



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

**NPM No. 34-2012**

4 April 2012

**HON. RAUL BAUTISTA VILLANUEVA**

*Deputy Court Administrator and*

*Chairman, Bids and Awards Committee for the Halls of Justice*

**SUPREME COURT- OFFICE OF THE COURT ADMINISTRATOR**

Padre Faura, Manila

**Re: Delegation of Authority by the Bids and Awards Committee**

Dear Deputy Court Administrator Villanueva:

We respond to your letter dated 2 February 2012 seeking confirmation on whether the Bids and Awards Committee (BAC) for the Halls of Justice of the Office of the Court Administrator may validly delegate its authority to a unit within the Supreme Court to handle Shopping and Small Value Procurement, specifically, on matters involving the Halls of Justice nationwide.

As represented, reference was made to Section 2(c) of the Guidelines for Shopping and Small Value Procurement<sup>1</sup> wherein the BAC is allowed to delegate the conduct of Shopping and Small Value Procurement to any unit within the procuring entity. This practice was recognized in a Government Procurement Policy Board (GPPB) Opinion dated 23 November 2009<sup>2</sup>.

We wish to confirm that pursuant to the above-mentioned provision of the Guidelines for Shopping and Small Value Procurement, the BAC for the Halls of Justice may validly delegate its authority to a unit within the Supreme Court to handle shopping and small value procurement specifically on matters involving the Halls of Justice. Please be reminded however, that the delegation of the conduct of shopping and small value procurement may only be allowed provided that the BAC has rendered a decision to resort thereto. Furthermore, only those powers specifically delegated by the BAC may be exercised by the delegated unit.

It is worth mentioning that the powers delegated by the BAC do not include the power to award the procurement contract as this is vested with the Head of the Procuring Entity (HOPE). The HOPE may however, delegate this power to an approving authority<sup>3</sup>.

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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<sup>1</sup> GPPB Resolution 09-2009, dated 23 November 2009, and published in the Daily Tribune on 2 December 2009.

<sup>2</sup> Non-Policy Matter 015-2010, dated May 24, 2010.

<sup>3</sup> Section 37 of Republic Act 9184.