



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

NPM No. 27-2012

9 March 2012

MR. JONATHAN A. DISEN
Manager - Administrative Department
BACOLOD CITY WATER DISTRICT (BCWD)
Corner Galo-San Juan Streets
Bacolod City

Re: Administrative Department Manager as Bids and Awards Committee Member

Dear Mr. Disen:

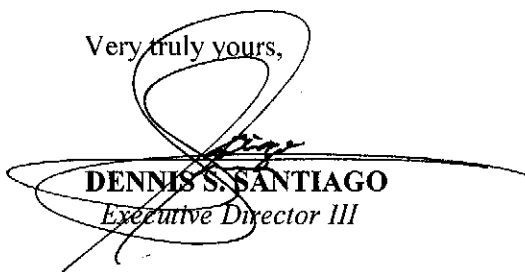
We respond to your letter dated 22 February 2012 seeking confirmation on whether the BCWD Administrative Department Manager is qualified as a member of the Bids and Awards Committee (BAC).

We invite your attention to Section 11.2 of the Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184 which states that a regular member of the BAC is "an officer who is at least a fifth ranking permanent officer, 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 sub-regional/district offices, BAC members shall be at least a third ranking permanent personnel".¹ In addition, the same section adds that a provisional member of the BAC is - 1) "an officer, who has technical expertise relevant to the procurement at hand, and to the extent possible, has knowledge, experience and/or expertise in procurement,"² and, 2) a representative from the end-user unit who has knowledge of procurement laws and procedures."³

We wish to inform you that the BCWD Administrative Department Manager is qualified as a regular member of the BAC. As BAC member, s/he is authorized to perform all concomitant functions, duties and responsibilities of such office; provided that s/he is a fifth or third ranking permanent personnel, depending on the BCWD's creation as to whether it is a Central/Head Office or merely a Regional/District Office. However, if said manager shall be designated as BAC Chairman, s/he must be at least a third ranking permanent personnel in the procuring entity concerned. On the other hand, if the Administrative Department Manager does not qualify as a regular BAC member, he may be designated as a provisional technical or end-user member.

We hope that our advice sufficiently addresses your concern. Should you have further questions, please do not hesitate to contact us.

Very truly yours,



DENNIS S. SANTIAGO
Executive Director III

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¹Section 11.2.2.(b) of the IRR of RA 9184.

²Section 11.2.2.(d) of the IRR of RA 9184.

³Section 11.2.2.(e) of the IRR of RA 9184.