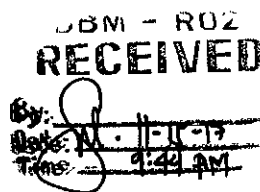


ISABEL C. TAGUINOD
Director IV
Department of Budget & Management
Regional Office No. II
Dalan na Pavvurulun Cor. Immamo
Regional Government Center
Carig Sur, Tuguegarao City, Cagayan



Dear Director Taguinod:

Christian Greetings!

On July 27, 2017, Engr. Loreto M. Joaquin wrote you a letter seeking legal opinion from your good office on the provisions of Section 11.2.2. (a) of 2016 Revised IRR of RA 9184 photocopy is hereto attached marked as ANNEX "A".

On July 31, 2017, you send a letter reply to said request of Engr. Loreto M. Joaquin, photocopy is hereto attached marked as ANNEX "B".

On October 30, 2017, the undersigned wrote a letter addressed to All Members of the Board of Directors, Engr. Leopoldo R. Narciso, Charmaine Medina all from Santiago Water District questioning the qualification of SAWAD BAC-Chairperson, photocopy is hereto attached marked as ANNEX "C".

On November 6, 2017, Engr. Leopoldo R. Narciso send a letter reply (photocopy is hereto attached marked as ANNEX "D") stating on the second paragraph of said letter, to copy:

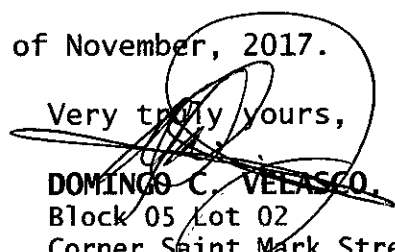
"We thank you very much on your vigilance and concern with respect to the said appointment, rest assured that the Santiago Water District (SANWAD) followed all the necessary procedures in said appointment and Charmaine S. Medina is a third (3rd) ranking permanent official of SANWAD,"

Premises considered, the undersigned most respectfully request your good office to issue a certified true copy of the latest Approved Organizational Structure & Staffing Pattern (OSSP) of SANWAD in order to counter check the hierarchy of plantilla positions of SANWAD where the BAC-Chairperson Charmaine Medina appointment as Senior Customer Service Officer thus truly belongs to the third (3rd) ranking permanent official of SANWAD.

With utmost gratitude, your actions shall be for and in behalf to the faithful compliance of Rule of Law specifically the provisions of Section 11.2.2. (a) of 2016 Revised IRR of RA 9184

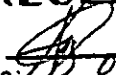
Respectfully submitted this 15th day of November, 2017.

Very truly yours,


DOMINGO C. VELASCO, JR.
Block 05 Lot 02
Corner Saint Mark Street
Valley Homes Subdivision
Purok 7, Barangay Patul
Santiago City

ANNEX "A"

ISABEL C. TAGUINOD
Director IV
Department of Budget & Management
R02 Tuguegarao City, Cagayan

DBM - R02
RECEIVED
By: 
Date: 07-27-17
Time: 11:28 AM

Dear Director Taguinod:

Christian Greetings!

The undersigned was a former member of the Board of Directors of Santiago Water District of Santiago City.

The intention of this letter is to seek legal opinion from your good office on the provisions of Section 11.2.2. (a) of 2016 Revised IRR of RA 9184, to quote:

Sec. 11.2.2. (a) : Chairperson, who is at least a third (3rd) ranking permanent official of the procuring entity.

May the undersigned be most guided to the very dictum of the spirit of the law "at least a third (3rd) ranking permanent official of the procuring entity (underscoring for emphasis)".

Your actions shall be for and in behalf of the benefit in strengthen the composition of BAC of Santiago Water District.

Thank you very much.

Respectfully submitted this 27th day of July 2017.

Very truly yours,



Engr. Loreto M. Joaquin
La salette High School Canteen
La salette High School
Santiago City



ANNEX "B"

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF BUDGET AND MANAGEMENT
REGIONAL OFFICE NO. II
DALAN NA PAVVURULUN COR. IMAMMO
REGIONAL GOVERNMENT CENTER, CARIG SUR, TUGUEGARAO CITY, CAGAYAN
TEL. NOS. 304-1338/304-2545/846-7579/304-0854

July 31, 2017

ENGR. LORETO M. JOAQUIN
La Salette High School Canteen
La Salette High School
Santiago City

Dear Engr. Joaquin:

This has reference to your letter dated July 27, 2017 seeking legal opinion on the provision of Section 11.2.2 (a) of the 2016 Revised Implementing Rules and Regulations of RA 9184, to quote:

Regular Members:

“Chairperson, who is at least a third (3rd) ranking permanent official of the Procuring Entity”

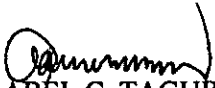
The plantilla of the agency will define whether the position qualifies for regular BAC membership, and the determination of ranking should take into consideration the hierarchy of the plantilla positions present in the Procuring Entity and not whether an official has been appointed/designated/seconded and currently assumed or occupied the identified plantilla position.

Further, the term "permanent" refers to a plantilla position within the procuring entity concerned. It does not qualify whether plantilla position is contractual, regular, or appointed, but rather the concern specifically refers to whether the position exists within the organizational structure of the procuring entity.

Consequently, in the case of Local Water Districts (LWDs), the first (1st) ranking permanent official in the plantilla of positions of the LWD would start from the General Manager position and down to the lowest position depending on the existing approved organizational structure of the LWD.

We hope that we have clarified the issue raised and rest assured of our continued assistance whenever possible.

Very truly yours,


ISABEL C. TAGUINOD
Director IV



TO:

ANNEX "C"

ALL MEMBERS OF THE BOARD OF DIRECTORS
SANTIAGO WATER DISTRICT
Centro East, Santiago City

ENGR. LEOPOLDO R. NARCISO
OIC-General Manager
Santiago Water District
Centro East, Santiago City

CHARMAINE MEDINA
Customer Service Officer
BAC - Chairperson
Santiago Water District
Centro East, Santiago City

ATTENTION:

Christian Greetings!

I am personally writing to you questioning the qualification of your appointed BAC Chairperson by the name **CHARMAINE MEDINA** pursuant to Sec. 11.2.2. (a) of 2016 Revised IRR of RA 9184, to quote:

"Sec. 11.2.2. (a) : Chairperson, who is at least a third (3rd) ranking permanent official of the procuring entity."

The hierarchy of plantilla positions in the Local Water District, the first (1st) ranking permanent official starts from the General Manager and down to the lowest position.

Now, pursuant to the cited prevailing law and the hierarchy of plantilla position of Local Water District, **CHARMAINE MEDINA** permanent appointment as Customer Service Officer with Salary Grade 20 crystal clear that she (**CHARMAINE MEDINA**) does not belong to the third (3rd) ranking permanent official of Santiago Water District, hence she is not qualified to seat or act as chairperson of BAC of Santiago Water District.

Should you allow the continuation of Charmaine Medina as Chairperson in violation to Sec 11.2.2. (a) of 2016 Revised IRR of RA 9184, I shall be constraint to file appropriate case before the Court of Jurisdiction to Declare all transactions whether it be consummated and to succeeding Biddings to be null and void ab initio with prayer to issue TRO in order to **STOP** you **CHARMAINE MEDINA** to act as BAC - Chairperson of SANWAD and also file a separate case before the Office of the Ombudsman for Criminal and Administrative Charges against all of you.

This serves as a reminder that "**PUBLIC OFFICE IS A PUBLIC TRUST**" and also serves as a stern warning for you to **STOP** violating Sec. 11.2.2. (a) of 2016 Revised IRR of RA 9184.

You are required under the law to answer this letter within five (5) days upon receipt hereof.

Respectfully submitted this 30th day of October, 2017 through registered mail.

RD 775 129 742 ZZ

Post Office _____

Letter/Package No. _____

Posted on _____ 20 _____

Preserve this receipt for reference in case of inquiry

Postmaster/Teller _____

REGISTERED

NOV 2 17

BOD - SAN WAD

Very truly yours,

DOMINGO C. VELASCO, JR.
Block 05 Lot 02
Corner Saint Mark Street
Valley Homes Subdivision
Purok 07, Barangay Patul
Santiago City

Copy furnished:

Engr. JOSEPH SALVADOR TAN
City Mayor
Office of the City Mayor
City Government of Santiago
R.R. No. _____
Date of Mailing October 30, 2017.

ISABEL C. TAGUINOD
Director IV
Department of Budget & Management
R02-Tuguegarao City, Cagayan
R.R. No. _____
Date of Mailing October 30, 2017

PELILIA C. VELOSO
Regional Director
Commission on Audit
Regional Office No. II
Regional Government Center
No. 1 Dalan Imammo Cor. Pavvurulun
Carig, Sur, Tuguegarao City Cagayan
RR. No. _____
Date of Mailing October 30, 2017

RD 775 129 708 ZZ

Post Office _____

Letter/Package No. _____

Posted on _____

Preserve this receipt for reference in case of inquiry

Postmaster/Teller _____

REGISTERED

NOV 2 17

RD 775 129 725 ZZ

Post Office _____

Letter/Package No. _____

Posted on _____ 20 _____

Preserve this receipt for reference in case of inquiry

Postmaster/Teller _____

REGISTERED

NOV 2 17

RD 775 129 711 ZZ

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REGISTERED

NOV 2 17

RD 775 129 758 ZZ

Post Office _____

Letter/Package No. _____

Posted on _____

Preserve this receipt for reference in case of inquiry

Postmaster/Teller _____

REGISTERED

NOV 2 17

RD 775 129 739 ZZ

Post Office _____

Letter/Package No. _____

Posted on _____ 20 _____

Preserve this receipt for reference in case of inquiry

Postmaster/Teller _____

REGISTERED

NOV 2 17

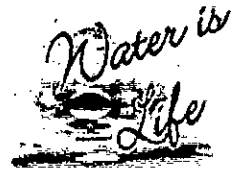


SANTIAGO WATER DISTRICT

#3 CARREON ST. CENTRO EAST, SANTIAGO CITY
Tel. No. (078) 305-2648 · 305-0839-2752 / CP No. 0936-

Email Address: santiagowaterdistrict@yahoo.com

ANNEX "D"



November 6, 2017

MR. DOMINGO C. VELASCO JR.

Blk 05 Lot 02
Corner Saint Mark Street
Valley Homes Subdivision
Purok 7, Barangay Patul
Santiago City

Dear Mr. Velasco,

This refers to your letter dated October 30, 2017 questioning the qualification of our appointed BAC Chairperson Charmaine S. Medina.

We thank you very much on your vigilance and concern with respect to the said appointment, rest assured that the Santiago Water District (SANWAD) followed all the necessary procedures in said appointment and Charmaine S. Medina is a third (3rd) ranking permanent official of SANWAD.

Best regards.

Very truly yours,


LEOPOLDO R. NARCISO
OIC-General Manager


CHARMAINE S. MEDINA
Sr. Customer Service Officer

NOTED:


ORLANDO V. GONZALES
Chairman-BOD