

SPECIAL ORDINANCE NO. 95-05-002

CREATING THE COMMITTEE ON AWARDS IN THE MUNICIPALITY OF BULALACAO, ORIENTAL MINDORO PRESCRIBING RULES OF PROCEDURES THEREOF

Sponsored by: Hon. Oscar C. Familara

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro:

SECTION 1. COMPOSITION, There is hereby created in the Municipality of Bulalacao, Oriental Mindoro a Committee on Awards which shall be composed of the Municipal Mayor as chairman with the following as members:

- (a) The Municipal Treasurer;
- (b) The Municipal Accountant;
- (c) The Municipal Budget Officer;
- (d) The Head of Office or Department for whose the supplies are being procured.

In case a head of office or department would sit in a dual capacity, the chairman of the Committee on Finance, Budget and Appropriation of the Sangguniang Bayan shall sit as a member.

In no case shall a National Government official sit as a member of the Committee on Awards.

SECTION 2. POWERS, FUNCTIONS AND DUTIES. The Committee on Awards shall exercise exclusive jurisdiction in deciding the winning bids and questions of awards on procurement and disposal of supplies or property except in cases of procurement through emergency purchase, or when the authorization is specifically vested by law or ordinance in another body.

SECTION 3. CALL FOR BIDS. When procurement is to be made, the Municipal Treasurer shall call bids for open public competition. The call for bids shall show the complete specification and technical descriptions of the required supplies and shall embody all terms and conditions of participation and award, terms of delivery and payment, and all other covenants affecting the transaction. In all call for bids, the right to waive any defect in the tender as well as the right to accept the bid most advantageous to the government shall be preserved. In no case, however, shall failure to meet the specifications or technical requirements of the supplies desired be waived.

SECTION 4. PUBLICATION OF CALL FOR BIDS. (a) The call for bids shall be given the widest publicity possible, sending by mail or otherwise, any known prospective participant in the locality, copies of the call and by posting copies of the same in at least three (3) publicity accessible and conspicuous places in the municipal hall, The Municipal Treasurer shall certify to the effect that these requirements have been complied with.

(b) The notice of the bidding may likewise be published in a newspaper of general circulation in the territorial jurisdiction of the local government unit when the Municipal Treasurer deems it necessary in order to obtain the lowest responsible and complying bid.

Unless otherwise directed by the Committee on Awards publication shall be made at least ten (10) calendar days prior to the opening of bids.

SECTION 5. PROCEDURE ON AWARDS. (a) ROSTER OF BIDDERS. The Municipal Treasurer shall maintain a list of bonafide bidders.

(b) OBLIGATION OF BIDDERS.- Every bidder shall be presumed to know all terms and conditions of the call for bid and shall assume all risks attendant thereto.

(c) QUOTATIONS.- Quotations must be certain and definite in amount. Unless otherwise called for in the call for bids, all quotations must be in Philippine currency inclusive of all government taxes, fees, imposts, or duties if any and all incidental expenses.

The bidders shall state the period during which offer is good, which in no case shall be less than sixty (60) days.

(d) SUBMISSION OF BIDS.- On or before the time and date of opening of bids, the bidders shall submit their bids in sealed envelopes to the Office of the Municipal Treasurer. Said office shall stamp thereon the time and date of receipt.

(e) OPENING OF BIDS.- All bids submitted shall be opened at the time, date and place set in the call for bids by the Committee on Awards. Opening of bids shall be made only in the presence of Municipal Auditor or his duly authorized representative who shall initial and secure copies of the bids and certify the abstract of the bidding.

Bidders or their representatives may witness the proceedings.

(f) ACCEPTANCE OF BIDS AND AWARDS.- Awards in the procurement of supplies shall be given to the lowest complying and responsible bid which meets all the terms and conditions of the contract or undertaking.

The result of the bidding shall be made public by posting the same in the municipal hall.

(g) PROTEST AGAINST ON AWARDS.- A losing bidder may file with the Committee on Awards a protest within ten (10) days from the date the winner was announced. The protest shall be in writing based on justifiable grounds, accompanied with a protest bond, either in cash, certified or cashier's check, or surety bond, in an amount equivalent to ten percent (10%) of the total value involved. Within seven (7) days from receipt of the protest, the Committee on Awards shall render its decision.

SECTION 6. REPEALING CLAUSE. All ordinance inconsistent hereof are hereby repealed, modified accordingly.

SECTION 7. PENALTY. Any violation of the provisions of this ordinance shall be prosecuted, and upon conviction, be punished under pertinent provisions of RA No. 7160, Revised Penal Code, COA Rules and Regulations and all other applicable laws, orders and memoranda.

SECTION 8. EFFECTIVITY. This ordinance shall take effect immediately.

ENACTED this 31st day of May 1995.

CERTIFIED TRUE AND CORRECT:

SIXTO O. BARRILANOS
Sec. to the Sanggunian