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Introduced by Sen. Teofisto "T.G." Guingona III

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**RESOLUTION**

**DIRECTING THE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON) TO INQUIRE INTO AND INVESTIGATE, IN AID OF LEGISLATION, THE RECENT CONTRACT ENTERED INTO BY THE REPUBLIC OF THE PHILIPPINES THROUGH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) WITH BAGGERWERKEN DE CLOEDT EN ZOON AMOUNTING TO PHP 18.7 BILLION FOR THE LAGUNA LAKE REHABILITATION PROJECT IN VIOLATION OF REPUBLIC ACT 9184 OTHERWISE KNOWN AS THE GOVERNMENT PROCUREMENT ACT**

**WHEREAS**, on the 5<sup>th</sup> of February 2010, the Government of the Republic of the Philippines through the Department of Environment and Natural Resources (DENR) entered into a direct contract with Belgian firm Baggerwerken de Cloedt en Zoon for the implementation of the Laguna Lake Rehabilitation Project;

**WHEREAS**, the Government of the Republic of the Philippines claims that said contract is in the form of a Government to Government transaction or an Executive Agreement between the Philippines and Belgium;

**WHEREAS**, the Belgian ambassador to the Philippines HE Christian Meerschman has opined differently on this claim and has categorically stated in a letter that "the Belgian Government has not granted any support or concessional funding" and that "the Belgian Government has not granted a Governmental loan" with regard said project;

**WHEREAS**, despite this pronouncement by Belgian Ambassador HE Christian Meerschman the said contract was still directly awarded to Baggerwerken de Cloedt en Zoon without the benefit of a public and competitive bidding in direct violation of RA 9184 otherwise known as the Government Procurement Act;

**WHEREAS**, this violation of RA 9184 otherwise known as the Government Procurement Act constitutes an act of malfeasance by involved government officials;

**WHEREAS**, the direct award by the GRP of the contract to a foreign firm (Belgian) amounts to a staggering 18.7 Billion Pesos (much more than the \$ 329 Million NBN-ZTE project), when to hire local firms which are equally capable of undertaking the project may result in substantial savings to our cash strapped Government;

**NOW THEREFORE, BE IT RESOLVED BY THE SENATE**, as it is hereby resolved to direct the Senate Committee on Accountability of Public Officers and Investigations (Blue Ribbon) to conduct an inquiry in aid of legislation into the recent contract entered into by the Republic of the Philippines through the Department of Environment and Natural Resources (DENR) with Baggerwerken de Cloedt en Zoon amounting to 18.7 billion pesos for the Laguna Lake Rehabilitation Project in violation of Republic Act 9184 otherwise known as the Government Procurement Act



Sen. Teodoro "T.G." Guingona III  
Senator