

AN ACT APPROPRIATING FUNDS FOR PUBLIC WORKS, HIGHWAYS, TRANSPORTATION AND COMMUNICATIONS PROJECTS AND FOR OTHER PURPOSES.

BATAS PAMBANSA BLG. 132, September 11, 1981

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Be it enacted by the Batasang Pambansa in session assembled:

SECTION 1. Appropriation of Funds.—The following sums, or so much thereof as may be necessary are hereby appropriated out of the General Fund in the National Treasury not otherwise appropriated in any subsequent General Appropriations Acts, including the proceeds of bond issues and/or loans and grants from local or foreign institutions, to implement public works, highways, transportation and communications projects of the National Government for the years beginning 1982, as prescribed hereunder:

Title A.—HIGHWAYS

For the construction, improvement, rehabilitation, reconstruction, and/or completion of the following highways projects, including detailed engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region

P 300,000,000

1. Metro Manila Major Roads

300,000,000

Region I

P 370,000,000

1. Rosario-Laoag Road

180,000,000

2. Ilocos Norte Rural Development Project, Road Component

40,000,000

3. Baguio-Bontoc-Banawe-Lubuagan

150,000,000

Region II

P 70,000,000

1. Dugo Jct.— San Vicente Road

70,000,000

Region IV

P 550,000,000

1. Palawan Integrated Rural Development Project, Road Component

200,000,000

2. Mindoro Integrated Rural Development Project, Road Component

350,000,000

Region V

P 120,000,000

1. Bicol River Basin, Road Component

120,000,000

Region VI

P 80,000,000

1. Antique-Aklan Road

80,000,000

Region VII

P 100,000,000

1. Bohol Integrated Development Project, Road Component

50,000,000

2. Various Road Projects, Cebu

30,000,000

3. Various Road Projects, Negros Oriental

10,000,000

4. Various Road Projects, Siquijor

10,000,000

Region VIII

P 500,000,000

1. West Leyte Road Improvement Project, including four (4) supplementary road sections in Northwest

300,000,000

2. Samar Integrated Rural Development Project

200,000,000

Region IX

P 200,000,000

1. Zamboanga del Sur Integrated Development Project, Road Component

170,000,000

2. For various Road Projects in the islands of Basilan, Sulu and Tawi-Tawi

30,000,000

Region X

P 90,000,000

Region XI

P 90,000,000

Inter-Regional

P2,930,000,000

1. Laoag-Allacapan Road

170,000,000

2. Junction Narvacan, Ilocos Sur-Abra- Kalinga Road

180,000,000

3. Southern Philippine Development Authority, Road Component

(a) Malabang-Marawi Road

130,000,000

(b) Ganassi-Tubod Road

100,000,000

(c) Lake Lanao Circumferential Road

130,000,000

(d) Molundo-Wao-Banisilan-Libungan-Carmen Road

330,000,000

(e) Dipolog-Zamboanga Coastal Road

600,000,000

(f) Cotabato- Zamboanga Coastal Road

500,000,000

(g) Cotabato City-General Santos Road (South Cotabato Coastal Road)

180,000,000

(h) Surigao del Norte-Surigao del Sur- Davao Oriental Coastal Road

410,000,000

4. Dalton Pass

200,000,000

Nationwide

P4,560,000,000

1. Philippine Rural Road Project

130,000,000

2. Luzon Road Project

300,000,000

3. Philippine Island Road Project

400,000,000

4. Major Bridges

600,000,000

5. Urban Road and Related Project

200,000,000

6. Bliss Project, Road Component

80,000,000

7. Pambansang Bagong Nayon Project

50,000,000

8. Traffic Safety Devices and Road Signs

70,000,000

9. Detailed Engineering of Various Roads/Bridges

100,000,000

10. Development of Roads and Bridges

200,000,000

11. Various National Roads and Bridges

500,000,000

12. Local and Rural Roads and Bridges

500,000,000

13. Construction of Area and Base Shops

600,000,000

14. Slum Improvement and Resettlement Project

100,000,000

15. Restoration and Improvement Project

530,000,000

16. Ferry Services

__200,000,000

Total, Title A.....

P9,960,000,000

Title B.—RAILWAYS

For the construction of the following projects, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region

P 800,000,000

1. Light Rail Transit System

800,000,000

NCR and Other Regions

1. Repair, Maintenance and Improvement of Rolling Stocks, Tracks and other Facilities including Rehabilitation of the South and North Main Lines and the Commuter Service

P2,120,000,000

Total, Title B.....

P2,920,000,000

Title C—PORTS

For the construction, dredging, improvement, provision, rehabilitation, reconstruction and/or completion of port projects, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

C.—1. Fishing Ports

Region I

P 76,000,000

1. Sual Fishing Port, Pangasinan

76,000,000

Region IV

P 36,000,000

1. Lucena Fishing Port

36,000,000

Region V

P 44,000,000

1. Camaligan Fishing Port, Camarines Sur

44,000,000

Region VI

P 139,000,000

1. Iloilo Fishing Port

139,000,000

Region IX

P 177,000,000

1. Zamboanga Fishing Port

___177,000,000

Total, Title C-1.....

P 472,000,000

C-2. Commercial Ports

Region I

P 11,000,000

Region II

10,000,000

Region III

13,000,000

Region IV

23,000,000

Region V

16,000,000

Region VI

25,000,000

Region VII.....

17,000,000	
Region VIII	
29,000,000	
Region IX	
18,000,000	
Region X	
21,000,000	
Region XI	
20,000,000	
Region XII	
14,000,000	
Nationwide	
20,000,000	
Total, Title C-2	
P 237,000,000	
Grand Total, Title C.....	
P 709,000,000	

Title D.—AIRPORTS AND AIR NAVIGATIONAL FACILITIES

For the construction, improvement, rehabilitation, reconstruction, and/or completion of the following airports and air navigational facility projects, including feasibility and detailed engineering studies, acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

Region I.....	
P 10,600,000	
Region II	
33,500,000	
Region III	
3,400,000	
Region IV	
363,580,000	
Region V	
13,170,000	
Region VI	

31,500,000	
Region VII	
566,750,000	
Region VIII	
34,100,000	
Region IX	
553,900,000	
Region X	
17,000,000	
Region XI	
219,500,000	
Region XII	
23,000,000	
National Capital Region (NCR).....	
695,000,000	
Various Air Navigational Aids Projects.....	
380,000,000	
Total, Title D.....	
P2,945,000,000	

Title E.—IRRIGATION

For the construction, improvement, provision, rehabilitation, reconstruction and/or completion of irrigation systems, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

Region I	
P 65,000,000	
1. National Irrigation System Improvement Project, Regionwide	
49,000,000	
2. Various Irrigation System and Projects, Regionwide	
16,000,000	
Region II	
P 516,000,000	
3. Cagayan Integrated Agricultural Development Project (Irrigation Component), Cagayan	

22,000,000

4. San Pablo-Cabagan Irrigation Project, Isabela

17,000,000

5. Watershed Management and Soil Erosion Control Project, Regionwide

312,000,000

6. Nationwide Irrigation Systems Improvement Project, Regionwide

145,000,000

7. Various Irrigation Systems and Projects, Regionwide

20,000,000

Region III

P 155,000,000

8. Tarlac Irrigation Systems Improvement Project

19,000,000

9. Central Luzon Ground Water Irrigation Project

77,000,000

10. Upper Pampanga River Irrigation Systems, San Antonio Extension and Completion of Drainage Facilities

18,000,000

11. Bayto River Irrigation Project, Zambales

21,000,000

12. Various Irrigation Systems and Projects, Regionwide

20,000,000

Region IV

P 418,000,000

13. Amro-Pinamacan Irrigation Project, Aurora

54,000,000

14. Laguna de Bay Development Project (Irrigation Component), Laguna, Rizal and Cavite

205,000,000

15. Lumintao River Irrigation Project, Mindoro Occidental

57,000,000

16. Amnay River Irrigation Project, Mindoro Occidental

41,000,000

17. National Irrigation System Improvement Project, Regionwide

41,000,000

Various Irrigation Systems and Projects, Regionwide

20,000,000

Region V

P 475,000,000

19. Naga-Calabanga Irrigation Project, Camarines Sur

350,000,000

20. San Francisco River Irrigation Project, Albay

41,000,000

21. Virac-Calolbon Irrigation Project, Catanduanes

15,000,000

22. National Irrigation Systems Improvement Project, Regionwide

69,000,000

Region VI

P 165,000,000

23. Binalbagan River Irrigation Project, Negros Occidental

36,000,000

24. National Irrigation Systems Improvement Project, Regionwide

129,000,000

Region VII

P 276,000,000

25. Bohol Irrigation Project (Wahig-Pamacsalan Reservoir Project)

258,000,000

26. Bayawan River Irrigation Project, Negros Oriental

18,000,000

Region VIII

P 116,000,000

27. National Irrigation Systems Improvement Project, Regionwide

116,000,000

Region IX

P 165,000,000

28. Sibuguey River Irrigation Project Zamboanga del Sur

30,000,000

29. National Irrigation Systems Improvement Project, Regionwide

135,000,000

Region X

P 219,000,000

30. Agusan del Sur Irrigation Project (Bunawan-Salvacion)

10,000,000

31. Agusan II Irrigation Project, Agusan del Sur and Agusan del Norte

56,000,000

32. Bukidnon Irrigation Project

153,000,000

Region XI

P 529,000,000

33. Davao del Norte Irrigation Project II Libunganon and Lasang

95,000,000

34. Davao del Norte III, Hijo, Manat, Kipaliku, Tuganay, and Libuganon

337,000,000

35. Allah River Irrigation Project, South Cotabato

41,000,000

36. National Irrigation Systems Improvement Project, Regionwide

46,000,000

37. Various Irrigation Systems and Projects, Regionwide

10,000,000

Region XII

P 148,000,000

38. Rugnan River Irrigation Project, Lanao del Sur

11,000,000

39. National Irrigation Systems Improvement Project, Regionwide

137,000,000

Nationwide

P1,409,000,000

40. Mindanao Irrigation Study III

20,000,000

41. Philippine Rural Infrastructure Project II (Communal Irrigation Development Package Project)

384,000,000

42. Rehabilitation and Agricultural Institutional Development Project

85,000,000

43. Investigation and Survey of Proposed Irrigation Projects, including Feasibility Studies

70,000,000

44. Various Irrigation Systems and Projects

800,000,000

45. Mini-Hydros on National Irrigation Systems

___50,000,000

Total Title E.....

P 4,656,000,000

TITLE F.—FLOOD CONTROL AND DRAINAGE

For the construction, dredging, improvement, rehabilitation, reconstruction and/or completion of flood control and drainage projects, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region

P 121,000,000

1. Dagat-Dagatan Lagoon Reclamation and Flood Control Project

121,000,000

Region I

P 89,000,000

2. Abra River Control Project

21,000,000

3. Mabini River Control Project

25,000,000

4. Aringay River Control Project, Aringay, Tubao, and Pugo, La Union

19,000,000

5. Tagamusing River Control Project, Binalonan and Manaoag, Pangasinan

14,000,000

6. Bontoc (Chico) River Control Project, Mountain Province

10,000,000

Region II

P 80,000,000

7. Cagayan Integrated Area Development Project (Flood Control Component)

30,000,000

8. Tuguegarao Drainage System, Cagayan

10,000,000

9. Pinacanawan River Control, Cagayan

10,000,00

10. Chico River Control Project, Kalinga-Apayao

10,000,000

11. Calanasan River Control Project, Kalinga-Apayao

10,000,000

12. Ifugao River Control Project, Ifugao

10,000,000

Region III

P 166,000,000

13. Pampanga River Control System, Pampanga, Bulacan, Nueva Ecija and Tarlac

29,000,000

14. Maculcol River Control Project, San Felipe and San Narciso, Zambales

50,000,000

15. Quintanguil River Control Project, Arayat and Magalang, Pampanga

12,000,000

16. Abacan River Control Project, Angeles and Mexico, Pampanga

28,000,000

17. Batacan River Control Project, San Clemente, Tarlac

15,000,000

18. Camiling River Control Project, Camiling and Mayantoc, Tarlac

15,000,000

19. Dredging and Improvement of Major Rivers in Bataan and Bulacan

17,000,000

Region IV

P 87,000,000

20. Magasawang Tubig River Control Project, Naujan. Oriental Mindoro

16,000,000

21. Cavite Flood Control and Drainage Project, Kawit and Noveleta, Cavite

20,000,000

22. Laguna Lake Development Project, Flood Control Component

41,000,000

23. Balanak River Control Project, Pagsanjan, Laguna

10,000,000

Region V

P 20,000,000

24. Daet River Control Project, Camarines Norte

10,000,000

25. Sorsogon Schistosomiasis Control and Related Projects

10,000,000

Region VI

P 84,000,000

26. Aklan River Control Project, Banga, Libacao, Lezo, Numancia, Malinao, Aklan

8,000,000

27. Jalaur River Control Project, Calinog, Iloilo

8,000,000

28. Dumangas-Zarraga- Leganes Flood Control Project, Iloilo

8,000,000

29. Iloilo City Drainage System

8,000,000

30. Kalibo Drainage System, Aklan

8,000,000

31. San Carlos City Drainage System

8,000,000

32. Regionwide

36,000,000

Region VII

P 65,000,000

33. Siaton River Control Project, Negros Oriental

10,000,000

34. Cebu City Drainage System

11,000,000

35. Bacong River Control Project, Negros Oriental

11,000,000

36. Dumaguete City Drainage System

10,000,000

37. Tumogong River Control Project, Bais City

13,000,000

38. Inabanga River Control Project, Inabanga, Bohol

10,000,000

Region VIII

P 54,000,000

39. Saba Basin Schistosomiasis Control and Related Projects, Leyte

10,000,000

40. Tacloban City Drainage System

14,000,000

41. Ormoc City Drainage System

10,000,000

42. Subang Dacu River Control Project, Southern Leyte

10,000,000

43. Regional Government Center Drainage System, Palo, Leyte

10,000,000

Region IX

P 20,000,000

44. Dipolog River Control Project

10,000,000

45. Polanco River Control Project, Zamboanga del Norte

10,000,000

Region X

P 82,000,000

46. Lake Mainit Drainage, Jabonga and Tubay, Agusan del Norte

20,000,000

47. Tuguibo River Control Project, Tuguibo, Agusan del Norte

12,000,000

48. Mambayaoan River Control Project, Balingasag, Misamis Oriental

10,000,000

49. Cabadbaran River Control Project, Agusan del Norte

10,000,000

50. Tubay River Control Project, Agusan del Norte

10,000,000

51. Usogon River Control Project, Bonifacio, Misamis Occidental

10,000,000

52. Lawayan River Control Project, Oroquieta City

10,000,000

Region XI

P 122,000,000

53. Upper Agusan River Control Project, Davao del Norte

60,000,000

54. Tago River Control Project, Surigao del Sur

22,000,000

55. Davao City Drainage System

10,000,000

56. Nabanturan River Control Project, Davao del Norte

10,000,000

57. Glan River Control Project, South Cotabato

10,000,000

58. Sta. Cruz and Padada River Control Project, Davao del Sur

10,000,000

Region XII

P 30,000,000

59. Marawi City Drainage System

10,000,000

60. Cotabato City Drainage System

10,000,000

61. Iligan City Flood Control and Drainage System

10,000,000

Nationwide

P 1,038,000,000

62. Pampanga, Bicol, and Cotabato Rivers System Dredging Project

185,000,000

63. Schistosomiasis Flood Control and Related Projects

53,000,000

64. Various Flood Control and Drainage and Related Projects

__P 800,000,000

Total, Title F

P 2,058,000,000

Title G.—SHORE PROTECTION

For the construction, improvement, provision, rehabilitation, reconstruction and/or completion of shore protection projects, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region

P 5,000,000

Region I

8,000,000

Region II

6,000,000

Region III

5,000,000

Region IV

6,000,000

Region V

6,000,000

Region VI

8,000,000

Region VII

7,000,000

Region VIII

9,000,000

Region IX

6,000,000

Region X

9,000,000

Region XI

6,000,000

Region XII

6,000,000

Nationwide

___20,000,000

Total, Title G

P 107,000,000

Title H.—TELECOMMUNICATIONS

For the construction, improvement, provision, rehabilitation, reconstruction, and/or completion of telecommu-nications projects, including feasibility and detailed engineering studies, acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region (NCR)

P 13,500,000

Development of Telecommunications Training Institute

13,500,000

Regions I & II

P 388,100,000

Rural Telecommunications Development Project

388,100,000

Regions III & IV

P 375,000,000

Rural Telecommunications Development Project

375,000,000

Region V

P 194,700,000

Rural Telecommunications Development Project

194,700,000

Regions VI & VII

P 2,055,000,000

Rural Telecommunications Development Project

2,055,000,000

Region VIII

P 540,000,000

Rural Telecommunications Development Project

540,000,000

Regions IX, X, XI & XII

P 3,382,600,000

Rural Telecommunications Development Project

3,382,600,000

Nationwide

651,100,000

Improvement and Development of National and Regional Telecommunications Network

___ 651,100,000

Total, Title H

P 7,600,000,000

Title I.—POSTS

For the construction, improvement, provision, rehabilitation, reconstruction, and/or completion of postal facilities, including detailed engineering studies, acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region

P 49,600,000

1. Bureau of Post Building

39,600,000

2. National Postal Training Center

10,000,000

Various Post Offices/Distribution Centers

P 170,600,000

Region I

16,000,000

Region II

9,000,000

Region III

16,000,000

Region IV

16,000,000

Region V

9,000,000

Region VI

12,000,000

Region VII

15,000,000

Region VIII

10,600,000

Region IX

10,000,000

Region X

10,000,000

Region XI

12,000,000

Region XII

10,000,000

National Capital Region (NCR)

___25,000,000

Total, Title I

P 220,200,000

Title J.—FEASIBILITY STUDIES AND ENGINEERING ACTIVITIES

For the conduct of feasibility studies and investigation surveys, preparation of plans and designs, and other engineering activities for infrastructure projects.

Nationwide

P 500,000,000

1. Public Works and Highways

300,000,000

2. Transportation and Communications

__200,000,000

Total, Title J.....

P 500,000,000

Title K.—RIGHTS-OF-WAY

For the acquisition of rights-of-way necessary for the implementation of public works projects.

Nationwide

P 600,000,000

1. Public Works and Highways

400,000,000

2. Transportation and Communications

_200,000,000

Total, Title K

P 600,000,000

Title L.—MISCELLANEOUS PUBLIC WORKS

For the construction, improvement, provision, rehabilitation and reconstruction of various miscellaneous public works projects, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

Nationwide

Various Projects

P 300,000,000

Total, Title L

P 300,000,000

SEC. 2. Detailed Plans and Programs of Work.—Prior to the actual construction, improvement, rehabilitation and/or reconstruction of the projects covered in whole or in part by appropriations in this Act, and except as otherwise provided in Section 3 of this Act, approval of detailed engineering plans and programs of work by the Minister of Public Works and Highways, or in the case of telecommunications projects by the Minister of Transportation and Communications, shall be obtained for every project with an estimated cost greater than P1,000,000; by the line Bureau of the Agency Head or, in the case of staff bureaus by the Ministry Head concerned, for every project with an estimated cost greater than P500,000 but not more than P1,000,000; by the Regional Director concerned for every project with an estimated cost greater than P200,000 but not more than P500,000; and by the District or City Engineer concerned for every project with an estimated cost of P200,000 or less.. The program of work shall include, among other things, estimates of the work items, quantities and costs, a PERT/ CPM (Program Evaluation Review Technique/Critical Path Method) network of the project activities, and monthly cash flows. The program of work shall cover at least a usable portion of the project and no construction shall be started for portions of the project that are less than usable; except projects requiring stage construction, in which case continuity of construction up to the completion of a usable portion shall be assured. Once the program of work is approved, it shall serve as the basis for the implementation of the project and the corresponding expenditure of funds. No project shall be divided into smaller portions for the purpose of circumventing the provisions of this Section.

SEC. 3. Implementation of Postal, Airport and Air Navigation Projects.—In the implementation of postal, airport and air navigation projects covered in whole or in part by appropriations in this Act, the Ministry of Transportation and Communications shall be responsible for the project location, space planning, and programming of funds, subject to existing laws, rules and regulations. The funds for the projects shall be released to the Ministry of Transportation and Communications and sub-allotted to the Ministry of Public Works and Highways, as implementing agency. The Ministry of Public Works and Highways shall undertake the detailed engineering, including the preparation and approval of detailed plans and program of work, and the construction of the project by-contract or by administration, in accordance with the provision of this Act, subject to prior consultation with the Ministry of Transportation and Communications, and provided that any expenses for direct project management to be charged to the project funds by the Ministry of Public Works and Highways shall not exceed five per centum (5%) of the project cost.

SEC. 4. Local Labor.—In the implementation of projects covered by appropriations in this Act, the required unskilled labor shall be procured, where available, from the sitio, barangay, poblacion, municipality or city where the project is located, and, for this purpose, a certification from the City or Municipal Mayor or Barangay Captain, as the case may be, shall be secured as to the availability of the unskilled labor. Skilled labor shall be procured, where available, from within the province where the project is located. Specialized skilled labor may be procured outside the province where the project is located.

SEC. 5. Labor-Intensive Methods.—Whenever technically and economically feasible, labor-intensive methods shall be used in the prosecution of the projects authorized in this Act: Provided, That (a) the estimated financial cost of each project done by labor-intensive methods does not exceed the cost of the best alternative construction

method defined by the agency concerned by more than ten per centum (10%), (b) the estimated duration of the project done by the labor-intensive methods does not exceed the duration of the best alternative method defined by the agency concerned by more than fifty per centum (50%), and (c) the employment of workers in the Projects will not unduly impair the labor requirements of agricultural production in consultation with the Barangay Captain concerned: Provided, finally, That before any such project is prosecuted, the agency concerned shall prepare at least two alternative methods of construction based on the same plans and structural standards, one being labor-intensive together with a comparative evaluation of projected financial and economic costs, employment generation, and technical quality; such comparison shall be the basis for selecting the most advantageous construction techniques to be employed in terms of the criteria aforesaid. The District or City Engineer concerned shall certify in the program of work that he has maximized the use of labor-intensive methods in accordance with the foregoing criteria. The purchase of hand tools and other work implements for labor-intensive methods may be charged against project funds not exceeding five per centum (5%) of the estimated project cost. These implements may be turned over to the laborers with the payments therefor deductible from their wages on reasonable installments during the duration of their employment in the project.

The agencies concerned shall refer to and take into consideration the relevant studies of the Ministry of Public Works and Highways for the identification of project work items or activities for labor-intensive methods of construction.

SEC. 6. Pre-Construction Activities.— In the implementation of the work, a general plan of operation shall be prepared to indicate the methods and the procedures to be followed. This plan will cover and organize all relevant fields of study, delineation of responsibilities for undertaking each phase, specifying or analyzing all analytical procedures and resources to be required for conducting the studies.

SEC. 7. Purchases of Materials and Supplies.—The Minister of Public Works and Highways or, in the case of telecommunications projects, the Minister of Transportation and Communications, is authorized, subject to bid-ding and auditing requirements, to procure the necessary materials and supplies for the construction, reconstruction, improvement, repair and/or rehabilitation of any project covered by appropriations in this Act. When these materials and supplies are obtainable locally in the province or city where the project is located, the same may be procured by the District or City Engineer or, in the case of special projects, the Project Manager, without prior authority from the Minister of Public Works and Highways, or, in the case of telecommunications, the Minister of Transportation and Communications, subject to bidding and auditing requirements. No surcharge shall be imposed for the service of procuring such materials and supplies. The expenditures for each material shall not exceed the estimated cost of the same as stated in the approved program of work.

SEC. 8. Prosecution of Projects by Administration.—Any project covered by appropriations in this Act with a cost of P500,000 or less, based on the approved program of work under Section 2 hereof, may be done by administration or force account by the Ministry, bureau or agency -concerned without benefit of public bidding. Every project with a cost of more than P500,000 shall be advertised for public bidding: Provided, That subject to the guidelines to be jointly promulgated by the Minister of Public Works and Highways and the Minister of Transportation and Communications, preference shall be given to qualified bidders within the region where the proposed project shall be constructed. If there are no acceptable bids for such project, the project may be prosecuted by administration by the bureau or agency concerned after securing the approval of the Minister of Public Works and Highways or, in the case of a telecommunications project, by the Minister of Transportation and Communications, if the project cost is P5,000,000 or less; and the approval of the President, upon recommendation of the Minister of Public Works and Highways or, in the case of telecommunications project, the Minister of Transportation and Communications, if the project cost is more than P5,000,000.

SEC. 9. Negotiated Contracts.—Pursuant to the general policy of undertaking projects by contract after public bidding, no project covered by appropriations in this Act shall be prosecuted by negotiated contract except: (a) in case where the public bidding has failed to produce bids acceptable to the bureau or agency concerned; or (b) in case of urgent necessity or emergency or danger to life and property; or (c) in case of a project under contract, in which case the agency concerned may negotiate with the contractor of the on-going project to undertake the additional work under the same contractual terms and conditions of the on-going contract less credit for mobilization, except in cases of extraordinary inflation or state-of recession declared by the Government: Provided, That no negative slippage exceeding ten per centum (10%) is incurred by the contractor in any of his on-going projects: Provided, further, That the additional work is within his contracting capabilities. Authority to negotiate contracts for projects under these exceptional cases shall be subject to prior approval by the Minister of Public Works and Highways or, in the case of telecommunications projects, by the Minister of Transportation and Communications, if the project cost is P5,000,000 or less; and to approval by the President, upon recommendation of the Minister of Public Works and Highways or, in the case of telecommunications projects, of the Minister of Transportation and Communications, if the project cost is more than P5,000,000.

SEC. 10. Engineering and Administrative Overhead.— Appropriations in this Act shall be used solely for project implementation which may include direct engineering and administrative overhead expenditure incidental thereto. These expenditures shall be reflected in the program of work for the project concerned as provided for in Section 2 of this Act and shall not exceed five per centum (5%) of the amount actually released for the project. The expenditures shall be reduced to the extent of any personnel and other services that are already supported by regular appropriations of the agencies concerned.

SEC. 11. Allocation of Nationwide and Regionwide Lump-sum Appropriations.—The nationwide and regionwide lump-sum appropriations authorized in this Act shall be allocated as equitably as possible to specific projects and areas in the various provinces, cities and municipalities within the region concerned, on the basis of the conformance of such project to the national and/or regional plans, the degree of need for such infrastructure project taking into account the size and developmental potentials of the area, population, rates of unemployment, employment and/ or underemployment: Provided, That regions, provinces, cities and municipalities that are not covered by specific appropriations in this Act shall be given priority in the allocation of such nationwide and regionwide appropriations.

SEC. 12. Reports.—The Minister of Public Works and Highways and the Minister of Transportation and Communications shall submit quarterly accomplishment reports to the President, the Prime Minister, the National Economic and Development Authority, the Ministry of the Budget, the Batasang Pambansa through the Speaker, and the Chairman of the Regional Development Council of the region where the project is undertaken. At the end of the calendar year, the Minister of Public Works and Highways and the Minister of Transportation and Communications shall submit their annual accomplishment reports which shall include the appropriations released as of the end of the calendar year, the extent of the work accomplished, further works to be done to complete the program of broad categories of public works and public highways projects, and recommendations, if any, for transfer of appropriations or changes of program to be incorporated in the succeeding appropriations measure, to the President, the Prime Minister, the National Economic and Development Authority, the Ministry of the Budget and the Batasang Pambansa through the Speaker.

SEC. 13. Separability.—If any provision of this Act is declared unconstitutional, the remaining provisions shall remain in force.

SEC. 14. Effectivity.—This Act shall take effect immediately upon approval.

Approved, September 11, 1981.

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