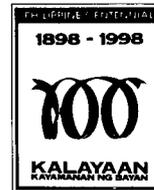




Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Manila



097.13 DPWH
9.5.2000 P 146-390

SEP 01 2000

DEPARTMENT ORDER)

NO. **159**
SERIES OF 2000 *9.5.2000*

SUBJECT: REITERATION OF
DEPT. ORDER
NO. 8, SERIES
OF 1991

Sec. 2 of Republic Act 6713, otherwise known as the Code of Conduct and Ethical Standards of Public Officials, provides that public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence and loyalty. Sec. 3(1) of the same RA 6713 provides that a conflict of interest arises when a public official or employee is a member of a board, an officer, or substantial stockholder of a private corporation or owner or has substantial interest in a business and the interest of such corporation or business, or his rights or duties therein, may be opposed to or affected by the faithful performance of official duty.

Therefore, in line with the declaration of policy in Sec. 2 of RA 6713, strict compliance to Department Order No. 8, Series of 1991, regarding the submission of a sworn statement by a contractor/bidder in its prequalification statement that he has no relative within the fourth civil degree of affinity or consanguinity in the DPWH who has something to do with prequalification, processing/approval of contract and/or project implementation and that no official/employee of the DPWH has direct or indirect interest, financial or otherwise in the firm, is hereby enjoined.

Relatives as mentioned herein include, among others, "bilas", "inso" and "bala", as provided in Sec. 3(k), RA 6713.

Non-compliance with the requirement shall be a ground for prequalification and any false statement made in connection therewith shall subject the offender to such sanction as may be provided under existing laws, rules and regulations.

Any DPWH official/employee who is found guilty of abetting, consenting or conniving with a bidder in violating this Department Order shall suffer the penalty prescribed in Sec. 11 of RA 6713.

All bidders should be apprised of this requirement by incorporating the same in the instructions to bidders.

This Department Order shall apply to all civil works, supply and service contracts.


GREGORIO R. VIGILAR
Secretary



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
MANILA

097-13 DPHH
1-14-91

10 January 1991

DEPARTMENT ORDER) SUBJECT: **ADDITIONAL DOCUMENT REQUIREMENT
IN THE PREQUALIFICATION OF
CONTRACTORS**

No. **8**
Series of 1991

In line with the concept of public bidding that bidders shall bid on equal footing, it is directed that the Prequalification, Bids and Awards Committee (PBAC) shall require contractor applicants, as an additional document for prequalification, a sworn statement that he has no relative, either by consanguinity or affinity, within the fourth civil degree in the Department of Public Works and Highways who has something to do with prequalification, processing/approval of contract and/or project implementation, and that no official/employee of the Department has, either direct or indirect, financial or pecuniary interest in his construction firm.

This additional requirement shall be discussed during the pre-bid conference as among the documents to be contained in the first envelope mentioned in Clause IB 10.2(2) of the Implementing Rules and Regulations (IRR) of P.D. No. 1594, and that non-compliance by any contractor hereof shall be a ground for rejection of his bid. In this connection, non-observance by PBAC members hereof shall be a ground for disciplinary action under existing rules and regulations. Contractors who have submitted such sworn statement which later on turns out to contain misrepresentations, shall be meted the corresponding sanction under the provisions of the IRR of P.D. No. 1594.

This Order shall take effect immediately.

Jose P. de Jesus
JOSE P. DE JESUS
Secretary