

**DSWD OPINION NO. 03 S. 2024**DRN: LS-A-COMM-23-11-96651-S**MEMORANDUM**

**FOR** : **UNDERSECRETARY VILMA B. CABRERA**  
National Household Targeting System and Pantawid Pamilyang Pilipino Program

**FROM** : **ASSISTANT SECRETARY FOR GASSG AND THE  
CONCURRENT OFFICER-IN-CHARGE, LEGAL SERVICE**

**SUBJECT** : **CLARIFICATION ON AUTHORITY OVER PROCUREMENT  
DOCUMENTS IN RELATION WITH DSWD SPECIAL ORDER  
NOS. 1118,1305,3704 AND 4743 SERIES OF 2023**

**DATE** : **04 JANUARY 2024**

This pertains to your MEMORANDUM dated 26 October 2023, seeking clarification and assistance on the proper interpretation and implementation of the Special Order (SO) No. 1305 series of 2023, with the subject "Reorganization of the Policy and Plans Group (PPG)", approved by Secretary Rex Gatchalian on 12 April 2023, specifically on the following main inquiries:

1. Who is the appropriate signatory as HOPE for the Purchase Request of the activity "Assessment of 4Ps and other existing Social Protection Programs in the Philippines and its Contributing to Poverty Alleviation", and other subsequent procurement documents of 4Ps PMED activities involving both PPG and NHTS-4Ps Cluster; and
2. Whose cluster shall be responsible for the release of funds for the 4Ps Monitoring and Evaluation fund now being administered or controlled by the PPG following the transfer of functions, personnel and properties of 4Ps PMED to PPG?

**Background:**

1. SO No. 1118 s. 2023 dated 27 March 2023 issued by the Secretary designating Usec. Vilma B. Cabrera (Usec. Cabrera) as Undersecretary for National Household Targeting System (NHTO) and Pantawid Pamilya Pilipino Program (4Ps) under the Office of the Secretary;
2. SO No. 1305 s. 2023 dated 12 April 2023 issued by Secretary reorganizing the Policy and Plans Group (PPG) by transferring all divisions/sections/units of Offices, Bureaus, Services and Units (OBSUs) performing policy, planning, research and monitoring and evaluation (M&E) functions to include the Planning, Monitoring, and Evaluation Divisions/ Sections/ Units of the following:
  - a. Pantawid Pamilyang Pilipino Program NPMO (4Ps NPMO);
  - b. Sustainable Livelihood Program NPMO;
  - c. KALAHI CIDSS NPMO; and
  - d. Program Management Bureau

- SO No. 3470 s. 2023 dated 31 July 2023 issued by the Secretary reassigning certain personnel from 4Ps-NPMO, SLP-NPMO and PMB to the PDPB under the Policy and Plans Group, to wit:

It is understood that the reassignment of the abovementioned personnel pursuant to this Special Order includes the **reassignment or transfer of positions, equipment and funding relative to policy, planning, monitoring and evaluation for the smooth and effective performance of their function**, subject to compliance with the existing rules and regulations.” (*Emphasis supplied*)

- The proponent of the Activity Proposal entitled “*Assessment of Pantawid Pamilyang Pilipino Program (4Ps) and other Existing Social Protection Programs in the Philippines and its Contribution to Poverty Alleviation*” is PDPB approved by Undersecretary Adonis P. Sulit (Usec. Sulit) with the proposed amount of Eighteen Million Three Hundred Ninety-Four Thousand Eight Three Pesos (P18,394,083.00). The said proposal indicated that the fund source was the 4Ps-NPMO Monitoring and Evaluation Fund.
- On 19 October 2023, the PDPB requested the approval to Usec. Cabrera on the Purchase Request (PR) of the PDPB’s activity.

Upon careful review of the submitted documents, please consider the following:

- The appropriate signatory as Head of Procuring Entity (HoPE) for the Purchase Request of the activity proposal entitled “Assessment of 4Ps and other existing Social Protection Programs in the Philippines and its Contributing to Poverty Alleviation” is the proponent of the project proposals approved by Usec. Sulit.**

Pursuant to Administrative Order No. 16 series of 2019 with the subject “2019 Manual of Delegation and Delineation of Authority”, which reads:

**II. ADMINISTRATIVE, PROCUREMENT AND FINANCIAL MATTERS**

x x x

**G. PURCHASE ORDER, PROCUREMENT CONTRACT**

|    | Certifying Authorities            | Authorized Signatory  |                              |
|----|-----------------------------------|-----------------------|------------------------------|
| CO | DC, Accounting Division Concerned | Up to 100M<br>> P100M | Designated HOPE<br>Secretary |

**III. PROGRAMS, PROJECTS AND ACTIVITIES**

|  | Certifying Authorities  |               | APPROVING AUTHORITY |
|--|---|---------------|---------------------|
|  | As to funding, compliance with the Budget Parameters and inclusion in the WFP | As to purpose |                     |

|    |            |                                      |                 |                 |
|----|------------|--------------------------------------|-----------------|-----------------|
| CO | Up to 100M | DC, Budget Division Regular Programs | HOBBS           | USEC. Concerned |
|    | >P100M     |                                      | USEC. Concerned | Secretary       |

**B. PROPOSAL FOR SPECIAL PROGRAM, PROJECT AND ACTIVITY**

|    |                     | Certifying Authorities  |  | APPROVING AUTHORITY |
|----|---------------------|---|--|---------------------|
|    |                     | As to funding, compliance with the Budget Parameters and inclusion in the WFP | As to purpose                              |                     |
| CO | NPMOs<br>Up to 100M | DC, Budget Division Regular Programs  | National Project Program Manager Concerned | USEC. Concerned     |
|    | >P100M              |   | USEC. Concerned                            | Secretary           |

AO 16 s. 2019 defines that the term “Concerned” as the official who requested or proposed the subject matter, or who, in accordance with the Management Structure, has supervision over such requesting or proposing official.

In this case, the main proponent of the said activity is PDPB wherein the main purpose is to assess the collective impact of the Social Protection Program on poverty alleviation in the country through the hiring of an external consultant who would conceptualize and conduct data collection and analysis. These activities are consistent with the mandates of PPG.

As to the approval of the PR, the signatory of the PR should be the “Usec. Concerned”, and pursuant to the AO 16 s. 2019, that the term “Concerned” is the *official who requested or proposed the subject matter, or who- in accordance with the Management Structure – has supervision over such requesting or proposing official.* Here, regardless of the fund source, the requesting office is the PDPB, thus, the signatory of the PR should be the “designated HoPE” of the PPG.

2. With regard to whose cluster should be responsible for the release of funds for the subject project, the release of funds of the 4Ps Monitoring and Evaluation Division should be administered by the PPG, by virtue of SO No. 3470 s. 2023 which expressly provides that the reassignment of the 4Ps-NPMO, PMB and SLP-NPMO personnel includes the reassignment or transfer of positions, equipment and funding relative to policy, planning, monitoring and evaluation for the smooth transaction and effective performance of their functions, subject to compliance with existing rules and regulations.


Further, we highly recommend that proper coordination with Financial Management Service be made for appropriate guidance relative to the release of funds of the 4Ps.

Please note that the above legal opinion is based only on the information provided by your office.

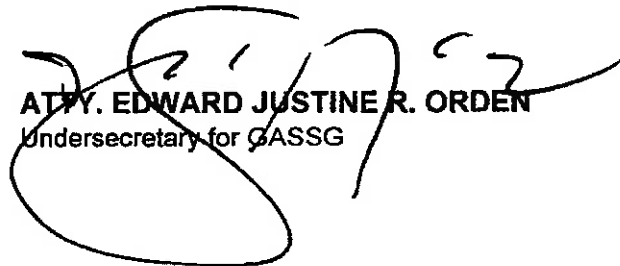
Kindly fill out the attached Customer Feedback Form and return the same to Legal Service.

For your information and guidance.

Thank you.

  
**ATTY. GINA V. WENCESLAO**  
CMUG/MTM/10065  
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Approved by:

  
**ATTY. EDWARD JUSTINE R. ORDEN**  
Undersecretary for GASSG