



SEP 17 2014

Republic of the Philippines  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
**OFFICE OF THE SECRETARY**  
Manila

097.13DPWH  
09-18-2014

DEPARTMENT ORDER )

NO. **98** )


Series of 2014 )

**SUBJECT: Submission of Construction Safety and Health Program Approved by the Department of Labor and Employment (DOLE)**

It has been observed that processing and approval of Civil Works contract for some Infrastructure Projects were delayed due to late submission by the contractor of the Construction Safety and Health Program approved by the DOLE as part of the contract documents required prior to contract approval as stipulated under Section 37.2.3.g. of the revised IRR of RA 9184, thus delaying the project implementation and greatly affecting the absorptive capacity of the Department.

Henceforth, in order to facilitate the implementation of infrastructure projects for timely completion and early benefits of the public and attaining compliance by the DPWH of the target absorptive capacity, the contractor may submit only a copy of the Construction Safety and Health Program duly received by the DOLE prior to the contract approval, provided that the approved Construction Safety and Health Program should be submitted by the contractor to the Implementing Office concerned during the implementation stage, but not later than on the date the contractor files claim for advance payment or first progress billing.

This Order takes effect immediately.

  
**ROGELIO L. SINGSON**  
Secretary

Department of Public Works and Highways  
Office of the Secretary



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### Revised Implementing Rules and Regulations

Responsive Bid, when the Treaty or International or Executive Agreement expressly allows submission of the PCAB license and registration for the type and cost of the contract to be as a pre-condition to the Notice of Award;

- b) Posting of performance security in accordance with Section 39 of this IRR;
- c) Signing of the contract as provided in Section 37.2 of this IRR; and
- d) Approval by higher authority, if required, as provided in Section 37.3 of this IRR.<sup>(n)</sup>

37.1.5. Contract award shall be made within the bid validity period provided in Section 28 of this IRR.<sup>(a)</sup>

37.1.6. The BAC, through the Secretariat, shall post, within three (3) calendar days from its issuance, the Notice of Award in the PhilGEPS, the website of the procuring entity, if any, and any conspicuous place in the premises of the procuring entity.<sup>(n)</sup>

#### 37.2. Contract Signing

37.2.1. The winning bidder shall post the required Performance Security and enter into contract with the procuring entity within ten (10) calendar days from receipt by the winning bidder of the Notice of Award.<sup>(a)</sup>

37.2.2. The procuring entity shall enter into contract with the winning bidder within the same ten (10) day period provided that all the documentary requirements are complied with.<sup>(a)</sup>

37.2.3. The following documents shall form part of the contract:

- a) Contract Agreement;
- b) Bidding Documents;
- c) Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents/statements submitted;
- d) Performance Security;
- e) Credit line in accordance with the provisions of this IRR, if applicable;
- f) Notice of Award of Contract; and
- g) Other contract documents that may be required by existing laws and/or the procuring entity concerned in the Bidding Documents, such as the construction schedule and S-curve, manpower schedule, construction methods, equipment utilization schedule, construction safety and health program approved by the Department of Labor and Employment, and PERT/CPM for infrastructure projects.<sup>(a)</sup>

#### 37.3. Contract Approval by Higher Authority

When further approval of higher authority is required, the approving authority for the contract or his duly authorized representative shall be given a maximum of fifteen (15) calendar days from receipt thereof to approve or disapprove it. However, for infrastructure projects with an ABC of Fifty Million Pesos (P50,000,000) and below, the maximum period is five (5) calendar days. In the case of GOCCs, the concerned