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AUTHORIZING AGENCIES OF GOVERNMENT IMPLEMENTING INFRASTRUCTURE PROJECTS TO ADOPT PRE-PAYMENT BASIS IN THE PROCUREMENT OF THEIR CEMENT REQUIREMENT

MEMORANDUM ORDER NO. 330, January 17, 1996

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WHEREAS, one of the major problems adversely affecting the implementation of infrastructure projects is the shortage of cement;

WHEREAS, Section 88 (1) of Presidential Decree No. 1445 otherwise known as the Government Auditing Code of the Philippines provides that:

> "Except with the prior approval of the President (Prime Minister) the government shall not be obliged to make an advance payment for services not yet rendered or for supplies and materials not yet delivered under any contract therefor. No payment, partial or final, shall be made on any such contract except upon a certification by the head of the agency concerned to the effect that the services or supplies and materials have been rendered or delivered in accordance with the terms of the contract and. have been duly inspected and accepted."

WHEREAS, the grant of authority to the agencies of government implementing infrastructure projects to adopt pre-payment basis in the procurement of their cement requirement, subject to certain limitations, would accelerate the implementation these projects;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. All government agencies implementing infrastructure projects are hereby authorized to adopt pre-payment basis in the procurement of their cement requirement as an exception to the prohibition under Section 88 (1) of Presidential Decree No. 1445.

As used in this Memorandum Order the phrase "infra-structure project" shall men construction, improvement or rehabilitation of roads and bridges, railways, airports, seaports, communication facilities, irrigation, flood control and drainage, water supply and sewerage systems, shore protection, power facilities, national buildings, school buildings, hospital buildings, and other related construction projects that form part of the government's capital investment.

SECTION 2. The authority granted herein shall remain in force and effect for a period of six months (6) from date hereof.

SECTION 3. This Memorandum order shall take effect immediately.

Adopted: 17 Jan. 1996

(SGD.) FIDEL V. RAMOS
President

By the President:

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(SGD.) RUBEN D. TORRES
Executive Secretary

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