



PAMAHALAANG BAYAN NG TAYTAY

TANGGAPAN NG SANGGUNIAN NG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION
OF THE SANGGUNIAN NG BAYAN, MUNICIPALITY OF TAYTAY,
PROVINCE OF RIZAL, HELD ON THE 3RD DAY OF APRIL, 2008,
AT THE SESSION HALL OF THE MUNICIPAL BUILDING,
TAYTAY, RIZAL**

PRESENT:

Hon. Sharon DL. Macabebe	- Councilor
Hon. Arturo R. Valle	- "
Hon. Reggie Lynn G. Mascardo	- Coun. Temp./Presiding Officer
Hon. Trece S. Cayton	- "
Hon. Anastacio V. Alcantara	- "
Hon. Dianne Eliza G. Esguerra	- "
Hon. Glenviano G. Valera	- "
Hon. Chito J. Esguerra	- ABC President
Hon. Jean Antonette M. Bermillo	- SK President

ABSENT:

Hon. Janet DL. Mercado	- Vice Mayor/Presiding Officer (O.B.)
Hon. Joselito T. Calderon	- Councilor (O.B.)
Hon. Glenviano G. Valera	- " (O.B.)

AUTHORED BY: Coun. Reggie Lynn G. Mascardo
CO-AUTHORED BY: Coun. Trece D.I. Cayton
Coun. Anastacio V. Alcantara
SPONSORED BY: All Sangguniang Bayan Members

ORDINANCE NO. 3

**AN ORDINANCE PRESCRIBING THE FEES AND CHARGES FOR
THE ISSUANCE OF BID DOCUMENTS BY THE BIDS AND
AWARDS COMMITTEE OF MUNICIPALITY OF TAYTAY ,
PROVINCE OF RIZAL AND FOR OTHER PURPOSES**

WHEREAS, Section 17.5 of the Implementing Rules and Regulation of R.A. 9184 (IRRA) permits the Local Bid and Awards Committee to collect fees and charges for the issuance of bid documents and to use the same for the expenses of BAC stated as follows:

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"Section 17.5. Prospective bidders shall be given ample time to examine the bidding documents and to prepare their respective bids. Bidders may be asked to pay for bidding documents to recover the cost of its preparation and development. The BAC shall issue the bidding documents upon payment of the corresponding cost thereof to the collecting/disbursing officer of the procuring agency concerned."

WHEREAS, the funds collected thereunder may be used to defray the expenses for the equitable indemnification package for the public officials performing services to the BAC as provided in Section 73 of R.A. 9184, as well as for the incidental expenses and honoraria of the members of the Secretariat, the Technical Working Group, and the members of the Committee authorized in Section 15 of the IRRA;

WHEREAS, the Bids and Awards Committee through its Resolution has recommended the fees and charges to be imposed;

NOW THEREFORE,

ALL PREMISES CONSIDERED, BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG BAYAN OF TAYTAY IN SESSION ASSEMBLED, THAT:

SECTION 1. Definition of Terms. As used in this Ordinance, the following words and phrases shall be understood to mean as follows:

- a. Public Bidding – refers to competitive bidding conducted in accordance with the provisions of R.A. 9184, also known as the Government Procurement Reform Act.
- b. Prospective Bidder – any person or entity requesting for copies of the bid documents with the intention of participating in the public bidding therefore;
- c. Bid Documents – refers to the bid forms and bid formation; plans and specifications, in case of infrastructure projects; and item specifications, in case of equipment, supplies and materials; relevant to a project bidding.

SECTION 2. The following fees are hereby imposed for the issuance of bid documents to prospective bidders:

PROCUREMENT OF GOODS	BID DOCUMENTS
INFRASTRUCTURE / SUPPLY OF MATERIALS	
50,000.00 – P 100,000.00	P 400.00
100,000.00 – P 500,000.00	500.00
500,001.00 – P 1,000,000.00	1,000.00
1,000,001.00 – P 5,000,000.00	1,500.00
5,000,001.00 – P 10,000,000.00	2,000.00
10,000,001.00 – P 20,000,000.00	10,000.00
20,000,001.00 – P 50,000,000.00	20,000.00
50,000,001.00 – P 100,000,000.00	30,000.00
100,000,001.00 – P 150,000,000.00	50,000.00
150,000,001 and above	100,000.00



SECTION 3. For the issuance of bids documents: P 50.00 – P 200.00 per sheet of Plan which will be based on the Guidelines of the BAC.

SECTION 4. The annual fee in the amount of One Thousand Pesos (P 1,000.00) for accreditation of contractor and supplier in the municipality.

SECTION 5. The fee imposed herein shall be collected by the Municipal Treasurer and placed in a trust fund to be used exclusively;

- a. for indemnification of public officials rendering services to the BAC as provided in Section 74 of RA 9184, for costs and expenses reasonably incurred by such persons in connection with any civil and criminal action, suit or proceeding to which they may be, or have been made, a party by a reason of the performance of their functions or duties unless they are finally adjudged in such action or proceeding to be liable for gross negligence, misconduct or grave abuse or discretion:
- b. for the honoraria of the committee members, its secretariat and Technical Working Group (TWG);
- c. for the expenses of the Committee for the pre-bidding conferences, evaluation meetings and similar officials activities.

SECTION 6. Under Section 55.. Implementing Rules and Regulation of Republic Act. No. 9186 states that...

55.1 "Decisions of the BAC with respect to the conduct of bidding may be protested in writing to the head of the procuring entity. Provided, however, That a prior motion for reconsideration should have been filed by the party concerned within the reglementary periods specified in this IRR-A, and the same has been resolved. The protest must be filed within seven (7) calendar days from receipt by the party concerned of the resolution of the BAC denying its motion for reconsideration. A protest may be made by filling a verified position paper with the head of the procuring entity concerned, accompanied by the payment of a non-refundable protest fee. The non-refundable protest fee shall be in an amount equivalent to no less than one percent (1%) of the ABC".

SECTION 7. All Ordinances, executive orders, memorandum, rules and regulations inconsistent or parts thereof, in conflict with or inconsistent with any provisions of this Ordinance are hereby repealed, amended or modified accordingly.

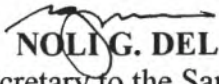
SECTION 8. This Ordinance shall take effect after 15 working days upon its Approval.



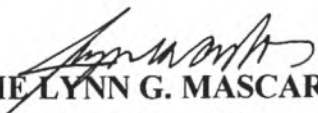
RESOLVED FURTHER, that copies of this Ordinance be furnished to all concerned for their information and guidance.

ADOPTED, this 3rd day of April, 2008 at the Session Hall of Municipal Building, Taytay, Rizal.

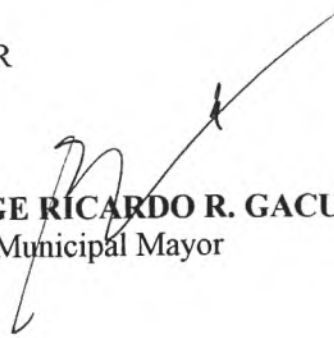
I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay during its Regular Session held on the 3rd day of April, 2008.


NOLING. DEL ROSARIO
Secretary to the Sangguniang Bayan

ATTESTED AND CERTIFIED TO BE DULY
ENACTED BY HER HONOR


HON. REGGIE LYNN G. MASCARDO
Coun./Temp Presiding Officer

APPROVED BY HIS HONOR
THE MUNICIPAL MAYOR


HON. GEORGE RICARDO R. GACULA II
Municipal Mayor