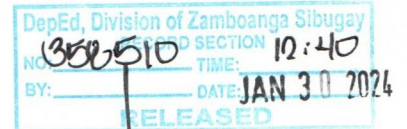




Republic of the Philippines  
**Department of Education**  
REGION IX  
**SCHOOLS DIVISION OF ZAMBOANGA SIBUGAY**



26 Jan 2024

DIVISION MEMORANDUM

No. 055 s. 2024

**CUSTOMIZED IMPLEMENTING GUIDELINES ON THE CREATION OF  
BIDS AND AWARDS COMMITTEES (BACs) IN THE SCHOOLS**

To: Public Schools District Supervisors/DICs  
School Heads, Elementary/Secondary  
District/School Administrative Officers II  
Other Non-Teaching Personnel  
All Others Concerned

1. In compliance with the provisions of RA 9184 otherwise known as the Government Procurement Reform Act and consistent with the mandate of the Department of Education to relieve the Teachers from performing ancillary functions, this Office issues the enclosed Customized Implementing Guidelines on the Creation of Bids and Awards Committees in the school.
2. This policy aims to ensure the implementation and compliance of the provision of RA9184 and strengthen the internal control system.
3. The prominent features of these guidelines included the clustering of schools and the designation of the duly hired Administrative Officers II and other Non-Teaching Personnel to form part of the said committee.
4. This Memorandum shall take effect beginning the Fiscal Year 2024 without prejudiced to other on-going or pending school procurement processes and until completed.
5. Widest dissemination on the contents of this Memorandum is desired.

**VIRGILIO P. BATAN, JR., CESO V**  
Schools Division Superintendent

ZS-DM-OSDS-ADMIN-2024-  
Grj-20240103

Encl.: As stated

Reference: RA 9184

D.O. 002, s. 2024

D.O. 41, s. 2021

To be indicated in the Perpetual Index under the following subjects:

ANCILLARY  
AUTHORITY  
ADMINISTRATIVE OFFICER

BIDS AND AWARDS COMMITTEE  
NON -TEACHING PERSONNEL  
PROCUREMENT  
TEACHERS

**CUSTOMIZED IMPLEMENTING GUIDELINES ON THE CREATION OF BIDS AND AWARDS COMMITTEES IN THE SCHOOL**

1. The School Bids and Awards Committee is constituted in compliance with the provisions of RA 9184 or the Procurement Law. It ensures that the procurement of goods, supplies and services in the schools is executed timely, economically, and efficiently.

The prevailing procurement structure in the school level is mostly participated by the teachers who are overburdened with ancillary functions in addition to their regular teaching loads. Thus, a scheme is adopted to free the teachers from doing non-teaching work and designate Administrative Officers II to give focus on the school procurement processes.

2. Central Schools and Implementing Units (IUs) will organize or reconstitute their BAC composition pursuant to the provisions of R.A.9184, utilizing the non-teaching and teaching related personnel in consonance with DepEd Order No. 002 series 2024.

3. Public Schools District Supervisors/DICs are mandated to identify schools classified as non-big schools to be clustered into five (5) schools which are strategically located nearest each other and recommend the composition of the BAC following the schedule of matrix provided below:

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**COMPOSITION OF THE BAC/PROCUREMENT TEAM**

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NAME OF SCHOOLS:

- 1.
- 2.
- 3.
- 4.
- 5.

BAC CHAIR	: -One Regular Chair chosen from among the 5 School Heads -Another school head will act as Chair when the regular sitting en banc is the HOPE
VICE CHAIR	-Another one School Head chosen from among the four (4) will act as VICE-CHAIRPERSON
MEMBER	-Other School Heads (Plantilla Holder e.g HTs, SPs), Administrative Officer II, Administrative Assistants, Administrative Aides, Nurse, Librarian, Guidance Counselor, Registrar and PDO 1
PROVISIONAL MEMBER/ TWG	-The three (3) remaining School Heads will act as TWG acting alternately
PROGRAM OWNER/END USER:	Teacher
BAC SECRETARIAT	-Administrative Officer II
CANVASSER	-Administrative Officer II
PURCHASER	- Administrative Officer II
INSPECTORATE	- ADAS II or III (BOOKKEEPER)
OBSERVER	- COA and duly accredited organizations



4. The PSDS/DICs shall conduct an initial orientation on the prospective composition of the BAC to ensure proper placement and each member to function effectively and efficiently guided by the provisions of the procurement law. The same composition shall be forwarded to the Division Office for review and approval of the Schools Division Superintendent.
5. It is informed that the above customized guidelines are strictly in accordance with Article V of R.A 9184 particularly on the composition, its duties and functions and term of office as spelled out in Sections 11-14, Article V of R.A. 9184, hereto attached as "*Enclosure No. 2.*"
6. It is expected that after completion of every procurement process, all non-teaching personnel led by the Administrative Officers II will meet on a regular basis and work harmoniously on the liquidation reports with strict compliance of the accounting and auditing rules and regulations.
7. A capacity building will be scheduled by the HRD to train the School BAC on procurement law, budgeting, accounting and auditing rules.



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## ARTICLE V BIDS AND AWARDS COMMITTEE

SEC. 11. The BAC and its Composition. – Each procuring entity shall establish a single BAC for its procurement. The BAC shall have at least five (5) members, but not more than seven (7) members. It shall be chaired by at least a third ranking permanent official of the procuring entity other than its head, and its composition shall be specified in the IRR. Alternatively, as may be deemed fit by the head of the procuring entity, there may be separate BACs where the number and complexity of the items to be procured shall so warrant. Similar BACs for decentralized and lower level offices may be formed when deemed necessary by the head of the procuring entity. The members of the BAC shall be designated by the Head of Procuring Entity. However, in no case shall the approving authority be a member of the BAC. Unless sooner removed for a cause, the members of the BAC shall have a fixed term of one (1) year reckoned from the date of appointment, renewable at the discretion of the Head of the Procuring Entity. In case of resignation, retirement, separation, transfer, reassignment, removal, the replacement shall serve only for the unexpired term: Provided, That in case of leave or suspension, the replacement shall serve only for the duration of the leave or suspension. For justifiable causes, a member shall be suspended or removed by the Head of the Procuring Entity.

SEC. 12. Functions of the BAC. – The BAC shall have the following functions: advertise and/or post the invitation to bid, conduct pre-procurement and pre-bid conferences, determine the eligibility of prospective bidders, receive bids, conduct the evaluation of bids, undertake post-qualification proceedings, recommend award of contracts to the Head of the Procuring Entity or his duly authorized representative: Provided, That in the event the Head of the Procuring Entity shall disapprove such recommendation, such disapproval shall be based only on valid, reasonable and justifiable grounds to be expressed in writing, copy furnished the BAC; recommend the imposition of sanctions in accordance with Article XXIII, and perform such other related functions as may be necessary, including the creation of a Technical Working Group from a pool of technical, financial and/or legal experts to assist in the procurement process. In proper cases, the BAC shall also recommend to the Head of the Procuring Entity the use of Alternative Methods of Procurement as provided for in Article XVI hereof. The BAC shall be responsible for ensuring that the Procuring Entity abides by the standards set forth by this Act and the IRR, and it shall prepare a procurement monitoring report that shall be approved and submitted by the Head of the Procuring Entity to the GPPB on a semestral basis. The contents and coverage of this report shall be provided in the IRR. Republic Act No. 9184

SEC. 13. Observers. – To enhance the transparency of the process, the BAC shall, in all stages of the procurement process, invite, in addition to the representative of the Commission on Audit, at least two (2) observers to sit in its proceedings, one (1) from a duly recognized private group in a sector or discipline relevant to the procurement at hand, and the other from a non-government organization: Provided, however, That they do not have any direct or indirect interest in the contract to be bid out. The observers should be duly registered with the Securities and Exchange Commission and should meet the criteria for observers as set forth in the IRR.

SEC. 14. BAC Secretariat. – To assist the BAC in the conduct of its functions, the Head of the Procuring Entity shall create a Secretariat that will serve as the main support unit of the BAC. The Head of the Procuring Entity may also designate an existing organic office within the agency to serve as the Secretariat.

