



MEMORANDUM CIRCULAR No. 50  
Series of 2026

TO : THE SENIOR DEPUTY ADMINISTRATOR, DEPUTY ADMINISTRATORS,  
REGIONAL / DEPARTMENT / PROJECT MANAGERS, DIVISION MANAGERS,  
AND ALL OTHERS CONCERNED

SUBJECT : AMENDMENT TO MEMORANDUM CIRCULAR NO. 32, SERIES OF 2023  
RE: GUIDELINES FOR THE RECONSTITUTION OF BIDS AND AWARDS  
COMMITTEE (BAC), TECHNICAL WORKING GROUP (TWG), AND BAC  
SECRETARIAT AT FIELD OFFICES UNDER THE 2016 REVISED  
IMPLEMENTING RULES AND REGULATIONS OF RA 9184 AND ADOPTION  
OF BAC COMPOSITION IN ACCORDANCE WITH RA NO. 12009,  
OTHERWISE KNOWN AS THE "NEW GOVERNMENT PROCUREMENT ACT"

This Memorandum Circular is issued to adopt and implement Republic Act No. 12009, otherwise known as the *New Government Procurement Act*, and its Implementing Rules and Regulations (IRR), specifically with respect to the composition, designation, and reconstitution of the Bids and Awards Committee (BAC) of the National Irrigation Administration.

Republic Act No. 12009, which took effect on 13 August 2024, introduced reforms to strengthen professionalism, accountability, and efficiency in government procurement. In line with these reforms, the law updated the rules governing the composition and designation of BAC members to ensure that procurement decisions are made by qualified and accountable officials.

Pursuant to the IRR of RA 12009, the Procuring Entity shall establish in its head office a BAC to undertake the functions specified in this IRR; Provided, however, that in a department, bureau, office, or agency where procurement functions are decentralized, the head of each decentralized unit, which is individually considered as a Procuring Entity, shall be considered as the Head of the Procuring Entity (HoPE), subject to the limitations and authority delegated by the head of the department, bureau, office or agency.

In the interest of service and to ensure consistency with the IRR of RA No. 12009, all Regional/Department (IISO) Managers, Irrigation Management Office/Division Managers (IISO) and Project Managers are hereby authorized to reconstitute their existing BACs, as deemed necessary, in accordance with the foregoing rules and regulations.

In connection with this, the following guidelines are reiterated for the preparation of the request for BAC Reconstitution. In said request, kindly indicate the following:

- 1) BAC Members indicating their *designation and rankings*;
- 2) Technical Working Group consisting of technical, financial and legal experts;  
and
- 3) BAC Secretariat consisting of the Head and Members.

In addition, requests for BAC Reconstitution shall be submitted at least **one (1) month** prior to the effectivity of expiration of the term or upon amendments to the existing BAC composition.

Kindly be advised that in accordance with Section 41.2.1 of the IRR of RA 12009, *The HoPE shall designate five (5) or seven (7) permanent officials of unquestionable integrity and procurement proficiency as members of the BAC. The term "permanent" does not refer to whether the person holding the plantilla position is contractual, regular, or temporary; rather, this refers to whether the position exists within the organizational structure of the procuring entity or not.*



Furthermore, Section 41.2.2 provides that in designating BAC members, the following shall be taken into consideration:

Regular Members:

- a) Chairperson, who is **at least a third (3rd) ranking permanent official** of the Procuring Entity;
- b) An officer, who is **at least a fifth (5th) ranking permanent official**, or if not available, an officer of the next lower rank with knowledge, experience and/or expertise in procurement who, to the extent possible, represents the **legal or administrative area** of the Procuring Entity; Provided, that in the case of bureaus, regional offices and sub-regional/district offices, BAC members shall be **at least a third (3rd) ranking permanent personnel** or if not available, an officer of the next lower rank;
- c) An officer, who is **at least a fifth (5th) ranking permanent official**, or if not available, an officer of the next lower rank with knowledge, experience and/or expertise in procurement who, to the extent possible, represents the **"finance area"** of the Procuring Entity; Provided, that in the case of bureaus, regional offices and sub-regional/district offices, BAC members shall be at least a third (3rd) ranking permanent personnel or if not available, an officer of the next lower rank.

*\*\*\*In line with COA Circular No. 2003-004, the Head of the Procuring Entity may designate any personnel from the finance area thereof, in the case of NGAs, departments, bureaus, offices, or instrumentalities of the Government, including judiciary and legislative branches, constitutional commissions, SUCs, GOCCs, and GFIs, or from the Budget Office, in the case of LGUs, provided that such official is neither the Chief Accountant nor a personnel of the Accounting Unit of the procuring entity concerned. However, the Chief Accountant and any personnel of the Accounting Unit of a procuring entity may serve as provisional members when the said Unit is the end-user of the items, subject of the bidding.*

Provisional Members:

- a) An officer who has technical expertise relevant to the procurement at hand, and, to the extent possible, has knowledge, experience and/or expertise in procurement; and
- b) A representative from the end-user or implementing unit who has knowledge of procurement laws and procedures.

It is hereby directed that all offices shall utilize the attached pro-forma (*Annex "A"*) for BAC Reconstitution requests.

Strict compliance herewith is hereby enjoined for the timely processing of requests for BAC Reconstitution/Renewals.

This Memorandum Circular shall take effect immediately and shall supersede all existing memoranda and all orders inconsistent herewith and shall remain in force unless otherwise revoked.

For guidance and strict compliance.

ENGR. EDUARDO EDDIE G. GUILLEN  
Administrator

Date 19 MAY 2026



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(Date)

**FOR : THE ADMINISTRATOR**

**SUBJECT : RECONSTITUTION OF BIDS AND AWARDS COMMITTEE**

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Pursuant to Section 41 of the Implementing Rules and Regulations (IRR) of Republic Act No. 12009, the following are hereby requested to be DESIGNATED as members of the Bids and Awards Committee (BAC), members of the pool of the Technical Working Group (TWG), if applicable, and Secretariat at the  [name of requesting office]  for Goods, Services, and Civil Works, effective  [effectivity date]  until  [expiration date]  (see Annex "A").

All proposed BAC Regular Members, Secretariat, and Technical Working Group (TWG) members shall give utmost priority to BAC assignments over all other duties and responsibilities until all requirements of said assignments are completed.

Likewise, the proposed BAC Regular Members, Secretariat, and TWG members are required to observe due diligence and transparency in the performance of their mandated tasks.

Outgoing members of the BAC shall continue to discharge their functions until the completion of all ongoing procurements for which they have been constituted. New and incoming procurements shall be handled by the duly reconstituted BAC.

For evaluation and approval.

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**Head of the Procuring Entity**





