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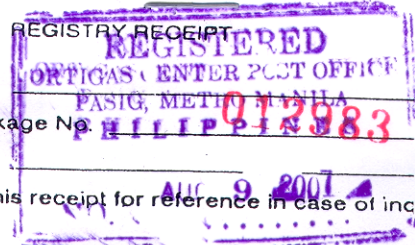
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**NPM No. 33-2007**

6 August 2007

MR. SALVADOR B. ZARAGOSA, JR.*Vice President for Administration***CARLOS HILADO MEMORIAL STATE COLLEGE**

Talisay City, Negros Occidental

Re: **Designation of the Chairman of the Bids and Awards Committee**

Dear Mr. Zaragosa:

We refer to your letter dated 23 October 2006 requesting for clarification of Sections 11.2.1 and 11.2.2 of the Implementing Rules and Regulations Part A (IRR-A) of Republic Act No. 9184 (R. A. 9184) specifically on the designation of the Chairman of the Bids and Awards Committee (BAC).

Based on your representations, you are occupying a permanent *plantilla* position as Associate Professor 4 of the Carlos Hilado Memorial State College (CHMSC). You have been designated as Vice President for Administration. The aforesaid designation has a term of two (2) years, which lapsed last 26 July 2006, but it has been extended for another term. You have also been designated as Chairman of the BAC by the Board of Trustees of CHMSC. Based on the approved organizational structure of CHMSC there are two (2) Offices of Vice-President (Office of the VP for Academic Affairs and Office of the VP for Administration) under the Office of the President.

Under Section 11.2.1 of the IRR-A, the members of the BAC, including the Chairman and the Vice-Chairman, shall be designated by the head of the procuring entity. For state universities and colleges (SUCs), the head of the procuring entity refers to the governing board or its duly authorized official (Section 5 [m], IRR-A).

In the case of SUCs, the BAC Chairman should be at least a third (3rd) ranking permanent official. The term "permanent" refers to a *plantilla* position within the procuring entity concerned (Section 11.2.1, IRR-A). According to the Personnel Services Itemization of the Department of Budget and Management (DBM), *plantilla* refers to the list of positions authorized to be created by the DBM (GPPB NPM No. 18-2006 dated 08 November 2006). The term "permanent" does not refer to whether the person holding the *plantilla* position is contractual, regular, designated or appointed;

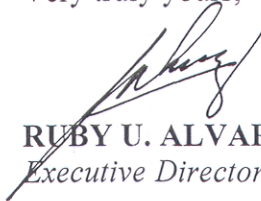
rather, the concern specifically refers to whether said position is included in the list of authorized positions created by DBM as well as whether said position is existing within the organizational structure of the procuring entity (GPPB NPM No. 025-2004 dated 08 March 2004).

As discussed above, the Board of Trustees is considered the head of the procuring entity and thus the first in rank. This being the case, the second in rank would have to be the President of the state college. The third in rank would be any of the two (2) Vice-Presidents.

Based on the foregoing, since the position of Vice President for Administration is in the approved organizational structure of the CHMSC and the third (3rd) ranking position in said organizational structure, you are qualified to be designated as Chairman of the BAC by the Board of Trustees of CHMSC.

We hope to have clarified the matter. Should you have any additional questions, please do not hesitate to contact us.

Very truly yours,



RUBY U. ALVAREZ
Executive Director III