



OFFICE OF THE SANGGUNIANG BAYAN

ORDINANCE NO. 2020-04

AN ORDINANCE CREATING A TRUST ACCOUNT UNDER THE TRUST FUND FOR PROCUREMENT ACTIVITIES OF THE MUNICIPALITY OF ALBUERA, LEYTE

Sponsored by: HON. MARIO T. BARTE

BE IT ORDAINED, by the Sangguniang Bayan of Albuera, Leyte in Regular Session that:

SECTION 1. Title of Ordinance – This ordinance shall be known as the “PROCUREMENT TRUST FUND OF THE MUNICIPALITY OF ALBUERA, LEYTE.”

SECTION 2. Basis of Ordinance – This ordinance is hereby enacted pursuant to Section 15, and other pertinent provision of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act.

SECTION 3. Sources of Fund:

- Proceeds from sale of bid documents;
- Fees from contractor/supplier registry;
- Fees charged for copies of minutes of bid openings, BAC resolutions and other BAC documents;
- Protest fees;
- Liquidated damages;
- Proceeds from bid/performance security forfeiture; and
- Other fees or monies derived from procurement activities, shall be deposited by the municipal treasurer in a trust fund which is hereby created for the purpose.

SECTION 4. Purpose and Uses of the Fund – The fund shall be used for procurement activities of the Municipality, which includes the necessary operating expenses and for payment of honorarium of the Bids and Awards Committee (BAC) Chair & members, the Chair & Members of the Technical Working Group (TWG) and members of the BAC Secretariat, created pursuant to the provisions of Republic Act No. 9184, in accordance with the following:

4.1 Pursuant to Department of Budget and Management (DBM) Circular No. 2004-5A dated October 7, 2005, the proceeds shall be used exclusively for the following:

- a) Payment of honoraria for BAC Chair and members, TWG Chair and members and BAC Secretariat who are performing the attendant functions in addition to their regular duties based on the following rate:

	Maximum Honorarium rate per procurement project
BAC Chair	₱ 3,000.00
BAC Members	₱ 2,500.00
TWG Chair and Members	₱ 2,000.00
BAC Secretariat	₱ 2,000.00

MANUEL E. BANTASAN

LENY S. BELBAO

IMELDA A. FAJUL

MARY JANE ANGULA

TITA P. ALAJAS

SIXTO B. DELA VICTORIA

PAMELA M. BOHOLST

ALBERTO C. SUMALLIAG

ROXANNE R. ZALDIVAR

MARIO T. BARTE

MIGUEL D. RETUYA

b) In lieu of honoraria, the payment of overtime services may be allowed for the administrative staff, such as clerks, messengers and drivers supporting the BAC, the TWG and the Secretariat, for procurement activities rendered in excess of official working hours. The payment of overtime services shall be in accordance with the existing policy on the matter.

4.2 To augment the funds for the procuring entity's legal assistance and indemnification package as provided in the Guidelines for Legal Assistance and Indemnification of Bids and Awards Committee Members and its Support Staff.

SECTION 5. Guidelines for the Grant of Honoraria – The following guidelines shall be strictly observed on the grant of honoraria;

5.1 The Chairman and Members of the Bids and Awards Committee, Technical Working Group and Secretariat may be paid honoraria only for successfully completed procurement projects;

5.2 The average amount of honoraria per month over one year shall not exceed twenty five percent (25%) of the basic monthly salary. The honoraria, however, shall be paid only upon the successful completion of each procurement in accordance with DBM Circular No. 2004-5A dated October 7, 2005;

5.3 Only those personnel duly designated as BAC Members, those who composed the TWG and Secretariat shall be entitled to collect honoraria;

5.4 Those who are receiving honoraria for their participation in procurement activities shall no longer be entitled to overtime pay for procurement-related services rendered in excess of official working hours.

SECTION 6. Effectivity – This ordinance shall take effect upon its approval.


APPROVED.

ENACTED BY THE 10TH SANGGUNIANG BAYAN OF ALBUERA, LEYTE DURING ITS 42ND REGULAR SESSION HELD ON MAY 4, 2020 AT THE SB SESSION HALL.


ATTESTED AND CERTIFIED TO BE DULY ADOPTED:


HON. MARY JANE B. PAGULA
SB Member


HON. MIGUEL D. RETUYA
SB Member


HON. ALBERTO C. SUMALJAG
Liga ng Mga Barangay President/
Ex-Officio Member



HON. IMELDA A. FADUL
SB Member


HON. MARIOT T. BARTE
SB Member


HON. JOY E. PATRICIO
SK Federation President/
Ex-Officio Member


HON. LENY S. BILBAO
SB Member


HON. ROXANNE R. ZALDIVAR
SB Member


HON. MANUEL E. BANTASAN
SB Member







I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly enacted by the 10th Sangguniang Bayan of Albuera, Leyte on its 42nd Regular Session on May 4, 2020 at the SB Session Hall of Albuera, Leyte.



PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



HON. TITA P. ALAJAS
Municipal Vice-Mayor/Presiding Officer

APPROVED:



HON. SIXTO B. DE LA VICTORIA
Municipal Mayor

Date: 5-8-2020