



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

917.13-D.PWH
11-20-2002

NOV 20 2002

DEPARTMENT ORDER)
No. 318)
Series of 2002)
X-X-X-X-X-X-X-X-X-X-X-X-X-X-X

SUBJECT: REVISED POLICIES, GUIDELINES, RULES AND REGULATIONS FOR THE PROCUREMENT OF CIVIL WORKS, GOODS, SUPPLIES, MATERIALS, AND RELATED SERVICES, AND CONSULTING SERVICES, AS PER PROVISIONS OF EXECUTIVE ORDER NO. 40, S. 2001 AND ITS IMPLEMENTING RULES AND REGULATIONS

In accordance with the provisions of Executive Order No. 40, series of 2001 and its Implementing Rules and Regulations (IRR), the following guidelines and policies are hereby prescribed for immediate implementation, to wit:

1. **Creation/Reconstitution of Bids and Awards Committees for the Procurement of Civil Works, Goods, Supplies, Materials, Equipment and Related Services, and Consulting Services.**

1.1 Pursuant to Section 7.2 of the IRR of Executive Order No. 40, series of 2001, a Bids and Awards Committee (BAC) for the Procurement of Civil Works, Goods, Supplies, Materials, and Related Services, and Consulting Services is hereby created/reconstituted in the DPWH Implementing Field Offices, as follows:

BAC Composition	Regional Offices	District/Sub-District Offices	Regional Equipment Services (RES)	Term of Office
Chairman (Regular)	Division Chief	Engineer III	Engineer III	3 years
Member (Regular)	Legal Officer or Admin. Officer	Legal Officer or Admin. Officer	Legal Officer or Admin. Officer	2 years
Member (Regular)	Accountant	Accountant	Accountant	1 year
Member (Provisional)	Admin. Officer or Supply Officer	Admin. Officer or Supply Officer	Admin. Officer or Supply Officer	
Member (Provisional)	End-user	End-user	End-user	
Observer (Non-voting)	One (1) Representative from Commission on Audit (COA) Two (2) Representatives from Non-Government Organization (NGO)			

1.2 The Legal/Administrative/Supply Officer mentioned above refers to the one who presently holds the highest position title in the said position classification within the office concerned.

1.3 The designation of the Chairman and regular members of each of the BAC (at least third ranking permanent personnel of that Regional Office/District/Sub-District and RES)

in accordance with Section 1.1 above subject to the approval of the Regional Director concerned, furnishing a copy to the BAC Chairman, Central Office.

- 1.4 The Head of Office concerned (i.e., Regional Director, District/Sub-District Engineer, or Regional Equipment Engineer may create separate BACs where the number and complexity of the items to be procured shall so warrant (Section 7.1, IRR, E.O. 40, s. 2001) and shall designate at least two (2) provisional members, with knowledge and/or experience in the type of the project or requisitioned item(s) to be procured, one of the two representatives shall be from the requisitioning end-user's office.
- 1.5 The BACs previously created in the DPWH Regional/District Offices and RES are hereby renamed as BACs for the Procurement of Civil Works, Goods, Supplies, Materials, and Related Services, and Consulting Services with the composition indicated under Section 1.1 above.
- 1.6 The BAC Chairperson and the official who will sign the existing contract for the agency shall not be the same person.

2. BAC Secretariat

- 2.1 The agency shall create a Secretariat and the Head of the BAC Secretariat shall be at least third ranking official of the Regional/District/Sub-District Office and RES or next lower rank.

3. Technical Working Group (TWG)

- 3.1 For each specific procurement, the BAC may create a Technical Working Group (TWG) from a pool of technical, financial, and/or legal experts to assist in the eligibility, screening and evaluation of bids. The members of the TWG shall also be on "*jury duty*" type of assignment (Section 12.1, IRR, E.O. 40, s. 2001).
4. The levels of authority in the approval of Purchase Requests (PRs) shall, likewise, be adopted in the approval of supply contracts or purchase/work/letter orders, provided contracts involving amounts exceeding P2 Million shall be recommended by two (2) Undersecretaries and shall be approved by the Secretary, pursuant to the provisions of Executive Order No. 301, series of 1987.

All previous Department issuances inconsistent herewith are hereby deemed modified or superseded accordingly.

This Department Order shall take effect immediately.


SIMEON A. DATUMANONG
Secretary