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## OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

# CERTIFICATION

### TO WHOM IT MAY CONCERN:

*THIS IS TO CERTIFY that at the regular (web-based/online) session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on November 18, 2024, the following provincial ordinance was approved:*

Authored by SP Member Shiela Marie F. Baniqued

### PROVINCIAL ORDINANCE NO. 337-2024

**AN ORDINANCE AUTHORIZING THE PROVINCIAL GOVERNOR AND ESTABLISHING THE CONSIGNMENT SYSTEM FOR MEDICAL SUPPLIES AND EQUIPMENT IN THE HOSPITALS OF THE PROVINCE OF PANGASINAN, IMPOSING FEES, AND FOR OTHER PURPOSES**

**WHEREAS**, Section 11, Article XIII, of the 1987 Constitution, provides that, "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health, and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children."

**WHEREAS**, Section 35 of Republic Act No. 7160, allows the local government units to enter into joint ventures and such other cooperative arrangements with people's and non-governmental organizations to engage in the delivery of certain basic services, capability-building and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people;

**WHEREAS**, according to Rule 2 Section 7.3.2 paragraph (a) of the RA No. 9184 or the Government Procurement Reform Act, a consignment system can be used as a mode of implementation in the acquisition of goods;

**WHEREAS**, with the incessant effort of the Provincial Government of Pangasinan to improve and provide quality, affordable, and equitable healthcare services to the public, the introduction of a consignment system for medical supplies and medical equipment may be pivotal in enhancing the delivery of services and economic viability of the hospitals.

**NOW THEREFORE**, on motion of SP Member Shiela Marie F. Baniqued, duly seconded -

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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

*Provincial Ordinance No. 337-2024*

*Page 2*

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**BE IT ORDAINED BY THE SANGGUNIANG PANLALAWIGAN OF PANGASINAN IN SESSION ASSEMBLED, THAT:**

**SECTION 1. SHORT TITLE.** - This ordinance shall be known as the “**Consignment System of Medical Supplies and Equipment for Provincial Government of Pangasinan’s Hospitals.**”

**SECTION 2. SCOPE AND COVERAGE.** - This Ordinance shall cover all transactions and activities involving the acquisition of medical supplies and medical equipment, through a consignment system at the government hospitals, owned, supervised, and managed by the Provincial Government of Pangasinan

**SECTION 3. LEGAL BASIS.** - This Ordinance is based on the provisions of the following laws:

- Republic Act No. 7160 or the Local Government Code of 1991;
- Republic Act No. 9184 or the Government Procurement Reform Act;
- The 1987 Philippine Constitution;
- Other relative laws or issuance on this matter.

**SECTION 4. DEFINITION OF TERMS.** - For purposes of this Ordinance, the following terms are hereby defined as:

- Accreditation Certificate Requirement-** a certificate issued by the Province of Pangasinan through its Bids and Awards Committee which grants authority to a supplier to competitively participate in the consignment.
- Consigned goods or items-** refers to medical supplies and/or equipment and other consigned items that the consignor delivers to the consignee under a consignment agreement.
- Consignee-** the Provincial Government of Pangasinan or any of its concerned hospitals, as the case may be.
- Consignor-** a duly accredited supplier that undertakes to place its goods on a consignment basis with the Province.
- Consignment Offer-** a tender offer in writing by a Consignor or prospective Consignor stating therein his or her interest to enter into a consignment agreement with the province.



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

*Provincial Ordinance No. 337-2024*

*Page 3*

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- f. **Consignment Order (CO)**-an accomplished form, that directs the consignor to effect the delivery of specified medical supplies or equipment and other items with corresponding required quantities and qualities as determined by the consignee within the applicable period. This serves as a contract between the consignor and consignee.
- g. **Consignment Request (CR)**- is a list of items requested by Consignee to be placed under the Consignment System.
- h. **Consignment/Consignment System**- a method of assuring availability of stocks wherein a consignor places its goods at the place of the consignee for the sale and the consignor is paid only the quantity consumed using the money generated from the sake of the consigned goods within an agreed period.
- i. **Replenishment Goods**- medical supplies and/or equipment and other consigned items that the consignor delivers to the consignor as replenishment for those sold by the consignee or as a replacement to delivered goods whose expiration date results in a remaining shelf-life not allowable by the consignee or as a replacement to delivered goods which deterioration are beyond the control of the consignee.

**SECTION 5. COMMITTEES.** - For purposes of this Ordinance, the following committees are hereby created with their corresponding functions:

- 5.1 The **BIDS AND AWARDS COMMITTEE (BAC)**. The BAC, as duly constituted through the Executive Order shall aside from its regular functions, for purposes of this Ordinance shall perform the following:
- 5.1.1 Direct the posting/advertising of the hospital's intention to consign certain items and/or Consignment Request.
- 5.1.2. Invite suppliers to submit price offers and product lists for consignment.
- 5.1.3. Open and evaluate Consignment/Price Offers from consignors.
- 5.1.4. Issue Accreditation Certificate to Consignors, suppliers, manufacturers, and dealers, upon due consideration and in accordance with existing laws and policies.
- 5.1.5. Select the Consignor (s) to whom a Consignment Request and Consignment Order can be placed following the existing and applicable laws, policies, and procedures.
- 5.1.6. Perform such other related functions for the implementation of the provisions and purpose of this Ordinance.



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

**Provincial Ordinance No. 337-2024**

**Page 4**

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5.2 The **CONSIGNMENT ADVISORY COMMITTEE (CAC)**. This committee shall be composed of representatives from the different departments and offices of the province directly or indirectly involved/needed in the implementation to ensure the success of the system. The committee shall have the following composition and functions, to wit:

**5.2.1 Composition**

**Chairman:** Provincial Governor

**Vice-Chairman:** Chairperson, SP Committee on Health and Sanitation

**Members:** Chairman of the BAC  
Provincial Hospital Management Services Officer  
Provincial Health Officer  
General Services Officer  
Provincial Treasurer  
Provincial Accountant  
Provincial Legal Officer  
Provincial Budget Officer  
Chief of Hospitals

**Secretariat:** Chief Administrative Officer or Administrative Officer IV

**5.2.3. Functions**

- 5.2.3.1. Conduct continuing study for the improvement of the consignment system;
- 5.2.3.2. Formulate and recommend innovative policies for adoption and approval by the Provincial Governor and/or SP authorization.
- 5.2.3.3. Recommend action plans and operational policies to the line offices and other committees involved in the consignment system implementation.
- 5.2.3.4. Formulate specific guidelines or implementing rules and regulations (IRR) for the continuing improvement of the consignment systems.
- 5.2.3.5. Recommend appropriate accounting and auditing forms and procedures for the consignment system.
- 5.2.3.6. To conduct price monitoring of prices of medical supplies and medical equipment in the market.
- 5.2.3.7. Perform such other related functions for the implementation of the provisions and purpose of this Ordinance.



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**Provincial Ordinance No. 337-2024**

**Page 5**

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5.3 The **HOSPITAL CONSIGNMENT COMMITTEE (HCC)**. This committee shall be established in each hospital in the province, and responsible for the consignment of medical goods, equipment, and/or other consigned supplies. This committee shall be primarily responsible for implementing the consignment system with the following composition and functions, to wit:

5.3.1 **Composition.** The composition of members of this committee shall be:

**Chairperson** : Chief of Hospital

**Members** : All Chief of Clinics  
Chief Nurse  
Supply Officer  
Hospital Accountant  
Supervising Administrative Officer  
One (1) Representative from Provincial  
Hospital Management Services Office

**Secretariat** : Staff from the Pharmacy and Supply Section

5.3.2. **Functions**

- 5.3.2.1. Consolidation of list of items with specifications and/or description requested to be subjected for consignment.
- 5.3.2.2. Approve the listing of medical supplies and/or equipment that ought to be consigned.
- 5.3.2.3. Submit the list of items for consignment to the BAC for selection of Consignors.
- 5.3.2.4. Recommend the price of items to be consigned including reselling prices of the consigned items upon selection of the Consignor and execution of a Consignment Agreement.
- 5.3.2.5. Perform such other related functions for the implementation of the provisions and purpose of this Ordinance.

5.4. **OTHER SUPPORT OFFICES.** Other Provincial Government Departments directly or indirectly involved/needed in the implementation of the system are hereby enjoined to ensure success in its operation.

**SECTION 6. GENERAL GUIDELINES.** - The following guidelines in compliance with existing accounting, and auditing laws, rules, and regulations shall be observed in the implementation of this Ordinance.



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**Provincial Ordinance No. 337-2024**

**Page 6**

**6.1. Accreditation/Registration.**

6.1.1. Only DOH-FDA and registered suppliers shall be allowed to participate in the Consignment System.

6.1.2. The BAC shall determine the eligibility of prospective suppliers, manufacturers, and consignors for the items to be consigned.

**6.2. Accreditation/Registration Fee.** There shall be an accreditation/registration fee of Five Thousand Pesos (P5,000.00) to be imposed to each qualified supplier/manufacturer/importer for the first time and Three Thousand Pesos (P3,000.00) for the renewal of their accreditation annually.

**6.3. Eligible Consignor.** The eligibility determination of Consignors and the evaluation of Consignment Offers shall be done in a competitive and transparent manner. Any procedures not specifically mentioned in this Ordinance which may be adopted by the hospitals shall be similar to those provided under existing rules and regulations on procurement. However, such supplementary procedures that shall be adopted must be reflected in duly published issuances or posted in conspicuously identified places.

**6.4. Items to be Consigned.** - Consigned items shall be based on the submitted list from the Hospital Consignment Committee.

**6.5. Price Determination.** - The selling price of consigned item/s to the public, together with any markup by the consignee, shall in no case be higher than the prevailing price of the same items in a local private pharmacy or medical supply outlet. It is provided that the consignment price indicated in the agreement shall be affected by the consequence of escalation prices in the market (suggested retail price).

**6.6. Trust Liability Account.** - A Trust Liability Account shall be created and be called the Hospital Consignment Fund.

- i. The Hospital Consignment Fund shall be initially funded from the General Fund of the Province of Pangasinan in the amount of Two Million Pesos (Php2,000,000.00) as LOAN free of interest. The payment of the loan shall commence after the end of the 2<sup>nd</sup> year from the date of release of the fund with a minimum annual amortization of One Million Pesos (Php1,000,000.00) until fully paid.
- ii. The fund will also be used for the payment of medical supplies used by patients while awaiting collection of payments from PHIC claims and from other financial assistance providers such as the DOH (MAIP), PFAF, etc.
- iii. The collections generated/derived from the consignment system shall be deposited in the Trust Liability Account created for this purpose.



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

**Provincial Ordinance No. 337-2024**

**Page 7**

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iv. The remittance for dispensed, issued, or utilized consigned goods shall be charged from the Trust Liability Account after the inventory has been conducted and upon receipt of the Sales Invoice from the Consignor.

**6.7. Income/Revenue Utilization.** –The accumulated income derived from the consignment system shall be appropriated for the following expenses, but not limited to upgrading hospital operations, equipment, infrastructure, hiring of additional personnel, and related manpower services related to the operation of the consignment system, and traveling expenses.

**SECTION 7. SPECIFIC GUIDELINES AND PROCEDURES**

**7.1. Eligibility Requirements:** A prospective Consignor shall submit a Letter of intent duly signed by the Company or his duly authorized representative addressed to the BAC Chairperson of his intention to consign his products and shall be required to submit the following:

- i. DOH-FDA supplier accreditation certificate;
- ii. Certificate from BIR with Tax Identification Number (TIN) acknowledging receipt of duly audited Financial Statement (FS) of the preceding year;
- iii. SEC Registration Certificate if corporation or relevant DTI Certificate for proprietorship/partnership;
- iv. Sworn and duly notarized statement that the prospective consignor has not been, block-listed to participate in the bidding by any government agency, LGUs, or government-owned or controlled corporations;
- v. List of items required by the province intended to be consigned with the corresponding certified true copies of the Certificate of Product Registration/s issued by the DOH or FDA
- vi. Certificate of Current Good Manufacturing Practice (CGMP) issued by the FDA for manufacturers. In case the prospective consignor is not a manufacturer, is principal manufacturer's certified true copy of CGMP must still be submitted;
- vii. Business Permit from the Local Government Unit (LGU) which administratively covers the Consignee with which the Consignor intends to enter into a Consignment Agreement;
- viii. Tax Clearance Certificate;
- ix. Statement of Similar Projects on Completed Government or Private contracts supported with Certified Copies of Consignment Orders, Utilization Reports, Notices of Award, Purchase Orders and/or Official Receipts on payments of goods delivered;
- x. For those applying for Renewal of Accreditation/ Registration. The consignor must submit a statement of Completed/ongoing contracts with certified Copies of Consignment Orders, Utilization Reports, and Official Receipts of payments issued by the Procuring Entity; and



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**Provincial Ordinance No. 337-2024**

**Page 8**

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xi. Other requirements that may be required by the HCC in coordination with the Bids and Awards Committee.

**7.1. Operational Guidelines.** -The following operational guidelines are to be followed/observed in the implementation of the consignment system.

**7.1.1. Posting/Advertisement:** The posting/advertisement of items to be consigned as enumerated in the Consignment Request shall be undertaken by the BAC in three (3) conspicuous places on the websites of the Provincial Government of Pangasinan and/or the Hospital concerned shall be done for seven (7) working days from the date the CR was approved.

**7.1.2. Consignment Request (CR):** The items included in the CR shall contain items requested and/or submitted by the Consignment Committee for the supplies and/or equipment, recommended by them and approved by the Provincial Governor or his duly authorized representative for this purpose.

**7.1.3. Consignment Offer (COF):** Submission of Consignment/Price Offer/s. Accredited Consignors shall submit their price offers and other terms and conditions through a written consignment offer signed by the authorized official of the consignor/company within five (5) working days from the completion of the seven (7) working days posting/advertisement period.

The COF must respond specifically to the required specifications and other parameters set forth by the HCC as per its CR issued and posted by the BAC. Validity of consignment offer shall be effective without changes for the duration of the Agreement.

**7.1.4. Opening and evaluation of Consignment Offer/s.** Consignment offer/s shall be received, offered, and evaluated by the BAC. The opening of consignment offers shall be done by the BAC and witnessed by the prospective consignors or their duly authorized representatives on the date, time, and place indicated in the consignment request.

**7.1.5. Attachment.** Certification of Good Manufacturers' Products issued by the Food and Drug Administration for the relevant year on medical supplies and/or equipment shall be required during the opening of Consignment Offers.





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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

**Provincial Ordinance No. 337-2024**

**Page 9**

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**7.1.6. Reservation of BAC.** The BAC reserves the right to reject any or all consignment offers, declare a failure of such offers, or not to recommend/award the Consignment Order for any justifiable and reasonable ground where the award of the consignment order is not favorable to the hospital.

**7.1.7. Awarding of Contracts to Next Advantageous Consignment Offer.** Should there be two (2) or more Consignment Offers, the BAC shall recommend to the Provincial Governor the next advantageous offer for award when there is a failure from the awarded Consignor to deliver within the specified period without justifiable reason.

If none, CR shall be reposted for advertisement and invitation of Consignors, excluding those with canceled COs within the year.

**7.3. Supply Consignment Agreement (SCA).** -The following operational guidelines are to be followed/observed in the implementation of the consignment system.

- i. The acquisition of medical supplies and/or equipment under the Consignment System shall be covered by a Supply Consignment Agreement (SCA) and shall be approved within ten (10) calendar days after the BAC has declared a qualified/responsive Consignor.
- ii. The Supply Consignment Agreement (SCA) shall have a validity of one (1) year unless extended or sooner terminated due to valid and justifiable reasons. The prices, units, quantity, and quality of the items as offered by the Consignors and duly specified in the Consignment Order shall be effective without changes during the effectivity of the Consignment Agreement. The Consignor, however, is allowed to deliver additional stocks at the same price upon the issuance of a new Consignment Order by the consignee.
- iii. Upon expiration of the Supply Consignment Agreement, the Consignee shall have the option to return or to pay for the remaining consigned goods/stocks within sixty (60) days from the date of termination of the Agreement.

**7.4. Consignment Order/Reorder (CO)**

**7.4.1. Issuance.** The Consignment Order for the initial delivery shall only be issued after the Supply Consignment Agreement has been perfected.

**7.4.2. Preparation.** The HCC shall prepare the Consignment Orders, which shall be serially numbered and properly recorded in on appropriate log-book.



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

**Provincial Ordinance No. 337-2024**  
**Page 10**

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**7.4.3. Supplementary Consignment Order/s.** Supplementary CO/s for any supplies maybe issued anytime in order to offset unforeseen exigencies such as depletion of that particular stock and/or to avoid stock availability gaps. This shall be covered with appropriate Consignment Request and Supply Availability Inquiry (SAI) as requested/inquired by the requesting unit and stock status provided by the Supply Section.

**7.4.4. Cancellation of Consignment Order/s.** Unjustifiable failure on the part of the Consignor to deliver completely consigned items within the specified period shall be grounds for CO cancellation. The latter shall be issued a Cancellation/Termination Notice by the Provincial Governor upon recommendation of HCC or CAC. Only items utilized shall be considered for remittance.

**7.4.5. Counter Offer/s.** The Consignor for justifiable reasons may change the brand of consigned items during the duration of the agreement dependent on the approval of the HCC referred to the end-user.

**7.5. Delivery and Utilization**

**7.5.1. Period of Delivery of consigned goods.** Unless otherwise specified, items for consignment shall be delivered within fifteen (15) days from receipt of the CO. Failure to deliver the consigned goods within the specified period without justifiable reason from the concerned consignor shall cause the cancellation of the CO.

**7.5.2. Delivery/Invoice Receipt/s.** All deliveries of Consigned Items shall be in accordance with the laws and conditions specified in the CO and shall be covered by a delivery/invoice receipt bearing the following:

- a. Name of Consignor;
- b. Date of Stock Slip Number;
- c. Stock Delivery Slip Number;
- d. Consignment Order Number;
- e. Name of Consignor or his representative effecting the delivery;
- f. Description of the medical supply and/or equipment;
- g. Quantity;
- h. Unit;
- i. Unit Price;
- j. Total Price; and
- k. Other applicable description



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

**Provincial Ordinance No. 337-2024**

**Page 11**

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**7.5.3. Delivery Place/Site.** The Consigned Items shall be delivered directly to the concerned hospital for the consignment's warehouse and shall be immediately inspected together with the representatives of the Supply, Pharmacy, and Accounting Offices.

**7.5.4. Expiry Period.** No item/s shall be received whose expiration dates are less than twelve (12) months from the date of the delivery. Any Consigned Item whose expiration is less than the prescribed period hereon shall be immediately invoiced and returned to the Consignor for immediate replacement. A Return Invoice (Invoice Receipt of property) shall be issued to this effect stating therein the specific description and quantity of the items and the reason for return.

**7.5.5. Utilization of consigned items.** Utilization of consigned goods/items shall be on a "first Expiry, first out (FEFO)" rule.

**7.5.6. Prescription of consigned items.** Medical personnel are hereby directed to ensure the prescription of consigned medical supplies or equipment is available in the hospital pharmacy or unit/office designated for such items.

**7.5.7.** A certification from the Head of the pharmacy section and supply officer duly approved by the head of the Chief of hospital reflecting the information that the consigned goods/items were issued based on the prescription on file shall also form part of the requirement /attachment to the voucher for remittance.

**7.6. Inventory**

**7.6.1. Inventory Schedule.** Inventory of consigned goods shall be conducted every month as pre-arranged or scheduled. The inventory process may be attended by the representative of the Consignor.

**7.6.2. Ledger cards.** Stock ledger cards/records shall be maintained and updated on a daily transactional basis.

**7.6.3. Loss of Consigned Goods.** Any loss of Consigned Goods arising from fortuitous events beyond the control of the Consignee shall relieve the some from any responsibility.

However, losses due to negligence arise from theft or pilferage. The pharmacist/custodian on duty, and those staff physically present within the immediate vicinity of the incident, including the security guards shall be held liable if found negligent in an administrative proceeding.



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

**Provincial Ordinance No. 337-2024**

**Page 12**

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7.6.4. **Inventory Report/s.** Monthly inventory reports must be accomplished jointly by the Pharmacist-in-Charge, Supply Officer, and the Chief of Hospital to determine the following as shall be manifested in the said Report.

- Stocks received as initial delivery/beginning balance (Add: Replenishment stocks, if any)
- Stocks sold for the month
- Ending balance of Consigned Goods (a minus b)

7.6.5. The Monthly Inventory Report must be accomplished and approved within Ten (10) working days reckoned every end of the month.

7.6.6. The Monthly Inventory Report shall serve as the basis for remittance/payment and in the preparation of succeeding Consignment Orders.

7.7. **Inter and Intra Agency Transactions.** Other government agencies including Local Government Units may also buy items from the consignment system following the policies on “government to government” or “department to other department” transactions.

**7.7. Remittance/Payment**

7.7.1. **Voucher Preparation.** Subsequently, a voucher shall be prepared corresponding to the amount of the consigned items sold for the period. After compliance with the requirements/ attachments, processing of the voucher follows, and thereafter preparation of money or checks and release of the same to the consignor as remittance for the sold consigned stocks/ items.

The following documents shall be the attachments to the Disbursement voucher:

- Consignment Request
- Certificate of Eligibility of Consignor based on records on file.
- Consignment Order
- Inspection and Acceptance Reports with Delivery/Invoice Receipts
- Monthly Utilization/Inventory Report
- Statement of Accounts/ Invoice from Consignor based on inventory
- Certification in lieu of Prescriptions
- Others as may be necessitated for the process of voucher



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

**Provincial Ordinance No. 337-2024**

**Page 13**

**RAMON V. GUICO III**  
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7.7.2. **Payment.** Payment/Remittance shall be done on or before thirty (30) days from the date of inventory of which a billing statement shall be issued by the consignor.

7.8. **Fiscal Management.** In addition to other requirements, as may be provided by law or issuances, the following fiscal guidelines must be followed:

- i. The Accounting Section of the hospital shall be responsible for the preparation of the Monthly Report of Collection and submit the same to the Consignment Committee.
- ii. A copy of the Monthly Inventory Report and the Monthly Report of Collections shall be furnished to the Provincial Accountant, for their information and ready reference.
- iii. The sales/income derived from the consigned stocks shall be deposited in the Trust Account created for this purpose.
- iv. The transactions shall be recorded and accounted for separately.

7.9. **Quality Assurance.** To assure the quality of Consigned items, the following may be performed:

- i. The Consigned items may be subjected to random sampling, inspection, and testing by the Consignee and other appropriate support agencies to ensure the quality of stocks.
- ii. The items returned and tested by the Food and Drugs Administration (FDA) and other regulation agencies shall be promptly replaced by the Consignor without cost on the part of the Consignee.
- iii. Testing Fees shall be charged and paid by the Consignor.

**SECTION 8. Protest Mechanism/Settlement of Disputes**

**8.1. Protest Mechanism**

- i. Decisions of the Bids and Awards with respect to the conduct of the evaluation of consignment offers may be protested in writing to the provincial Governor, provided however, that a prior motion for reconsideration should have been filed by the party concerned within three (3) days from the conduct of the consignment offer opening/evaluation.
- ii. The protest must be filed within three (3) calendar days from receipt of the party concerned of the resolution of the BAC denying its motion for reconsideration. A protest may be made by filing a verified position paper accompanied by the payment of a non-refundable protest fee equivalent to not less than 1 % of the approved amount in the Consignment Request.



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VERNA T. NAVA-PEREZ  
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**Provincial Ordinance No. 337-2024**

**Page 14**

iii. The verified position paper must contain the following:

1. Name of Consignor
2. Address of Consignor
3. A brief statement of facts
4. Issue to be resolved
5. Such other matters and information pertinent and

iv. The protest must be resolved within seven (7) calendar days upon receipt of, the same. The BAC is to submit its recommendation through a resolution to the provincial Governor or his duly authorized representative, the same to be resolved within three (3) calendar days from which a notice is issued.

8.2. **Settlement of disputes:** Any legal action or suit arising from the consignment shall only be filed in Lingayen, Pangasinan. By mutual agreement, the parties may agree in writing to resort to other alternative modes to resolve disputes.

**SECTION 9. Miscellaneous Provisions**

9.1. **Title.** The ownership of, and legal and beneficial entitlement to the products shall be the consignor until the products shall have been used, dispensed or sold by the consignee. The consignee shall be responsible for the care and custody of the medical supply and/or equipment delivered by the consignor.

9.2. **Agency/Assignment.** – Consignors shall not assign any of their rights and obligations under the consignment system without the prior consent of the consignee.

9.3. **Force Majeure, Pilferage and Theft.** – Neither party shall be liable for any failure to perform its obligations under the consignment system where such failure is due to Acts of God or any cause beyond the reasonable control of the parties.

Where applicable, the party affected shall make all reasonable efforts to comply with its obligations to avoid damages. The warehouseman or any other responsible office charged with the receipt and custody of consigned goods shall be bonded to answer in case of loss, pilferage, or damage. Losses of consigned items before the acceptance in writing by the consignee shall be shouldered by the consignor.



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

**Provincial Ordinance No. 337-2024**  
**Page 15**

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**9.4. Recall of Consigned Medical Goods, Supplies, and/or Equipment.** -Should any of its products be banned by competent authorities or have expired or been declared non-suited for the use and dispensing, the consignor has the obligation to inform the consignee and recall the items at no cost to the latter.

The consignee has the right to inform the consignor and cause the withdrawal of banned, reclassified, and expired items declared unfit for use and consumption without cost on the consignee's part.

**9.5. Legal Claims and Venue of Action.** -Any legal action or suit that may arise due to violation of the provision of this ordinance shall be filed exclusively before the courts within the Province of Pangasinan.

**9.6. Submission of Annual Report.** The hospital committee concerned shall submit to the Governor and the Sangguniang Panlalawigan a consolidated written report regarding the status of the consignment system implementation every third Friday of January of the succeeding year.

**SECTION 10. Authority to Sign Contracts, Consignment Request and Consignment Order.**

10.1 All contracts of the Consignment System entered into by and between the suppliers shall be signed by the provincial Governor with prior authority from the Sangguniang Panlalawigan or ratification of the contract if without prior authority.

10.2. The Provincial Governor shall sign the Consignment Request (CR) and Consignment Order (CO) or for this purpose designate the Provincial Administrator to sign on his behalf the CR and CO for the consignment of the goods if the amount is not more than Five Hundred Thousand pesos (Php500,000.00).

**SECTION 11. Final Provisions**

11.1 Nothing in this Ordinance shall prevent the hospitals from procuring medical supplies and equipment through other modes prescribed and authorized by existing laws.

11.2. Similarly, nothing in this Ordinance shall be interpreted to prevent the hospitals from dispensing medical supplies and equipment by means of other allowable modes of dispensing medical supplies.

11.3. The Governor may, by an Office Order or Memorandum, limit the scope and implementation of the Consignment System.



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

*Provincial Ordinance No. 337-2024*  
*Page 16*

**SECTION 12. SEPARABILITY CLAUSE.** In the event any of the provisions of this ordinance is declared void or unenforceable by final judgment of a court of competent jurisdiction, the other provisions unaffected thereby shall remain in full force and effect.

**SECTION 13. EFFECTIVITY.** This Ordinance shall take effect upon approval and prescribed posting and publications.

CERTIFIED BY:

  
**VERNA T. NAVA-PEREZ**  
*Secretary to the Sanggunian*

ATTESTED:

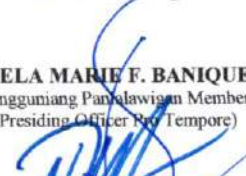
  
**MARK RONALD DG. LAMBINO**  
*Vice Governor*  
*(Presiding Officer)*

APPROVED:

  
**RAMON V. GUICO III**  
*Governor*

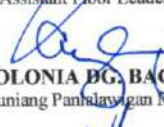
**RAMON V. GUICO III**  
Governor

**MARK RONALD DG. LAMBINO**  
Vice Governor/Presiding Officer

  
**SHIELA MARIE F. BANIQUED**  
Sangguniang Panlalawigan Member  
(Presiding Officer Pro Tempore)

  
**NAPOLION C. FONTELEA, JR.**  
Sangguniang Panlalawigan Member  
(Floor Leader)

**NOEL C. BENCE**  
Sangguniang Panlalawigan Member  
(Assistant Floor Leader)

  
**APOLONIA DG. BACAY**  
Sangguniang Panlalawigan Member

**PHILIP THEODORE E. CRUZ**  
Sangguniang Panlalawigan Member

  
**HAIDEE S. PACHECO**  
Sangguniang Panlalawigan Member

  
**VICI M. VENTANILLA**  
Sangguniang Panlalawigan Member

**MARINOR B. DE GUZMAN**  
Sangguniang Panlalawigan Member

  
**JERRY AGERICO B. ROSARIO**  
Sangguniang Panlalawigan Member

  
**ROSARY GRACIA P. PEREZ-TABABA**  
Sangguniang Panlalawigan Member

**NICHOLI JAN LOUIE Q. SISON**  
Sangguniang Panlalawigan Member

  
**SALVADOR S. PEREZ, JR.**  
Sangguniang Panlalawigan Member

  
**CAROLYN D. SISON**  
Provincial Councilor League Representative

  
**JOYCE D. FERNANDEZ**  
Sangguniang Kabataan Representative

  
**RAUL R. SABANGAN**  
Liga ng mga Barangay Interim Presiding Officer

**VERNA T NAVA-PEREZ**  
Secretary to the Sanggunian