



EXECUTIVE ORDER NO. 041
Series of 2021

DIRECTING THE REORGANIZATION OF THE BIDS AND AWARDS COMMITTEE (BAC), ITS SECRETARIAT AND OBSERVERS.

WHEREAS, it is the declared policy of the State to promote the ideals of good governance in all its branches, departments, agencies, subdivisions, and instrumentalities, including government-owned and/or – controlled corporations, and local government units;

WHEREAS, Republic Act No. 9184 otherwise known as the Government Procurement Reform Act and its Implementing Rules and Regulations mandate the procurement procedures of infrastructure projects, goods and consulting services for all national and local government offices shall be governed by the principles of transparency, competitiveness, streamlined process, accountability and public monitoring in the procurement process and in the implementation awarded contracts;

WHEREAS, Article V, Sections 11 to 16, of the same law provides for the creation of the Bids and Awards Committee, its functions, secretariat, renumeration and capacity development;

NOW, THEREFORE, I, ANTONIO L. KALAW, Municipal Mayor of the Municipality of Los Baños, Province of Laguna, by virtue of the powers vested in me by law, do hereby reorganize the BAC, its Secretariat and Observers, to wit:

Section 1. COMPOSITION. The BAC shall be composed of the following:

| | Principal Members | Alternate Members |
|-------------|--|--|
| | Ms. Twila T. Torres MPDC | Ms. Cheryll L. Gonzales Municipal Agriculturist |
| | Atty. Robert T. Lavina Municipal Administrator | Ms. Gliceria E. Trinidad Designated PESO Manager |
| | Engr. Ricky R. Estopace Municipal Engineer | Engr. Tristee Rio V. Lipit Engineer II |
| | Ms. Genoveva B. Poyaon Municipal Budget Officer | Ms. Hanna Erika E. Laviña MSWDO |
| | Dr. Alvin A. Isidoro Municipal Health Officer | Dr. Maria Carlin L. Fabian Medical Officer III |
| Secretariat | Ms. Joyce Ann Mae L. Del Valle Ms. Teresita R. Delos Reyes Ms. Althea Mae J. Deomano | Budget Officer II Computer Operator IV Bookbinder |
| Observers | Ms. Jocelyn T. Solivas Bishop Herminigildo C. Malabanan Engr. Jayson M. Balota | COA State Auditor IV Rotary Club of Los Banos/ Grand Harvest Ministries, Inc. Philippine Institute of Civil Engineers |

Section 2. FUNCTIONS

The BAC shall have the following functions:

- a) advertise and/or post the invitation to bid/request for expressions of interest;
- b) conduct pre-procurement and pre-bid conferences;
- c) determine the eligibility of prospective bidders;
- d) receive and open bids;
- e) conduct the evaluation of bids;

- f) undertake post-qualification proceedings;
- g) resolve requests for reconsideration;
- h) recommend award of contracts to the Head of the Procuring Entity (HOPE) or his duly authorized representative;
- i) recommend the imposition of sanctions in accordance with Rule XXIII of RA 9184;
- j) recommend to the HOPE the use of Alternative Mode of Procurement as provided in Rule XVI of RA 9184;
- k) conduct any of the Alternative Mode of Procurement;
- l) conduct periodic assessment of the procurement activities and procedures to streamline procurement activities; and
- m) perform such other related functions as may be necessary.

The Secretariat shall serve as the main support unit of the BAC and shall have the following functions and responsibilities:

- a) provide administrative support to the BAC and the TWG;
- b) organize and make all necessary arrangements for the BAC and the TWG meetings and conferences;
- c) prepare minutes of meetings and resolutions of the BAC;
- d) take custody of procurement documents and other records and ensure that all procurements undertaken by the LGU are properly documented;
- e) manage the sale and distribution of Bidding Documents to interested bidders;
- f) advertise and/or post bidding opportunities, including Bidding Documents, and notices of awards;
- g) assist in managing the procurement processes;
- h) monitor procurement activities and milestones for proper reporting to relevant agencies when required;
- i) consolidate Project Procurement Management Plan from various units of the LGU to make them available for review and prepare the Annual Procurement Plan;
- j) act as the central channel of communications for the BAC with end-user or implementing units, PMOs, other units of the line agency, other government agencies, providers of goods, infrastructure projects, and consulting services, observers, and the general public.

The Observers shall have the following responsibilities:

- a) prepare a report indicating observations on the procurement activities conducted by the BAC for submission to the HOPE, copy furnished the BAC Chairperson.
- b) Submit a report to the local government unit (LGU) and furnish a copy to the Government Procurement Policy Board and Office of the Ombudsman/Resident Ombudsman. If no report is submitted within seven (7) calendar days after each procurement activity, then it is presumed that the bidding activity conducted by the BAC followed the correct procedure; and
- c) Immediately inhibit and notify in writing the LGU of any actual or potential interest in the contract to be bid.

Section 3. QUORUM. A majority of the total BAC composition shall constitute a quorum for the transaction of business, provided that the presence of the Chairperson or Vice-Chairperson shall be required.

Section 4. MEETINGS. The Chairperson or, in his absence, the Vice-Chairperson, shall preside at all meetings of the BAC. The decision of the majority of those present at a meeting at which there is a quorum shall be valid and binding as an act of the BAC. Provided, however, that the Chairperson or, in his absence, the Vice-Chairperson, shall vote only in case of a tie.

Section 5. PROFESSIONALIZATION OF BAC, ITS SECRETARIAT, TWG and LGU. The HOPE shall ensure that the BAC, its Secretariat, TWG and other relevant procurement personnel are sent to attend procurement training or capacity development program

Section 6. EFFECTIVITY. This order shall take effect immediately.

Done 21st day of July, 2021 at Los Baños, Laguna

HON. ANTONIO L. KALAW
Municipal Mayor