



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
OFFICE OF THE SECRETARY  
MANILA

11 June 1991

SER # 128  
12/91

DEPARTMENT ORDER)

SUBJECT: **AMENDING/CLARIFYING  
DEPARTMENT ORDER NO.  
8, SERIES OF 1991**

NO. **135**<sup>TR</sup>  
Series of 1991 **4/20**

In line with the concept of public bidding that bidders shall bid on equal footing, it is directed that the Prequalification, Bids and Awards Committee (PBAC) shall require contractor-applicants to submit, as an additional document for prequalification, a sworn statement wherein the contractor-applicant shall state that he has no relative within the fourth degree of relationship, whether by consanguinity or affinity, including "bilas," "inso" or "balae" in the DPWH who has something to do with prequalification, bidding, award and approval of contracts and that no official/employee of the Department, his/her spouse and unemancipated children have, either direct or indirect, financial or material interest in his construction business, irrespective of where in the DPWH such relative is employed.

If the contractor-applicant is a corporation or other juridical person, this requirement shall also apply if the controlling stockholders or managing partner (in case of corporation or partnership), as the case may be, has a relative in the DPWH within the prohibited degree of relationship above-mentioned. The sworn statement shall be executed by the person authorized to represent in the public bidding as evidenced by a board resolution in the case of a corporation, or a letter of authorization in the case of a partnership.

A controlling stockholder is any person who owns, directly or indirectly, the majority of the share of stocks sufficient to elect a director of a corporation.

This additional requirement shall be discussed during the pre-bid conference as among the documents to be contained in the first envelope mentioned in Clause IB 10.2(2) of the Implementing Rules and Regulations (IRR) of P.D. 1594.

Non-compliance by any contractor hereof shall be a ground for rejection of his bid and/or disqualification from obtaining an award of contract if it turns out that said contractor has a relative(s) referred to above, in addition to the corresponding sanctions that shall be imposed against the subject contractor pursuant to the provisions of the IRR of P.D. 1594 on misrepresentations.

This Order supersedes/amends Department Order No. 8 and such other Orders or portions thereof inconsistent herewith and shall take effect immediately.

*Jose P. de Jesus*  
**JOSE P. DE JESUS**  
Secretary