TOTAL

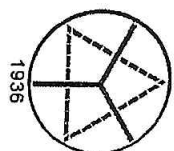
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NATIONAL POWER CORPORATION
CY 2012 Table of Organization

RESOURCE MANAGEMENT SERVICE

OFFICE OF THE MANAGER

OFFICE OF THE MANAGER		JG	3
1	Senior Department Manager	17	
1	Secretary D	9	
1	Driver-Mechanic	8	



Approved: _____

FROILAN A. TAMPINCO
President & Chief Executive Officer

Approved under GCG MO No. 2012-06 dated 09 July 2012
Confirmed under NP Board Resolution No.: 2012-029 dated 02 October 2012

Summary:

Office of the Manager	2
Human Resources Department	26
General Services Department	29
Logistics Department	28
TOTAL	85

**NATIONAL POWER CORPORATION
CY 2012 Table of Organization**

ADMINISTRATION & FINANCE

ADMINISTRATION

85

OFFICE OF THE MANAGER		JG	2
1	Senior Department Manager	17	
1	Secretary D	9	

HUMAN RESOURCES DEPARTMENT

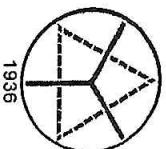
26

GENERAL SERVICES DEPARTMENT

29

LOGISTICS DEPARTMENT

28



Approved: _____

Froilan A. Tampinco
FROILAN A. TAMPINCO
 President & Chief Executive Officer

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