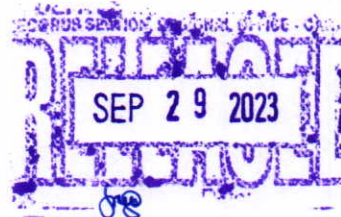




Republic of the Philippines
Department of Education
CARAGA REGION



September 29, 2023

REGIONAL MEMORANDUM

No. 0930, s. 2023

To: SCHOOLS DIVISION SUPERINTENDENTS
ASSISTANT SCHOOLS DIVISION SUPERINTENDENTS
All Concerned
This Region

DISSEMINATION OF MEMORANDUM ON SUBMISSION OF PROCUREMENT
PROJECTS FOR INCLUSION IN THE DEPARTMENT'S REQUEST
FOR EXEMPTION RE: 2023 BSKE

1. This Office hereby disseminates the enclosed Memorandum signed by Atty. Revsee A. Escobedo, Undersecretary for Operations entitled Submission of Procurement Projects for Inclusion in the Department's Request for Exemption in Connection with the 2023 Barangay and Sangguniang Kabataan Elections (BSKE).
2. Schools Division Offices are directed to submit their respective list of procurement projects included in the prohibition under COMELEC Resolution No. 10944 which necessitates a request from COMELEC on or before Oct. 3, 2023 – as underscored in the attached Memorandum.
3. Considering that DepEd Central Office will consolidate the said report and submit all requests to COMELEC for entire DepEd, the deadline of the SDOs and Regional Office submission is preferably on or before **October 2, 2023**.
4. For your information, guidance and compliance.

MARIA INES C. ASUNCION

Director III

OIC-Regional Director

BY THE AUTHORITY OF THE REGIONAL DIRECTOR:

JOEL B. ROSALES

Chief Administrative Officer - ASD

Encl.: Memorandum re: Submission of Procurement Projects for Department's Request for Exemption

Reference: Memorandum re: Submission of Procurement Projects for Department's Request for Exemption

To be indicated in the Perpetual Index
under the following subjects:

ELECTIONS

MEMORANDUM

REPORTS

ASD/mcd
9/29/2023



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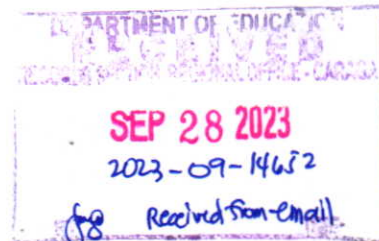


2023-09-14672

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Effectivity	02.01.23	Page	1 of 1



Republic of the Philippines
Department of Education



MEMORANDUM

TO : Undersecretaries
Assistant Secretaries
Regional Directors
Schools Division Superintendent
All Others Concerned

FROM : *Revsee A. Escobedo*
ATTY. REVSEE A. ESCOBEDO
Undersecretary for Operations

Gerard L. Chan
ATTY. GERARD L. CHAN, CESO I
Undersecretary for Procurement

SUBJECT : Submission of Procurement Projects for Inclusion in the
Department's Request for Exemption in Connection with the
2023 Barangay and Sangguniang Kabataan Elections

DATE : September 28, 2023

1. This has reference to the prohibition against the release, disbursement, or expenditures of public funds and construction of public works, delivery of materials for public works, particularly with respect to procurement of related projects, in connection with the 2023 Barangay and Sangguniang Kabataan Elections.
2. Under Section 261(v) of the Omnibus Election Code (OEC), an election offense is committed by any public official or employee who, during forty-five days before a regular election and thirty days before a special election, releases, disburses or expends any public funds. This prohibition covers any and all kinds of public works except those enumerated under Section 261(v.1).

Also, under Section 261(w) of the OEC, an election offense is committed during the period of forty-five days preceding a regular election and thirty days before a special election, by any person who: a) undertakes the construction of any public works, except for projects or works exempted in the preceding paragraph; or b) issues, uses or avails of treasury warrants or any device undertaking delivery of money, goods or other things of value chargeable against public funds.

3. Public works refer to infrastructure projects as defined under Section 5(k) of Republic Act No. 9184, i.e., construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects,

irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national buildings, school buildings and other related construction projects of the government.¹

4. Pursuant to COMELEC Resolution No. 10905,² dated May 3, 2023, the prohibition on the release, disbursement or expenditures of public funds are effective during the campaign period or from October 19, 2023 to October 28, 2023.
5. COMELEC Resolution No. 10944,³ dated August 9, 2023, further prescribes the guidelines on the issuance of Certificates of Exception and Exemption, **which pertains only to the following**:
 - a. Prohibition against the release, disbursement, and expenditure of public funds for social services and development;⁴ and
 - b. Prohibition against Construction of Maintenance of Barangay-funded Roads and Bridges.⁵

The following are the periods of prohibitions:

- a. For social welfare projects:
 - i. September 15, 2023 to October 30, 2023, for national, regional, provincial and local government units and those of government-owned or controlled corporations and their subsidiaries⁶
 - ii. October 20 to 30, 2023, for those that will be implemented by the barangay
 - b. October 20 to 29, 2023, for the construction or maintenance of barangay-funded roads and bridges.
6. In view of the foregoing, particularly in relation to Item 5, the Regional Offices and Schools Division Offices are directed to submit their respective lists of procurement projects included in the prohibition under COMELEC Resolution No. 10944 thereby necessitating a request for exception or exemption from COMELEC **on or before October 3, 2023**. The DepEd Central Office shall consolidate and submit all requests to COMELEC for the entire DepEd.
 7. For uniformity of project information, and in order to facilitate immediate submission, attached as Annex A is a template, for your reference.

For immediate dissemination and compliance.

¹ Reference: GPPB Circular No. 03-2021, dated December 2, 2021, Item 3.2.

² Revised Calendar of Activities and Periods of Certain Prohibited Acts in Connection with the October 30, 2023 Synchronized Barangay and Sangguniang Kabataan Elections (BSKE).

³ Rules and Regulations on the Prohibition against the Release, Disbursement, or Expenditures of Public Funds and Construction of Public Works, Delivery of Materials for Public Works, and Issuance of Treasury Warrants and Similalr Devices under Sections 261(V) and (W) of the Omnibus Election Code in Connection with the October 30, 2023 Barangay and Sangguniang Kabataan Elections.

⁴ Section 3-17.

⁵ Section 18-26.

⁶ Except those provided under Section 8 of the COMELEC Resolution.

CONSOLIDATED LIST OF PROCUREMENT PROJECTS REQUESTING FOR EXEMPTION FOR THE UPCOMING 2023 BARANGAY AND SK ELECTIONS (SBKE)
REGION _____

NAME OF REGION/DIVISION/SCHOOL

PROCUREMENT PROJECT TITLE	AWARDED AMOUNT	DATE OF ISSUANCE OF NOTICE OF AWARD	PERIOD & PURPOSE OF PROJECT IMPLEMENTATION	AMOUNT OF DISBURSEMENT	FUND SOURCE	REMARKS
TOTAL						

Submitted by:

NAME OF EMPLOYEE
 DESIGNATION
 SIGNATURE

Endorsed and approved by:

NAME OF OFFICIAL
 DESIGNATION
 SIGNATURE