

**[ADMINISTRATIVE ORDER NO. 147, March 06,
1951]**

**SUSPENDING MR. RODRIGO ACOSTA FROM OFFICE AS CITY
TREASURER OF LEGASPI**

This is an administrative case against Mr. Rodrigo Acosta, city treasurer of Legaspi, for alleged irregularities committed by him in connection with the acquisition and disposal of supplies and materials during his incumbency as provincial treasurer of Bukidnon.

The record shows that during the period from October 15, 1947 to May 31, 1950, respondent, in violation of existing regulations, acquired excessive and unnecessary supplies and materials at exorbitant prices and kept in stock, quantities thereof in excess of the requirement of the service for six months. It also appears that he failed to follow the procedure outlined for the acquisition of such supplies and materials, which failure resulted in the payment of unreasonably high prices. The record further discloses that respondent, evidently in an effort to reduce his excessive stock on hand, practically forced the various municipal treasurers to accept supplies and materials which were not needed by their municipalities nor requested by them, and that he even went to the extent of causing items to be inserted in their requisitions without their consent.

Respondent's explanation that the prices paid for the articles were approved and certified as reasonable by the Procurement Office is unavailing in the face of the established fact that at the time of their acquisition there was no immediate or future need for some of the articles purchased in great quantities. Neither do I find any merit in the claim of respondent that purchases made in accordance with the prices approved by the Procurement Office were reasonable and legal and binding without necessity of public bidding. In the letters of said office to him it was invariably stated that purchases might be made if the prices quoted in the requisition were the lowest obtainable in the locality, which means that public bidding as provided by the regulations, or at least a canvassing of the local market to determine the lowest prices obtainable in the locality, should be made. The allegation that such bidding was impracticable in Bukidnon because there were no merchants dealing in the kinds of articles purchased is untenable. It appears that he bought large quantities of such articles not from only one but from different dealers,

Finally, respondent cannot find relief in the fact that he was merely following the practice prevailing in other provinces of purchasing printed forms from private dealers, in the honest belief that the forms were not available in the Bureau of Printing after it had been burned. That practice was contrary to standing instructions on the matter and hence should not have been followed by him. Furthermore, the Procurement Office had repeatedly suggested to him to inquire from the Bureau of Printing whether such forms were available, but the suggestion was apparently ignored by him.