AUTHORIZING THE SECRETARY OF NATIONAL DEFENSE TO APPROVE CERTAIN FOREIGN TRAVELS OF DEPARTMENT OF NATIONAL DEFENSE/ARMED FORCES OF THE PHILIPPINES OFFICERS

MEMORANDUM ORDER NO. 145, August 17, 2004

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WHEREAS, Republic Act No. 9184 instituted reforms in the procurement activities of Government;

WHEREAS, the Implementing Rules and Regulations, Part A of Republic Act No. 9184, prescribe that within a period of seven (7) days after the determination by the Bids and Awards Committee (BAC) of the Lowest Calculated Bid, the post-qualification of the winning bidder must be completed;

WHEREAS, the Department of National Defense-Armed Forces of the Philippines (DND-AFP) has determined that most of the equipment/weapons systems sought to be acquired/upgraded under the Capability, Materiel, and Technology Development component of the AFP Modernization Program under Republic Act No. 7898 and Congressional Joint Resolution No. 28 dated 19 December 1996 are likely to be sourced from foreign countries;

WHEREAS, Presidential issuances presently require that foreign travels of government officials and employees, including AFP uniformed personnel, are subject to the approval of the Office of the President; and

WHEREAS, there is a need to rationalize policies covering the foreign travels of BAC members and DND/AFP Officers charged with the conduct of post qualification relative to the procurement activities of DND/AFP.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

> SECTION 1. The Secretary of National Defense is hereby authorized to approve foreign travels of BAC Members and DND/AFP Representatives for the purpose of conducting post-qualification relative to procurement activities for the acquisition/upgrade of equipment/weapon systems under Republic Act No. 7898 and Congressional Joint Resolution No. 28, s. 1996, provided that:
>
> a. The post-qualification party shall be composed of not more than five (5) Officers, as follows:
>
> Chairman or Vice Chairman of the of the BAC or its duly designated Representative
> Operations Officer of the BAC or Technical Working Group Member or Project Management Team Member
> Financial or Legal Officer of the BAC
> Defense Modernization Office, DND Representative
> Office of the Deputy Chief of Staff for Capability, Materiel and Technology Development, J9, AFP Representative

b. Foreign travel related to the conduct of post-qualification shall not exceed five (5) days, excluding travel time; and

c. Funds are available chargeable against DND/AFP appropriations.

SEC. 2. Foreign travel related to the conduct of post-qualification should be limited only to the methods of procurement where the conduct of post-qualification is an indispensable procedural requirement.

SEC. 3. All executive orders, administrative rules and regulations, or parts thereof which are inconsistent with this order are hereby repealed or amended accordingly.

SEC. 4. This Memorandum Order shall take effect immediately.

Adopted: 17 Aug. 2004

By the President:

(SGD.) ALBERTO G. ROMULO
Executive Secretary

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