

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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CITY ORDINANCE NO. 941
September 23, 2020

**AN ORDINANCE IMPLEMENTING THE COVID-19 CONTACT TRACING SYSTEM IN
THE CITY OF BACOLOD AND PROVIDING GUIDELINES THEREFOR.**

WHEREAS, Article II, Section 15 of the 1987 Constitution expressly declares, that it is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, President Rodrigo Roa Duterte issued Proclamation No. 922, declaring a State of Public Health Emergency and Proclamation No. 929, declaring the State of Calamity throughout the country by reason of the spread of Corona Virus Disease or COVID-19, which has been declared by the World Health Organization as pandemic;

WHEREAS, the COVID-19 pandemic has greatly affected the lives and economy of the people in the City of Bacolod in particular and the whole Filipino nation in general, hence, the urgent need to mitigate, if not contain, the transmission of COVID-19;

WHEREAS, Republic Act (R.A.) No. 11469 or the Bayanihan to Heal as One Act was enacted declaring the existence of national emergency arising from the COVID-19 situation and mandating all government agencies and local government units, among others, to fully cooperate and have unified and cohesive response to the pandemic and to contain the spread of the virus;

WHEREAS, Section 16 of the Local Government Code of 1991 mandates, that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare, such as ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, the City of Bacolod shall implement a contact tracing system called the Bacolod City COVID-19 Contact Tracing System (BaC-Trac), which aims to contain and avert the spread and transmission of the virus through the quick and immediate contact tracing of people who may have been possibly exposed to positive COVID-19 confirmed patients within the city;



WHEREAS, the effective and efficient implementation of the contact tracing system requires the compliance of all concerned local government offices, private and business sectors and the constituents of the city, specifically in the conduct of data gathering and processing of basic personal information as well as the ultimate use and implementation of the system within the territorial jurisdiction of the city;

WHEREAS, Section 6 (e) (3) of R.A. No. 11332 mandates the conduct of epidemic/outbreak and epidemiologic investigations, case investigations, patient interviews, review of medical records, contact tracing, storage, transport and testing of specimen, risk assessments, laboratory investigations, population surveys and environmental investigations; and

WHEREAS, Section 12 of R.A. No. 10173, otherwise known as the Data Privacy Act of 2012, provides the criteria for the lawful processing of personal information in times of national emergency to protect life and ensure public health and order, which states, among others, that: (1) "(t)he processing is necessary to protect vitally important interests of the data subject, including life and health"; and (2) "(t)he processing is necessary in order to respond to national emergency, to comply with the requirements of public order and safety, or to fulfill functions of public authority which necessarily includes the processing of personal data for the fulfillment of its mandate" as provided in Sections 12 (d) and (e) thereof, respectively;

NOW THEREFORE BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG PANLUNGSOD IN REGULAR SESSION ASSEMBLED THAT:

Section 1. TITLE. This ordinance shall be known as the "COVID-19 Contact Tracing System Ordinance of Bacolod City".

Section 2. PURPOSE. This ordinance aims to contain and avert the spread and transmission of the virus through the quick and immediate contact tracing of people who may have been possibly exposed to positive COVID-19 confirmed patients within the city.

Section 3. STATEMENT OF POLICY. It is the policy of the City Government of Bacolod City to protect its residents and visitors, within its territorial jurisdiction, against COVID-19 through an effective and efficient implementation of the contact tracing system which requires compliance of all concerned local government units (LGUs), private and business sectors, residents and visitors of the city.

Section 4. SCOPE AND COVERAGE. This ordinance shall cover all business establishments, government offices, residents, and visitors within the territorial jurisdiction of Bacolod City, to include public utilities and spaces, such as but not limited to, public markets, public terminals and public transport.

Section 5. DEFINITION OF TERMS. For the purpose of this ordinance, the following terms are defined as follows:

- (a) "**Bacolod City COVID-19 Contact Tracing System (BaC-Trac)**" refers to the localized web-based and mobile-based application developed for the efficient and expeditious contact tracing of confirmed COVID-19 positive patients.

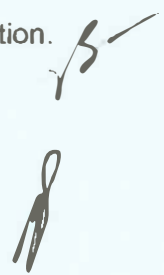


- (b) **"BaC-Trac Card"** refers to a card issued by the City of Bacolod to a resident within the territorial jurisdiction of the City of Bacolod that will serve as a digital logbook when entering the premises of government offices or private establishments for the purpose of recording the date and time of entry or visit, and which bears the holder's name, address, identification number and a uniquely-assigned QR code;
- (c) **"BaC-Trac Visitor's Card"** refers to a card issued by the City of Bacolod to visitors of the city who may have temporary personal or business transaction within the city, or who report to work on a daily basis in the city but reside outside the city;
- (d) **"Close Contact"** refers to a person who may have come into contact with the probable or confirmed case two days prior to onset of illness of the confirmed COVID-19 case until the time that said cases test negative on laboratory confirmation or other approved laboratory test through:
1. Face-to-face contact with a probable or confirmed case within one (1) meter and for more than fifteen (15) minutes;
 2. Direct physical contact with a probable or confirmed case;
 3. Direct care for a patient with probable or confirmed COVID-19 disease without using proper personal protective equipment; or
 4. Staying in the same close environment of a COVID-19 patient (including workplace, classroom, household, gathering) within the past 14-day period;
 5. Traveling together in close proximity (1 meter or less) with a COVID-19 patient in any kind of conveyance within a 14-day period after the onset of symptoms in the case under consideration.
- (e) **"Confirmed"** refers to any individual, irrespective of presence or absence of clinical signs and symptoms, who was laboratory confirmed for COVID-19 in a test conducted at the national reference laboratory, a subnational reference laboratory, and/or DOH-certified laboratory testing facility.
- (f) **"Contact Tracing"** refers to the identification, listing, and follow-up of persons who may have come into close contact with a confirmed COVID-19 case. Contact tracing is an important component in containing outbreaks of infectious diseases.
- (g) **"Contact Tracing Team"** is an LGU-identified team that shall conduct case investigation and collect data fields of the COVID-19 case using Case Investigation Form and Travel History Form, or any information technology system, and shall rigorously locate, profile, and assess all close contacts. The local Contact Tracing Teams (CTTs) shall identify symptomatic close contacts who fit the COVID-19 case definition based on Administrative Order 2020-0013 and test and isolate them using the same guidelines. The local CTTs shall be led by a doctor assigned at the City



Health Officer (CHO) and assisted by an officer of the Philippine National Police (PNP)-Bacolod City Police Office (BCPO), with the following members: staff from the PNP-BCPO Police Station, City Health Office, and Bureau of Fire Protection; the City Disaster Risk Reduction Management Officer, the Barangay Health Worker, the Barangay Health Emergency Response Team (BHERT) members; and the Barangay Public Safety Officer, pursuant to Item 3.2.1 of Memorandum Circular No. 2020- 073 of the Department of the Interior and Local Government (DILG).

- (h) **"COVID-19"** is an infectious disease caused by a newly discovered coronavirus called SARS CoV-2, wherein most people infected with the virus will experience mild to moderate respiratory illness and recover without requiring special treatment.
- (i) **"Government Office"** refers to any office created by the Constitution or a legislative act, having a definite tenure, and involving the power to carry out some governmental function operating within the territorial jurisdiction of the city.
- (j) **"CESU"** refers to the City Epidemiology and Surveillance Unit.
- (k) **"Private Establishment"** refers to any building, structure, or portion thereof that is owned, leased, controlled, or operated by a non-governmental entity for a non-governmental purpose operating within the territorial jurisdiction of Bacolod City.
- (l) **"Probable"** refers to a suspect case under the following circumstances:
 - 1. one whom testing for COVID-19 is inconclusive;
 - 2. one who tested positive for COVID-19 but whose test was not conducted in a national or subnational reference laboratory or officially accredited laboratory for COVID-19 confirmatory testing; and
 - 3. one who died without undergoing any confirmatory testing.
- (m) **"Quick Response (QR) Code"** refers to the trademark for a type of matrix barcode which is a machine-readable code consisting of an array of black and white squares, typically used for storing Uniform Resource Locators (URLS) or other information for reading by the camera on a smartphone.
- (n) **"Residents"** refers to persons living within the territorial jurisdiction of Bacolod City.
- (o) **"RESU"** refers to the Regional Epidemiology and Surveillance Unit.
- (p) **"RT-PCR"** refers to real-time Reverse Transcriptase-Polymerase Chain Reaction.



(q) **"Suspect"** refers to a person who manifests any of the conditions below:

1. All Severe Acute Respiratory Infection (SARI) cases where NO other etiology fully explains the clinical presentation.
2. Influenza-like Illness (ILI) with either of the following conditions:
 - i. with no other etiology that fully explains the clinical presentation and a history of travel to or residence in an area that reported local transmission of COVID-19 disease during the 14 days prior to symptom onset, or
 - ii. with contact to a confirmed or probable case of COVID-19 in two days prior to onset of illness of the probable/confirmed COVID-19 case until the time the probable/confirmed COVID-19 case became negative on repeat testing.
3. Individuals with fever or cough or shortness of breath or other respiratory signs or symptoms falling under any one of the following criteria
 - i. Aged 60 years and above
 - ii. With a comorbidity
 - iii. Assessed as having a high-risk pregnancy
 - iv. Health worker

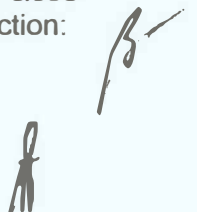
(r) **"Visitors"** refers to persons who are non-residents seeking entry or have already entered the territorial jurisdiction of the PSC.

(s) **"Logbook"** refers to a digital or manual record of important data relative to contact tracing.

(References: DOH DM 2020-0189: Updated Guidelines on Contact Tracing of Close Contacts of Confirmed COVID-19 Case, DOH DC 2020-0108: Public Advisory No. 14 Clarification on Management and Referral of Close Contacts of Confirmed COVID-19 Cases and Integrated Provincial Health Office)



Section 6. BaC-Trac PROCEDURE. FOR DIGITAL LOGBOOKING

(A) **GATHERING AND COLLECTION OF INFORMATION.** For the purpose of gathering baseline information relevant to conduct efficient and speedy close contact tracing, the following provisions shall govern data gathering and collection:



1. The City Government of Bacolod, in coordination with the barangays, shall gather and process relevant information using the Basic Personal Data Form for **BaC-Trac** for residents and visitors, provided that Section 12 (a) of RA. No. 10173 or the Data Privacy Act of 2012 shall be strictly complied with.
 2. The following information shall be collected for the purpose of contact tracing:
 - (a) Complete Name
 - (b) Birthdate
 - (c) Address
 - (d) Sex
 - (e) Contact Number (Optional)
 3. All visitors or non-residents passing through or with temporary business or personal transaction within the city shall be required to register online through the **BaC-Trac** and provide the mandatory information for the issuance of QR-coded **BaC-Trac** Card that they may either print or show for scanning using their mobile phones to the checkpoints and offices/establishments where they have a transaction. If the visitors or non-residents have no access to smartphones or internet, they shall fill out the Basic Personal Data Form for **BaC-Trac** and shall be required to use the pre-printed **BaC-Trac** Visitor's Cards with pre-assigned QR Codes issued by the City Government of Bacolod and distributed to all PNP checkpoints. The filled-out forms shall thereafter be submitted to the City Government of Bacolod for encoding and uploading in the CCTS server.
 4. It shall be the responsibility of the Barangays to assist residents who opt to avail themselves of the **BaC-Trac** Card.
- (B) **ISSUANCE OF BaC-Trac CARD.** A system-generated **BaC-Trac** Card shall be issued to the following:
- (1) residents who registered in the digital logbook of the city; and (2) all visitors of the city.

Section 7. MANUAL LOGBOOKING

- (A) **GATHERING AND COLLECTION OF INFORMATION.** All business establishments and government offices are required to gather information of all clients and visitors entering its premises with the following details:
- (1) Complete Name
 - (2) Birthdate
 - (3) Address
 - (4) Sex
 - (5) Contact Number (Optional)
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Section 8. GUIDELINES FOR GOVERNMENT OFFICES AND PRIVATE ESTABLISHMENTS.

(A) The following shall be required to register in the Bacolod City Website:

1. national and local government offices including all government managed or owned facilities and economic enterprises in the city such as, but not limited to, public schools, markets, terminals, hospitals, sports complexes and gymnasiums;
2. all private business establishments and entities to include religious and educational institutions; and
3. all modes of public transport or public utility vehicles operating in the province.

Once registered, these establishments shall download the **BaC-Trac** mobile application. All **BaC-Trac** Cards or **BaC-Trac** Visitor's Cards of persons who are entering these registered establishments or offices shall be scanned using the mobile application.

(B) All business establishments and government offices are also required to maintain a manual logbook to ensure that all clients and visitors not registered in the SC-CCTS shall be properly recorded and the same shall be submitted directly to the Integrated Provincial Health Office (IPHO)-PESU on a weekly basis.

Section 9. PROTECTION OF PRIVACY

- (a) The duly designated Data Controller (DC) or Data Protection Officer (DPO) from the CESU shall have authorized access to all information gathered and stored in the server. The DC/DPO shall manage and keep all information with utmost care and confidentiality and shall use the same for contact tracing purposes only. The DC/DPO shall produce the report/s necessary for the immediate conduct of contact tracing following the DOH and CESU protocols.
- (b) The CESU shall likewise designate the DC/DPO for the proper handling of list of close contacts to be provided by the CESU should there be a confirmed COVID-19 case.
- (c) All recorded information of a person's date and time of visit or entry in establishments and public utility vehicles shall be automatically deleted from the **BaC-Trac** as well as in the manual logbook sixty (60) days after their storage thereto.

Section 10. STANDARD CONTACT TRACING PROCEDURE. The following procedure shall govern the conduct of contact tracing:

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- (a) Receipt of Result and Generation of Reports for Close Contacts. Upon receipt of the confirmed case result of the person, the DC/DPO and CESU shall immediately generate a report on the list of places where the confirmed person had been including dates and time of entry in those places. Only the assigned identification number of the confirmed infected person shall appear on the report. The list of all close contacts in these places shall then be generated from the system with their names, addresses, age, sex, and contact numbers.
- (b) Dissemination of List of Close Contacts and Identification of High-Risk Close Contacts. The list of close contacts with necessary information for immediate validation shall be disseminated by the DC/DPO and CESU to the respective barangays for validation and identification of high-risk close contacts.
- (c) Logistics Preparation. The CESU will generate the validated list of close contacts for logistics preparation.
- (d) Dissemination of Validated Close Contacts to Contact Tracing Team and Implementation of Quarantine Protocols. The list of validated close contacts will be disseminated to the contact tracing team and to ensure that they will be quarantined according to the set Department of Health protocols.
- (e) Daily Monitoring of Close Contacts. The CCT shall closely monitor the quarantined close contacts on a daily basis. If symptomatic, the close contacts will be isolated and tested (RT-PCR). Regardless of the result, the CCT shall disseminate the result to the concerned barangay.
- (f) If a close contact becomes positive, repeat the procedure from (a) to (e).

Section 11. BACOLOD CITY COVID-19 CONTACT TRACING SYSTEM (BaC-Trac) IMPLEMENTING COMMITTEE. There shall be created an implementing committee which shall effectively carry out the purposes of the system and shall have the following composition and sub-committees with their corresponding functions:

Chairperson: City Mayor
Vice-Chairperson: City Administrator

Members:

- (1) Ex-Officio Sangguniang Panlungsod Member - President of the Liga ng Mga Barangay
- (2) City Health Officer
- (5) City Epidemiology and Surveillance Unit (CESU) Officer as DC/DPO
- (6) City Planning and Development Coordinator
- (7) City Legal Officer



- (8) ICT Office Head
- (9) PNP City Director

Sub-committees and Functions:

- (a) Data Gathering and Collection - City Planning and Development Office (CPDO) and City Mayor's Office-Barangay Affairs Unit. This sub-committee shall be responsible for facilitating the distribution and gathering of the Basic Personal Data for **BaC-Trac** Forms and the encoding of all information in the database.
- (b) Information, Education, and Communication Campaign - Public Information Office (PIO), Information Communication Technology (ICT) Office and CPDO. This sub-committee shall promote public awareness on the uses and benefits of the COVID-19 Contact Tracing System through the conduct of IEC campaigns and other media.
- (c) Business and Government Establishments Orientation and Registration – Bacolod City Economic and Investment Promotion Center, City Population Office, CPDO, PIO and ICT Office. This sub-committee shall be primarily responsible for the orientation of all private and government establishments/offices and facilities, and all operators of public utility vehicles within Bacolod City on the **BaC-Trac** use and application and their registration in the **BaC-Trac** website and installation of **BaC-Trac** mobile application.
- (d) Health/Epidemiological Protocols - CHO-CESU. This sub-committee shall be responsible for case investigation and contact identification in accordance with the duly established health protocols, and in collaboration with other agencies such as the PNP, Bureau of Jail Management and Penology, CHO and the BHERTS, among others.
- (e) Software Development and Maintenance. MITCS and CHO. This sub-committee shall manage the software program, including its design, development, deployment, and all its improvements or updates. They shall also take charge of the assignment of QR Codes and ID Numbers assigned to the names registered in the database and the subsequent printing and issuance of **BaC-Trac** Cards and **BaC-Trac** Visitor's Cards.
- (f) Enforcement and Monitoring- City Legal Office, CPDO, Department of Social Services and Development Office (DSSD) and Liga ng Mga Barangay. This sub-committee shall monitor and ensure compliance of all concerned with this ordinance.



Section 12. BaC-Trac AUDIT TEAM. There shall be created a system audit team that shall conduct regular assessment and evaluation of the overall system, and to ensure data protection and privacy in the entire process or stages of system implementation up to the until deletion of data. The team shall be composed of external experts and/or local representatives from the academe, civil society organizations, Department of the Interior and Local Government, Commission on Human Rights and Department of Information and Communications Technology.

Section 13. PENAL PROVISION. The following acts shall be sanctioned through the imposition of corresponding penalties:(

- a) In case of failure of any government office or private establishment/public utility vehicle operator to register in the **BaC-Trac** within 15 days from the effectivity of this ordinance, scan all **BaC-Trac** Cards of clients/visitors and/or maintain a manual logbook, they shall be sanctioned as follows:

1st Offense	Php 1,000.00
2nd Offense	Php 2,500.00
3rd and Succeeding Offenses	Php 5,000.00 fine or imprisonment of not more than six (6) months or both at the discretion of the court

(b) Any person who willfully uses the **BaC-Trac** Card of another shall be sanctioned as follows:

1st Offense	Php 1,000.00 fine
2nd Offense	Php 2,500.00 fine
3rd and Succeeding Offenses	Php 5,000.00 fine or imprisonment of not more than six (6) months or both at the discretion of the court,

Those who are found violating the provisions of national laws in relation to the implementation of the contact tracing system, such as, but not limited to, the Data Privacy Act (R.A. No. 10173) and the Mandatory Reporting of Notifiable Disease and Health Events of Public Health Concern Act (R.A. No. 11332), shall be prosecuted and penalized in accordance with the provisions of the said law.

Section 14. MISCELLANEOUS PROVISIONS

- (a) The Sub-committee on Enforcement and Monitoring of the **Emergency Operations Center (EOC)** Implementing Committee shall prepare and submit to the City Mayor the implementing Rules and Regulations of this ordinance within 10 calendar days from its enactment;



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- (b) The Basic Personal Data Form for **BaC-Trac** -Residents (Annex "A"), the Basic Personal Data Form for **BaC-Trac** Visitors (Annex "B") and **BaC-Trac** - Manual Logbook (Annex "C") hereto attached shall form integral parts of this ordinance;
- (c) The movement or quarantine passes issued by the city government shall continue to be implemented independent of the **BaC-Trac** Card and **BaC-Trac** Visitor's Card provided in this ordinance. The **BaC-Trac** Cards shall not replace the aforementioned LGU quarantine passes;
- (d) The City of Bacolod shall ensure compliance with the requirements of relevant national government agencies relative to the development and implementation of the **BaC-Trac** Application such as the Department of Information and Communications Technology and the National Privacy Commission;
- (e) In support of the national government programs in the fight against the COVID-19 pandemic, and pursuant to DILG Memorandum Circular No. 2020-081, all residents of Bacolod City are enjoined to register to StaySafe.PH to complement the local contact tracing system; and
- (f) The implementation of this ordinance shall strictly comply with R.A. No. 11332, R.A. No. 11469, R.A. No. 10173 and other related laws, rules and issuances.

Section 15. APPLICABILITY CLAUSE. This ordinance shall apply only during times of COVID-19-related health emergencies as declared by the city and/or national government.

Section 16. TERMINATION CLAUSE. After the applicability of this ordinance, the **BaC-Trac** App shall be removed from smartphones and App stores, and all information collected, processed and stored for the purpose of the **BaC-Trac** shall be deleted from the server.

Section 17. SEPARABILITY CLAUSE. If any part or provision of this ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions hereof.

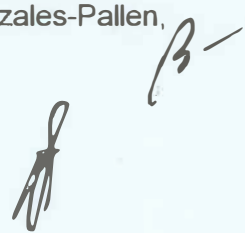
Section 18. REPEALING CLAUSE. All ordinances, orders, issuances, rules and regulations, contrary to or inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

Section 19. EFFECTIVITY CLAUSE. This ordinance shall take effect upon publication in the local newspaper in Bacolod City.


CARRIED BY THE VOTE OF:

Affirmative :

Councilors : Cindy T. Rojas, Renecito S. Novero, Simplicia Z. Distrito, Carlos Jose V. Lopez, Al Victor A. Espino, Archie S. Baribar, Israel P. Salanga, Dindo C. Ramos, Bartolome N. Orola, Sr., Ana Marie V. Palermo, Elmer T. Sy, Wilson C. Gamboa, Jr., Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villaflor.



Negative : N o n e .
Absent : N o n e .
Main Author: Councilor Lady Gles Gonzales-Pallen.
Co-Author : Floor Leader Renecito S. Novero, Councilors Cindy T. Rojas and Archie S. Baribar.
Passed : September 23, 2020 (64th Regular Session of the 10th Council via Zoom Teleconference)
Comments : P a s s e d .



ELCIO M. FAMILIARAN
Vice Mayor
Presiding Officer

ATTESTED:

ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

By:


CHRISTINE G. TEMPLA
Board Secretary IV

APPROVED: September 24, 2020.


EVELIO R. LEONARDIA
City Mayor

VCP/CGT/jbz

SERVICES SECTION
DATE: 9/24/2020 TIME: 4:55 PM
