

[ **EXECUTIVE ORDER NO. 188, December 20, 1999** ]

**CREATING AN INTER-AGENCY COMMITTEE COMPOSED OF A MOTHER COMMITTEE, A SUB-COMMITTEE AND A TECHNICAL WORKING GROUP TO PREPARE THE BID AND TENDER DOCUMENTS AND CONDUCT AN INTERNATIONAL PUBLIC BIDDING TO SELECT A PRE-SHIPMENT INSPECTION AND OTHER RELATED SERVICES CONTRACTOR**

**WHEREAS**, pursuant to the country's accession to the GATT-WTO, the shift to transaction value must be fully implemented by January 01, 2000;

**WHEREAS**, the contract between the Societe Generale de Surveillance (SGS) and the Republic of the Philippines will expire on December 31, 1999;

**WHEREAS**, there is a need to engage a contractor to provide pre-shipment inspection and assist the Bureau of Customs in its modernization thrust;

**WHEREAS**, the most transparent process to select the contractor is through international public bidding.

**NOW, THEREFOR, I, PRESIDENT JOSEPH EJERCITO ESTRADA**, by virtue of my continuing powers to reorganize the Executive Department under the Constitution and the Administrative Code of 1987 do hereby order the following:

**Section 1. Creation.** There is hereby created an Inter-Agency Committee composed of a Mother Committee, a Sub-Committee and a Technical Working Group as hereinafter provided.

**Section 2. Composition.**

(A) The Mother Committee shall be composed of the Secretary of Finance, Secretary of Socio-Economic Planning (NEDA), Secretary of Trade and Industry, the Governor of the Bangko Sentral ng Pilipinas, and the Chief Presidential Legal Counsel. The Secretary of Finance shall act as Chairman of the Mother Committee.

(B) The Sub-Committee shall be composed of the Commissioner of Customs who shall likewise represent the Department of Finance, and one representative each from the NEDA, Department of Trade and Industry, the Bangko Sentral ng Pilipinas, and the Office of the Chief Presidential Legal Counsel. Their respective heads of agencies shall designate these representatives. The Commissioner of Customs shall act as Chairman and shall represent the Sub-Committee in all its activities.

(C) The Secretary of Finance shall designate the members of the Technical Working Group upon consultation with other members of the Mother Committee.

**Section 3. Objectives.** The Inter-Agency Committee shall conduct an international public bidding to select a contractor for to achieve the objectives of this Order.

**Section 4. Powers, Duties and Functions.**

(A) The Mother Committee shall, through the Secretary of Finance, exercise overall supervision and control over the activities of the Inter-Agency Committee. It shall as a collegial body, exercise the following powers, duties and functions:

- 1) Instruct the Sub-Committee to prepare the bid and tender documents for its approval;
- 2) Approve the evaluation results of each stage of the international public bidding;
- 3) Award the Contract;
- 4) Consider, decide or approve such other matters in the conduct of the international public bidding that the Mother Committee will require the Sub-Committee to submit for its consideration, decision or approval or which the Secretary of Finance will submit to the Mother Committee; and
- 5) Perform such other powers, duties and functions as may be necessary to implement this Executive Order.

(B) The Sub-Committee shall exercise direct supervision and control over the Technical Working Group and shall have the following powers, duties and functions:

- 1) Prepare the necessary bid and tender documents for the conduct of an international public bidding and submit the same for the approval of the Mother Committee;
- 2) Review and approve for submission to the Mother Committee the results of the international public bidding;
- 3) Perform such other powers, duties and functions as may be assigned by the Mother Committee or the Secretary of Finance to carry out the mandate of this Executive Order; and
- 4) Perform such other powers, duties and functions as may necessary to implement this Executive Order.

All matters that require the approval of the Mother Committee shall be approved by the Sub-Committee as a collegial body.

(C) The Technical Working Group shall have the following powers, duties and functions:

- 1) Act as the Secretariat of the Mother Committee and the Sub-Committee and shall prepare the minutes of the meetings of