



Republika ng Pilipinas

Bambangang Pangasiwaan ng Patubig

(NATIONAL IRRIGATION ADMINISTRATION)

Lungsod ng Quezon

OFFICE ADDRESS: NATIONAL GOVERNMENT CENTER
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QUEZON CITY PHILIPPINES

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OUR REFERENCE:

MC No. 23, s. 1994

MEMORANDUM CIRCULAR

TO : THE DEPUTY ADMINISTRATOR, ASSISTANT ADMINISTRATORS,
DEPARTMENT MANAGERS, STAFF HEADS, REGIONAL IRRIGATION
MANAGERS, OPERATION/PROJECT MANAGERS, IRRIGATION
SUPERINTENDENTS, PROVINCIAL IRRIGATION OFFICERS
AND ALL OTHERS CONCERNED

SUBJECT : Authority for Bidding, Awarding and Payment of
Locally Funded Projects Initiated by Legislators
in the GAA and D.A. regular funds

Quoted hereunder in full is Memorandum from the Secretary,
Department of Agriculture, for your information and guidance.

"Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City

MEMORANDUM

TO : Regional/Bureau Directors
and Head of Attached Agencies

Subject : Authority for Bidding, Awarding
and Payment of Locally Funded
Projects Initiated by Legislators
in the GAA and D.A. regular funds.

Date : 3 February 1994

Regional/Bureau Directors and Heads of Attached Agencies
are hereby Authorized to conduct bidding, award and sign checks
for locally funded projects initiated by legislators in the
GAA worth not more than TWO MILLION (P2 M) PESOS.

For the Departments regular funds, the authorities provided
for by General Memorandum No. 4 Series of 1990 shall remain to
be in force.

In case, however, that the origin of the projects (requesting
official in the RIV) is the Secretary of Agriculture, the Bidding,
awarding and payment shall be conducted by the D.A. Central Office,
regardless of the amount of the project.

For compliance.

(SGD.) ROBERTO S. SEBASTIAN
Secretary

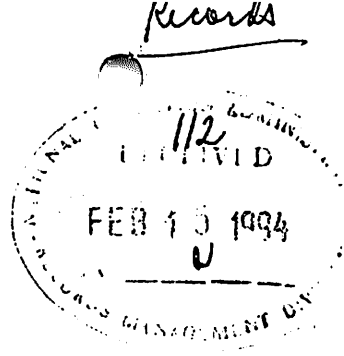
Please be guided accordingly.

APOLONIO V. BAUTISTA
Administrator

April 1994



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City



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MEMORANDUM

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and Head of Attached Agencies

SUBJECT : Authority for Bidding, Awarding
and Payment of Locally Funded
Projects Initiated by Legislators
in the GAA and D.A. regular funds.

DATE : 3 February 1994

Regional/Bureau Directors and Heads of Attached Agencies are hereby Authorized to conduct bidding, award and sign checks for locally funded projects initiated by legislators in the GAA worth not more than TWO MILLION (P2 M) PESOS.

For the Departments regular funds, the authorities provided for by General Memorandum No. 4 Series of 1990 shall remain to be in force.

In case, however, that the origin of the projects (requesting official in the RIV) is the Secretary of Agriculture, the Bidding, awarding and payment shall be conducted by the D.A. Central Office, regardless of the amount of the project.

For compliance.

R. Sebastian
ROBERTO S. SEBASTIAN
Secretary

gtp/fn:auth-bid
dkt:spo'94

S-94-02-036

I-9402-278-176



MEMORANDUM

To : All Concerned

From : Secretary Roberto S. Sebastian

Subject : Guidelines for the Implementation
of Locally Funded Projects Initiated
by Legislators in the General
Appropriations Act

Date : 28 January 1994

In the Implementation of Locally Funded Projects Initiated by Legislators in the General Appropriations Act, the procedures contained in the 1991 Government Accounting and Auditing Manual (GAAM) and when applicable, the existing guidelines in the disbursement of regular funds of the Department shall be followed, except that the authority of the D.A. Regional/Bureau Directors or Attached Agency Heads as far as the conduct of Bidding, voucher approval and check signing are concerned is hereby increased to P2 M.

In instances where the Secretary of Agriculture deems that a Local Government Unit (LGU) has the capacity to implement the project and duly designates the same as the implementor of the project, the guidelines hereinbelow will be followed.

I. Basic Premises

- A. Section 66 of the 1993 General Appropriations Act (RA 7645) requires that nationally funded projects, facilities, programs and services shall be implemented by the national government department or agency citing Sec. 17(c) of the Local Government Code of 1991 (RA 7160).
- B. However, that same provision of the Local Government Code also allow the National Government Department or Agency to designate the LGU as the implementing agency for such projects, facilities, programs and services.

- C. The Department of Agriculture, its regional field offices, bureaus and attached agencies (DA) may not be able to effectively implement all the projects, facilities, programs and services because of lack of manpower and equipment due to the devolution of personnel as mandated by the local government code.
- D. Under the GAA and the Local Government Code, accountability for these funds remains with DA. Correspondingly, DA is responsible for compliance with accounting and auditing rules and regulations on the utilization of these funds.
- E. Under the foregoing circumstances some projects, facilities, programs and services of the DA may be prosecuted together with the LGU through an appropriate Memorandum of Agreement (MOA).

II. Coverage

These guidelines shall cover locally funded projects of the Department of Agriculture, its Regional Field Offices, Bureaus and attached agencies (DA) initiated by legislators in the General Appropriations Act only when the Local Government Unit concerned is duly designated by the Secretary of Agriculture as implementing agency for a specific project, facility, program or service.

III. Role of Local Government Unit

In case the LGU is duly designated by the Secretary of Agriculture, the chosen LGU shall act as the complementor of the project intended to be set up in the locality of the LGU. As such, the LGU shall be responsible for the physical accomplishment of the project.

This role of the LGU shall be so defined in the MOA by the following:

1. The project shall be constructed, fabricated, and/or installed by the LGU.
2. The LGU shall have sole responsibility for contracts it enters into with third parties.
3. The LGU shall bill the Department of Agriculture on a turn key basis. Any other mode of payment shall be subject to the approval of the DA

Regional/Bureau Director or attached agency head. The billing shall be supported by a certification from the COA Auditor of the LGU as to percentage of completion and reasonableness/correctness of the billing.

IV. Responsibility of DA

1. The DA shall pay the LGU after the completion of the project, in case another mode of payment is allowed by DA Regional Director, Bureau Director or head of the attached Agency, payment shall be based on valid billings by the LGU.

2. The DA shall monitor the progress of the work through its appointed project supervisor.

3. The DA shall ascertain that the project is prosecuted in accordance with the approved design.

V. Specific Guidelines

A. Site

1. Selection of the site shall be with the concurrence of DA.
2. If the intention is to retain the completed projects in the books of DA, ownership of the site shall first be granted to DA by way of Deed of Donation.
3. In case the project is to be turned over to the LGU after completion, ownership of the site need not be transferred to DA.

B. Design and Plans

1. The design and plans for the project shall be approved by DA prior to execution.
2. Although DA has standard designs and plans for each type of project, they may be revised to match the funds allotted.

C. Disbursements

1. Disbursements shall be in accordance with COA accounting and auditing rules.

2. Authorities for voucher approval and check signing shall be based on GMO No. 4 series of 1990.
3. All vouchers/checks shall be made payable to the treasurer of the LGU.
4. Section A of the voucher shall be signed by the DA Project supervisor duly designated by the DA Regional/Bureau Director or Agency Head concerned.

D. Signing of MOA

1. The DA Regional/Bureau Directors or Attached Agency Heads are authorized to sign MOA's for projects worth up to P10 Million.

VI. Administrative Expenses

The DA Regional Field Office, Bureau or Attached Agency implementing the project may charge administrative expenses to the project not to exceed 5% of the allotment for such project.



ROBERTO S. SEBASTIAN
Secretary

gtp/fn:guidelines

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Agreement made and entered into by and between :

The Department of Agriculture, a government agency created and existing under the laws of the Republic of the Philippines with office address at Elliptical Road, Diliman, Quezon City, Philippines, represented by its Secretary, ROBERTO S. SEBASTIAN, herein referred to as DA;

- and -

The City/Municipality of _____ a Local Government Unit created pursuant to law with address at _____ represented by its _____, herein referred to as the LGU.

W I T N E S S E T H -

WHEREAS, Sec. 65 of the 1993 General Appropriations Act (RA 7645) requires that nationally funded projects, facilities, programs and services shall be implemented by the national government department or agency pursuant to Sec. 17 (c) of RA 7160 (Local Government Code of 1991);

WHEREAS, the same Local Government Code also allows the national agency to implement nationally funded projects, facilities, programs and services jointly or with the assistance of the Local Government Units (LGU's);

WHEREAS, the Department of Agriculture (DA), its regional field offices, bureaus and attached agencies may not be able to effectively implement all projects, facilities and programs and services due to the lack of manpower and equipment due to the deputation of personnel as mandated by the Local Government Code;

WHEREAS, under the foregoing circumstances some projects, facilities, programs and services of the DA may be prosecuted together with the LGU thru an appropriate Memorandum of Agreement (MOA);

NOW THEREFORE, for and in consideration of the premises and mutual covenants and undertakings herein set forth, the parties have agreed to the following:

I. ON THE PART OF DA:

1. Engage the services of the City/Municipality of _____ to construct, fabricate and/or install _____;
2. Pay the LGU after the completion of the project or in case another mode of payment has been agreed upon between the DA Regional Director, Bureau Director or head of the attached agency, payment shall be based on valid billing by the LGU;
3. The DA shall monitor the progress of the work through its duly appointed project supervisor;

4. The DA shall ascertain that the project is prosecuted in accordance with the approved design.

II. ON THE PART OF THE LGU:

1. Construct, fabricate and/or install (describe in detail the project/facility to be constructed);

2. Have sole responsibility for contracts it enters into with third parties;

3. Bill the DA in a turn key basis. Any other mode of payment shall be subject to the approval of the DA Regional/Bureau Director or attached agency.

III. SPECIFIC GUIDELINES:

A. Site

1. Selection of the site shall be with the concurrence of DA.

B. Design and plan

1. The design and plan of the project shall be approved by DA prior to execution.

2. DA's standard design and plan maybe revised to match the funds allotted.

IV. OTHER COVENANTS:

Agreement.

If DA desires to retain ownership of the completed project/facility, ownership shall be granted/ transferred by way of a Deed of Donation;

2. In case the project/facility is to be turned over to the LGU after completion, ownership of the site need not be transferred to DA.

This Agreement shall take effect upon signing and shall remain valid up to _____.

IN WITNESS WHEREOF, the parties have hereunto set their hands on this _____ day of _____ 1994.

DEPARTMENT OF AGRICULTURE

By:

By:

ROBERTO S. SEBASTIAN
Secretary

SIGNED IN THE PRESENCE OF:

A C K N O W L E D G M E N T

REPUBLIC OF THE PHILIPPINES } S.S.

Before me, a Notary Public for and in _____
personally appeared the following:

NAME

RES. CERT. NO.

ISSUED AT/ON

known to me to be the same persons who executed the foregoing instrument and acknowledge that the same is their voluntary act and deed as the agencies they represent.

The instrument, consisting of five (5) pages, including the page of which this acknowledgment is written, has been signed on the left margin of each and every page thereof by parties and their witnesses, and sealed with my notarial seal.

WITNESS MY HAND AND SEAL this _____ day of _____
1994 at _____.

NOTARY PUBLIC

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 1994.