

Republika ng Pilipinas  
**Pambansang Pangasiwaan ng Patubig**  
(NATIONAL IRRIGATION ADMINISTRATION)  
Lungsod ng Quezon

OFFICE ADDRESS: NATIONAL GOVERNMENT CENTER  
E. DE LOS SANTOS AVENUE  
QUEZON CITY PHILIPPINES

TELEPHONE NOS.: 929-6071 to 78  
TELEFAX NO.: 928-9343  
TIN: 000-916-415

OUR REFERENCE:

MC # 35-A S. 2003

**MEMORANDUM CIRCULAR**

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

**SUBJECT : SUPPLEMENTAL GUIDELINES ON RECONSTITUTION OF BAC,  
TWG AND SECRETARIAT AT FIELD OFFICES UNDER RA 9184**

The following supplemental guidelines on the Composition of the Bids and Awards Committee shall form part of MC 35 S. 2003 requiring all Chiefs of Field Offices to reconstitute their BAC, TWG and Secretariat in accordance with IRR-A of RA 9184:

**1. Representative from the Finance Area as Regular Member**

Section 11.2.1 of IRR-A provides that one regular member of the BAC shall come from the Finance area who is at least a 3<sup>rd</sup> ranking permanent personnel of the Procuring Unit.

However, COA Circular No. 2003-004 prohibits the Chief Accountant and personnel of the Accounting Unit from being regular members of the BAC as contemplated under IRR-A. (Annex A)

As such, no personnel of the Accounting Unit shall be designated members of the BAC. However, they may serve as provisional members when the Accounting Unit is the End User of the items, subject of the bidding.

**2. Representative from the End User as Provisional Member**

One of the provisional members of the BAC is the representative from the End User. The End User refers to any personnel occupying plantilla positions of the Procuring Unit who have knowledge of procurement laws and procedures.

The Irrigators Association is considered a private group and therefore cannot represent the End User. However, the IA may be invited as observer representing a non-government organization.

**3. Representative from the NIAEASP as Observer**

In addition to representatives of COA, duly recognized private group and non-government organization, a representative from NIAEASP may also be invited as observer to sit in BAC proceedings.

In view of these supplemental Guidelines, all Chiefs of Offices are hereby directed to resubmit their reconstituted Bids and Awards Committee on or before November 10, 2003.



JESUS EMMANUEL M. PARAS  
Administrator

October 30, 2003



# COMMISSION ON AUDIT

Commonwealth Avenue, Quezon City, Philippines

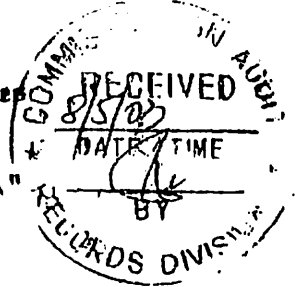
COMMISSION ON AUDIT

Agencies, Bureaus, and Offices  
Government-Owned and/or Controlled Corporations  
Local Government Units

CIRCULAR

RECEIVED

ANNEX "A"



No. : 2003-004  
Date : JUL 30 2003

By: [Signature]  
Date: 7/15/03

**TO :** Heads of Departments; Chiefs of Bureaus, Agencies, and Offices; Managing Heads of Government-Owned and/or Controlled Corporations; Local Chief Executives; Assistant Commissioners, Directors, Officers-in-Charge, and Auditors of the Commission on Audit; and All Others Concerned.

**SUBJECT :** Prohibition for the Chief Accountant and personnel of accounting units to be regular members of the Bids and Award Committees

RECEIVED  
BY: [Signature]  
DATE: 7/29/03

Under Republic Act No. 9184, the Government Procurement Reform Act which amended Executive Order No. 40 on the same subject, the establishment of Bids and Award Committee (BAC) in all agencies of the government including state universities and colleges, government-owned and/or controlled corporations, government financial institutions and local government units is mandated. Specifically, the BAC shall be responsible for ensuring compliance with the standards in the law in the procurement of goods and services and prosecuting infrastructure projects of the agency.

On the other hand, the Chief Accountant and the personnel under him are tasked to approve the voucher in payment of such goods and services procured and of the infrastructure prosecuted and to certify to the availability of funds for the project subject of the bidding. Thus, it becomes necessary to ensure that the procurement and payment functions are segregated in keeping with the rules and principles of good internal control and to avert the possibility of conflict of interest that may arise under the circumstances.

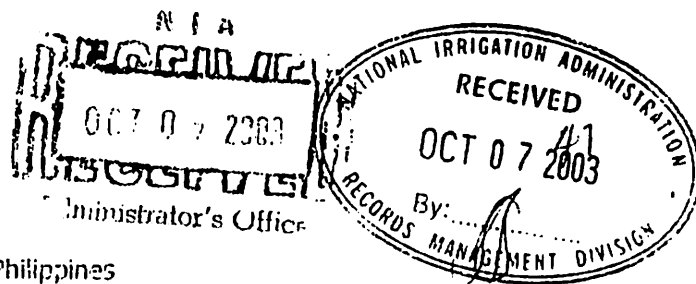
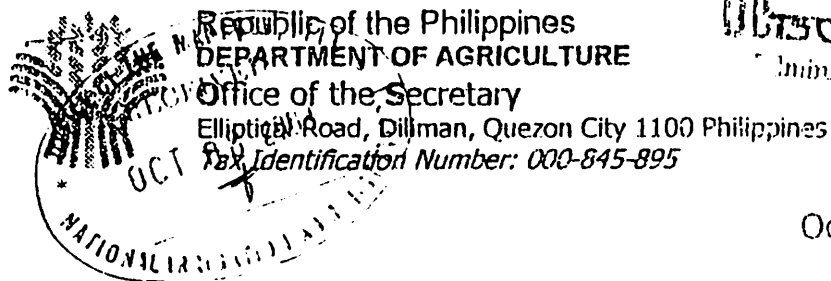
For  
the  
Chief  
Accountant  
and  
the  
BAC

Pursuant to the authority vested in this Commission to promulgate accounting and auditing rules and regulations including those for the strengthening of internal control in the operations of the government, it is hereby directed that the Chief Accountant and the personnel of the Accounting Unit of any agency of government are prohibited from being regular members of the agency's Bids & Awards Committee as contemplated under the Implementing Rules & Regulations of R.A. 9184. However, they may serve as provisional members when the Unit is the end-user of the items, subject of the bidding.

This Circular shall take effect immediately after its publication in a newspaper of general circulation.

  
**GUILLERMO N. CARAGUE**  
Chairman

LegO



October 02, 2003

## MEMORANDUM CIRCULAR 13


TO : All RFU's, Bureaus and Attached Agencies

RE : PROHIBITION FOR THE CHIEF ACCOUNTANT  
AND PERSONNEL OF ACCOUNTING UNITS TO  
BE REGULAR MEMBERS OF THE BIDS AND  
AWARDS COMMITTEE

Furnishing your herewith copy of COA Circular No. 2003 – 004 dated 30 July 2003 on the above subject.

Please be guided accordingly.

Very truly yours,

  
**JOCELYN I. BOLANTE**  
Undersecretary for  
Administration & Finance



REPUBLIC OF THE PHILIPPINES  
**COMMISSION ON AUDIT**

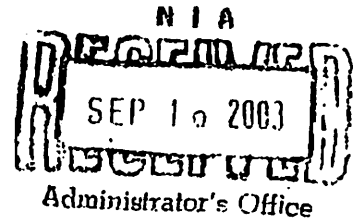
Office of the Corporate Auditor  
NATIONAL IRRIGATION ADMINISTRATION  
EDSA, Quezon City



September 19, 2003

**MEMORANDUM**


**FOR** : The Administrator  
This Agency



**SUBJECT** : Prohibition for the Chief Accountant and personnel  
of accounting units to be regular members of the  
Bids and Award Committees

We are transmitting herewith a copy of COA Circular No. 2003-004 dated July 30, 2003, treating on the above subject.

For your information and compliance.

  
**NILDA M. BLANCO**  
Supervising Auditor

MMB/DCB