

APPROPRIATING FUNDS FOR PUBLIC WORKS, SYNCHRONIZING THE SAME WITH PREVIOUS PUBLIC WORKS APPROPRIATIONS

PRESIDENTIAL DECREE NO. 759, July 31, 1975

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WHEREAS, Presidential Decree Nos. 3 and 475 provide appropriations for rehabilitation and reconstruction of damaged infrastructure facilities caused by calamities in 1972 and for additional development projects designed to further accelerate socio-economic development;

WHEREAS, there is a need to increase the appropriations of some on-going and previously authorized projects to ensure their completion in view of increased construction costs brought about by circumstances beyond the control of the government and of changes in technical designs and requirements;

WHEREAS, there is also a need to provide appropriations for new projects in support of priority programs of the government including the food production and distribution program;

WHEREAS, it is necessary to provide adequate appropriations to cover the local counterpart funds of on-going and proposed foreign-financed projects in view of the country's increasing capability to absorb foreign assistance as demonstrated by the various loans and aids extended to Government projects;

WHEREAS, there is a need to appropriate funds for these projects in adequate amounts to cover their total costs up to completion to assure continuity of their implementation.

WHEREAS, there is need to synchronize all public works appropriations in the previous Public Works Acts to assure their relevance to current development objectives;

WHEREAS, in order to make more effective the National Development Program, there is a need to provide sustained financial support to the Infrastructure Program;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution and for sustained development of the country through complementary infrastructure facilities, do hereby decree and order as follows:

SECTION 1. Capital Development Projects. - The following sums, or so much thereof as may be necessary, are hereby appropriated, out of the general funds in the National Treasury not otherwise appropriated, from the proceeds of bond issues and/or loans from local or foreign financial institutions, to implement projects pertaining to the program of capital improvements of the Administration, subject to the provisions hereinafter set forth, for the purpose mentioned hereunder:

TITLE A - TRANSPORTATION AND COMMUNICATIONS

I. For the construction, improvement, rehabilitation, reconstruction, completion, including project preparation, and the purchase of necessary construction materials and supplies, of the projects listed/summarized hereunder:

(a)

Highways

1. Pan Philippine Highway

P 465,000,000

2. Manila North Expressway Extension

125,000,000

3. Manila East Road

75,000,000

4. San Fernando-Gapan Road, Pampanga and Nueva Ecija

70,000,000

5. Sto. Tomas-Batangas Road, Batangas

15,000,000

6. Tarlac-Lingayen Road, Tarlac and Pangasinan

30,000,000

7. Road Right-of-way, Luzon Road Projects

91,000,000

8. Cotabato-Digos Road, Cotabato

25,000,000

9. Manila South Expressway Extension

20,000,000

10. Tarlac-Santa Rosa Road including Feeder Roads, Tarlac and Nueva Ecija

10,000,000

11. Iligan-Cagayan de Oro-Butuan City Road

200,000,000

12. Cotabato City-General Santos City Road

30,000,000

13. Cubao Interchange, Quezon City

20,000,000

14. Davao-Calinan-Bukidnon Road

90,000,000

15. Jct. Carmen-Dapecol-Panabo Pier Road, Davao del Norte

10,000,000

16. Marikina-Infanta Road, Rizal and Quezon

100,000,000

17. Lumban-Caliraya-Cavinti Road, Laguna

15,000,000

18. Jct. Layac-Mariveles Road, Bataan

55,000,000

19. Lamut-Banawe Road, Ifugao

30,000,000

20. Agoo-Tubao-Baguio Road, La Union and Benguet

40,000,000

21. Bacoor-Naic-Ternate-Nasugbu Road, Cavite and Batangas

60,000,000

22. Tagaytay-Batangas Road, Tagaytay City and Batangas

65,000,000

23. Zambales-Pangasinan Road

60,000,000

24. Zamboanga Integrated Development Road Projects, Zamboanga del Sur

80,000,000

25. Mindoro Integrated Development Road Projects, Occidental and Oriental Mindoro

150,000,000

26. Legaspi-Tiwi Road, Albay

20,000,000

27. Tabaco-Ligao Road, Albay

15,000,000

28. Silay-Bacolod-Bago Road, Negros Occidental

85,000,000

29. Bago-Kabankalan Road, Negros Occidental

45,000,000

30. Jaro-Janiuay Road, Iloilo

30,000,000

31. Janiuay-Calinog Road, Iloilo

30,000,000

32. Calinog-Passi Road, Iloilo

10,000,000

33. Calinog-Dao Road, Iloilo

30,000,000

34. Jaro-Zarraga Road, Iloilo

10,000,000

35. Zarraga-Passi Road, Iloilo

60,000,000

36. Carvasona-Duenas Road, Iloilo

10,000,000

37. Zarraga-Barotac Nuevo Road, Iloilo

35,000,000

38. Cebu City-Carmen Road, Cebu

25,000,000

39. Naga-Lutopan-Toledo Road, Cebu

50,000,000

40. Puerto-Malaybalay Road, Bukidnon

60,000,000

41. Malaybalay-Kibawe Road, Bukidnon

70,000,000

42. Silay-Fabrica Road, Negros Occidental

75,000,000

43. Fabrica-San Carlos Road, Negros Occidental

50,000,000

44. San Carlos-Villahermoso Road, Negros Oriental

30,000,000

45. Villahermoso-Sibuco Road, Negros Oriental

55,000,000

46. Dao-Roxas City Road, Cebu

25,000,000

47. Roxas-Pontevedra-Bailan Road, Capiz

15,000,000

48. Lanot-Bailan Road, Capiz

15,000,000

49. Bailan-Estancia Road, Capiz

35,000,000

50. Limbog-Kalibo Road, Aklan

30,000,000

51. Barotac Nuevo-Barotac Viejo Road, Iloilo

20,000,000

52. Dawatan-Banate Road, Iloilo

10,000,000

53. Carmen-San Remigio Road, Antique

45,000,000

54. Anonang-Daanbantayan Road, Cebu

15,000,000

55. Cebu South Road, Cebu

65,000,000

56.

Baguio-Lubuagan Road, Benguet and Kalinga, Apayao

180,000,000

57. Iloilo-Antique Road

60,000,000

58. Dumaguete North Road, Negros Oriental

120,000,000

59. Dumaguete South Road, Negros Oriental

80,000,000

60. Tagbilaran East Road, Bohol

120,000,000

61. Tagbilaran North Road, Bohol

90,000,000

62. Palo-Carigara-Ormoc Road, Leyte

70,000,000

63. Dugo-Gonzaga-San Vicente Road, Cagayan

65,000,000

64. Midsayap-Dulawan-Marbel Road, North Cotabato and Maguindanao

70,000,000

65. Dipolog-Oroquieta Road, Zamboanga del Norte and Misamis Occidental

65,000,000

66. Ilocos Sur-Ilocos Norte-Magapit Road, Ilocos Sur, Ilocos Norte and Cagayan

150,000,000

67. Ilagan-Palanan Road, Isabela

70,000,000

68. Solsona-Cabugao-Corner Rizal Road, Ilocos Norte, Kalinga, Apayao and Cagayan

130,000,000

69. Quirino Highway, Quezon and Camarines Sur

100,000,000

70. Metro Manila Ring Roads

190,000,000

71. Circumferential Roads, Metro Manila

150,000,000

72. Secondary and Feeder Roads in Bicol Region

60,000,000

73. Gen. Santos-Malisbeng Secondary Roads, South Cotabato

60,000,000

74. Basey-Balangiga Road, Western and Eastern Samar

50,000,000

75. Capas-Botolan Road, Tarlac and Zambales

30,000,000

76. Dipolog-Pagadian Road, Zamboanga del Norte and del Sur

50,000,000

77. Valencia-Pangantucan-Kalilangan Road, Bukidnon

18,500,000

78. Kalilangan-Kalingilian-Kibawe Road, Bukidnon

20,800,000

79. Talakag-Lantapan Road, Bukidnon

20,000,000

80. Brookes Point Roads, Palawan

30,000,000

81. Dasan Buenavista-Torrijos Road, Marinduque

11,000,000

82. Ilagan-Kapatagan Road, Lanao del Norte

39,000,000

83. Lake Lanao Coastal Road, Lanao del Sur

92,000,000

84. Padada-Cumbio Road, Davao del Sur and Sultan Kudarat

42,000,000

85. Sequil-Maitum-Malisarong Road, South Cotabato

65,000,000

86. South Cotabato Roads

34,000,000

87. Radial and Circumferential Roads, Jolo, Sulu

20,000,000

88. National Roads in Manila

100,000,000

89. Improvement of National Roads and Bridges

a. Luzon

130,000,000

b. Mindanao

95,000,000

c. Visayas

70,000,000

90. Feeder and Secondary Roads and Bridges

400,000,000

91. Developmental Roads

240,000,000

92. Provincial, City and Municipal Roads

300,000,000

93. Roads Right-of-Way

150,000,000

94. Various National Roads

311,700,000

Total for Highways

P7,150,000,000

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(b) Railways

1. Rehabilitation of Batangas Line (Calamba-Batangas Port)

P 32,000,000

2. Main Line South Project (Manila-Legaspi)

302,000,000

3. Other Railways Projects

10,000,000

Total for Railways

P 344,000,000

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c) Airports and Air Navigation

1. Manila International Airport

P 254,000,000

2. Butuan Airport

17,900,000

3. Cagayan de Oro Airport

12,520,000

4. Cagayan de Sulu Airport

17,000,000

5. Cauayan Airport

21,000,000

6. Davao City Airport

15,600,000

7. Export Processing Zone Authority Airport

40,000,000

8. Fuga Airport

20,300,000

9. Iloilo Airport

20,000,000

10. Ipil Airport

10,500,000

11. Legaspi Airport

11,500,000

12. Mactan Airport

13,800,000

13. Manila General Aviation Airport

22,000,000

14. Zamboanga City

15,000,000

15. Various Airports

405,953,000

16. Air Navigation Facilities

50,000,000

Total for Airports/Air Navigation

P947,073,000

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d) Portworks and Maritime Navigation

1. Port of Manila

P270,000,000

2. Port of Tabaco, Albay

24,365,000

3. Port of Mariveles (Syncrolift), Bataan

30,000,000

4. Port of Batangas, Batangas

14,500,000

5. Port of Cagayan de Oro

45,500,000

6. Port of Cebu, Cebu City

55,150,000

7. Port of Cotabato (Polloc)

120,000,000

8. Port of Makar, Gen. Santos City

44,700,000

9. Port of Tacloban City, Leyte

14,600,000

10. Port of Calapan, Mindoro Oriental

126,770,000

11. Philippine (Navotas) Fisheries Port, Rizal

32,000,000

12. Port of Casambalanga, Cagayan

25,000,000

13. Port of Sta. Ana, Davao Oriental

10,600,000

14. Port of Iloilo, Iloilo City

12,800,000

15. Port of Bicobian, Isabela

14,400,000

16. Port of Tandulsog, Jolo, Sulu

38,000,000

17. Port of Pulupandan, Negros Occidental

13,900,000

18. Port of Ozamis, Misamis Occidental

11,400,000

19. Port of Dumaguete, Negros Oriental

12,900,000

20. Port of Puerto Princesa, Palawan

13,900,000

21. Port of Mariveles, Bataan

10,000,000

22. Port of Puluan, Dapitan City

10,000,000

23. Port of Basilan, Zamboanga del Sur

11,700,000

24. Various National Ports

255,776,000

Total for National Ports

P1,217,961,000

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25. Various Municipal Ports

36,869,000

26. Lighthouses and Other Maritime Navigation Facilities

25,000,000

Total for Portworks and Maritime Navigation

P1,279,830,000

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(e) Telecommunications

1. Telegraphic Transfer Services Improvement

P 30,000,000

2. Municipal Telephone Systems

42,000,000

3. Telecommunications Maintenance Centers (Regional and Provincial)

48,500,000

Total for Telecommunications

P120,500,000

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TOTAL FOR TRANSPORTATION AND COMMUNICATIONS

P9,841,403,000

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TITLE B - WATER RESOURCES DEVELOPMENT

1. For the construction, improvement, rehabilitation, reconstruction, completion, including project preparation and the purchase of necessary construction materials and supplies of the projects listed/summarized hereunder:

(a) Irrigation

1. Aurora-Peñaranda Basin Diversion Scheme

P 228,000,000

2. Tarlac Irrigation Systems Improvement Project

139,000,000

3. Angat-Magat Integrated Agricultural Development Project

95,436,000

4. Davao del Norte Irrigation Project (Saug-Compostela)

21,900,000

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

44,400,000

6. Pulangui River (Valencia) Bukidnon

55,060,000

7. Upper Pampanga River Project, Watershed Development Pilot Project

10,000,000

8. Casecnan Trans-Basin Development Project

20,000,000

9. Lower Agno Irrigation Project, Pangasinan

12,000,000

10. Various National Irrigation Projects

295,765,000

11. Various Communal Irrigation Projects

70,000,000

12. Pump Irrigation Projects

50,000,000

13. Irrigation-Electrification Projects

30,000,000

14. Mindoro Integrated Development Irrigation Projects

71,500,000

15. Bicol River Basin Development Irrigation Projects

78,000,000

16. Zamboanga Integrated Development Irrigation Projects

30,000,000

17. Groundwater Development Project

70,710,00

Total for Irrigation

P1,321,771,000

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(b) Water Supply

1. Various Artesian Wells and Springs

P 90,959,000

2. Various Waterworks

78,729,000

Total for Water Supply

P 169,688,000

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(c) Flood Control and Drainage

1. Agno River Control, Pangasinan

P 108,100,000

2. Asingan-San Manuel Levee with Closure of the Chico River, Agno River Control, Pangasinan

17,000,000

3. Abelong and Angalacan River Control, Pangasinan

14,500,000

4. Magat River Control, Nueva Vizcaya, Isabela and Cagayan

800,000,000

5. Pampanga River Control, Pampanga, Bulacan and Nueva Ecija

118,580,000

6. Gumain-Porac River Control, Pampanga

15,642,000

7. Pasig-Potrero River Control, Pampanga

41,500,000

8. Labangan Floodway, Bulacan

12,500,000

9. San Fernando-Abacan River Control, Pampanga

38,500,000

10. Parua River Control, Tarlac

39,000,000

11. Rio Chico River Control, Pampanga and Nueva Ecija

54,900,000

12. Manila and Suburbs River Control, Manila and Suburbs

2,273,500,000

13. Mangahan Floodway, Rizal

180,000,000

14. Magasawang Tubig River Control, Oriental Mindoro

12,000,000

15. Bicol River Control, Camarines Sur

45,950,000

16. Ilog-Hilabangan River Control, Negros Occidental

64,344,000

17. Panay River Control, Capiz and Roxas City

28,100,000

18. Samar-Leyte Schistosomiasis Control Project

10,000,000

19. Maranding River Control, Lanao del Norte

10,200,000

20. Agusan River Control, Butuan City and Agusan

73,000,000

21. Davao River Control, Davao City

10,520,000

22. Cotabato River Control, Cotabato

194,350,000

23. Pampanga, Bicol and Cotabato Dredging Project

54,000,000

24. Various River and Flood Control Projects

236,856,000

Total for River Control and Drainage

P4,453,042,00
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TOTAL FOR WATER RESOURCES DEVELOPMENT

P5,944,501,000
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TITLE C - BUILDINGS

1. For the construction, improvement, rehabilitation, reconstruction, completion, including project preparation and the purchase of necessary construction materials and supplies, of the projects listed/summarized hereunder:

(a) National and Related Buildings

1. Philippine College of Arts and Trades Building, Manila

P 16,330,000

2. Bureau of Posts Building, Manila and Provincial Branches

11,400,000

3. Department of Education and Culture Building

52,000,000

4. Philippine College of Commerce Building, Manila

24,400,000

5. Department of Public Works, Transportation and Communications Building, Quezon City

50,000,000

6. Bureau of Lands Building

45,000,000

7. Weather Bureau Building, Quezon City

13,200,000

8. Bureau of Soils Building, Quezon City

25,000,000

9. Bureau of Animal Industry Building, Quezon City

10,000,000

10. Philippine Fisheries Commission Building, Quezon City

10,000,000

11. University of the Philippines, Diliman, Quezon City and Los Baños, Laguna

a. Academic Buildings, Diliman and Los Baños

62,400,000

b. Campus Utilities and Ground, Diliman and Los Banos

31,085,000

c. Ancillary Facilities, Diliman and Los Banos

16,100,000

d. Other Projects

23,720,000

12. Department of Labor Building, Quezon City

45,000,000

13. Department of Social Welfare Building

15,500,000

14. National Economic and Development Authority Building

30,000,000

15. Department of Trade Building, Quezon City

50,000,000

16. Central Mindanao State University Building, Bukidnon

20,915,000

17. Mindanao State University Building, Marawi City

14,110,000

18. Children's Educational Foundation Building, Villa, Cotabato

12,025,000

19. Local Government Regional Training Center Buildings

15,000,000

20. Department of Natural Resources Building, Quezon City

45,000,000

21. Various National Buildings

269,474,000

Total for National Buildings

P 907,659,000

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(b) Hospitals and Sanitaria

1. Jose Reyes Hospital, Manila

P 11,400,000

2. Dr. Jose Fabella Memorial Hospital, Manila

11,600,000

3. Philippine General Hospital, Manila

10,650,000

4. National Cancer Center Building, Manila

14,000,000

5. Various Hospitals & Related Buildings

269,414,000

Total for Hospitals and Sanitaria

P 317,064,000

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(c) Elementary School Buildings

P 600,000,000

(d) Secondary School Buildings

100,000,000

(e) Other Public Buildings and Miscellaneous Public Works

100,000,000

TOTAL FOR BUILDINGS

P2,024,723,000
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TITLE D - SHORE PROTECTION

1. For the construction, improvement, rehabilitation, reconstruction, completion, including project preparation and the purchase of necessary construction materials and supplies of the projects summarized hereunder:

(a) Various Sea Walls

P 23,665,000

Total for Section I

P17, 834, 292 ,000
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SECTION 2. Miscellaneous Projects.- The following sums, or so much thereof as may be necessary are hereby appropriated, out of the general funds in the national treasury not otherwise appropriated, subject to the provisions hereinafter set forth, for the purpose mentioned hereunder:

a)

For the maintenance and/or repair of public buildings, shrines, and monuments, including ground and outside installations: Provided, That, so much as may be necessary but not to exceed P1,000,000 of this sum shall be made available for Malacanang buildings and Mansion and Guest Houses in Baguio: Provided, further, that P100,000 of this sum shall be made available for the maintenance of the Mabini Shrine in Tanauan, Batangas, including the salaries of the two caretakers of the Shrine who shall be the two nearest surviving kins of Apolinario Mabini

P 30,000,000

b) For the maintenance and emergency repair of existing flood control and drainage structures

P 10,000,000

c)

For the prosecution of pre-investment studies, regional planning, project pre-feasibility and feasibility studies, preliminary engineering and other activities necessary prior to actual project implementation, including administrative services and training directly identified with the studies and purchase of equipment, materials, and supplies as may be authorized by the National Economic and Development Authority upon recommendation of department heads concerned

P 100,000,000

d)

For the prosecution of necessary detailed engineering of projects authorized in this and other public works measures, including detailed surveys, soils investigation, detailed designs, preparation of specifications and contract documents and other related activities that are necessary prior to actual construction, as may be authorized by the National Economic and Development Authority upon recommendation of department heads concerned

P 50,000,000

e)

For the purchase of necessary rights-of-way for the implementation of projects authorized in this and other public works measures as may be authorized by the National Economic and Development Authority upon recommendation of department heads concerned

P 100,000,000

f)

For water resources investigations, survey and studies, establishment of recording stream gaging stations of various rivers including publication, and preparation of water Atlas for the Philippines to be undertaken by the National Water Resources Council

P 13,000,000

g)

For the construction of warehousing facilities necessary for the implementation of programs of the National Grains Authority and other governmental agencies

P 100,000,000

h) For the implementation of the Philippine Australian Development Assistance Program

P 100,000,000

Total for Section 2

P 503,000,000

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SPECIAL PROVISIONS

SECTION 3. Program of Work Required Before Prosecuting Public Works. - Before prosecuting any public works project, the district, city or project engineer concerned shall prepare a program of work for approval by the Department Head concerned for any project with an estimated cost of more than P500,000; by the Bureau Head concerned for any project with an estimated cost of more than P200,000 but not more than P500,000; by the Regional Director concerned for any project with an estimated cost of more than P50,000 but not more than P200,000; and by the District or City Engineer concerned for any project with an estimated cost of P50,000 or less. In no case shall construction funds be remitted to field offices or construction work on a project be started before the program of work is approved.

No program of work for any project which requires special site investigation, survey, and construction plans shall be approved unless such plans are used as basis of the program: Provided, That for projects with an estimated cost of P100,000 or more, the PERT/CPM technique shall be used and a time-scaled diagram of the activities as well as a monthly cash flow shall be made part of the program of work. The PERT/CPM diagram shall be used by the agency concerned as a basis for, inter alia, monitoring the progress of work, making progress payments, and assessing claims for extra cost and time extension.

The program of work for any project shall not be amended except in case of unforeseen contingencies or any change in field conditions or other similar circumstances in which case an amendment may be allowed provided that such amendment will not result in a deficiency of the expected accomplishment in excess of fifteen per centum thereof and an extension of project duration beyond a reasonable period.

SECTION 4. Rental of Equipment. - Rental of equipment shall not be deducted at the time of the release of funds, for public works or even in anticipation of use of the equipment but shall be paid based on actual use when the appropriation so released is P25,000 or less. When the appropriation so released is above P25,000 and use of rented equipment is anticipated, deduction for rental shall be made at the time of the release of funds but such deduction shall not exceed ten per centum of the released appropriation: Provided, That, should the amount so deducted be in excess of actual rental, the balance of such deduction should be remitted immediately to the district or city engineering office concerned.

SECTION 5. Preference to Local Labor. - In the execution and construction of any public works project, the labor requirements shall be filled by laborers from the sitio, barrio, poblacion or municipality where the project is being undertaken. However, in case of skilled labor it may be procured elsewhere within the province where the project

is located; and in the case of specialized skilled labor, it may be procured outside the province where the project is located.

SECTION 6. Labor - Intensive Methods. - Whenever technically practicable and economically feasible, labor-intensive methods may be used in the prosecution of public works projects or portions thereof authorized in this Decree and other Public Works measures; Provided, That the structural integrity of the project is not impaired and its financial cost does not increase by more than ten (10%) per centum over that involved in alternative normal equipment-intensive construction technique as defined by the agency concerned: Provided, Further, That the employment of workers for the labor-intensive operations will not unduly impair the labor requirements for agricultural production. 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 technique to be employed in terms of the criteria in the preceding sentence.

The selected construction technique shall be made part and the basis of the program of work which shall be subject to approval by the officials concerned in accordance with the provisions of Section 3 of this Decree.

The purchase of hand tools and other work implements for undertaking public works projects by labor-intensive technique is authorized to be charged against the project funds not to exceed five (5%) per centum of the estimated project cost; Provided, That the agencies concerned shall undertake a continuing inventory of such hand tools and other work implements and make full economic use thereof in different projects.

The agencies concerned shall refer to the relevant studies of the Department of Public Works, Transportation and Communications and the International Labor Organization for the identification of project work items or activities suitable for labor-intensive methods of construction.

SECTION 7. Pre-Construction Activities. - In the implementation of the work, a general plan of operations shall be prepared to indicate the methods and procedures to be followed. This plan will cover and organize all relevant fields of study, delineation of responsibilities for undertaking each phase, specifying all analytical procedures and resources to be required for conducting the studies: Provided, That the appropriation shall include administrative services directly identified with the studies and purchase of equipment, materials, and supplies.

SECTION 8. Use of Private Consulting Services. - For any public works project with an estimated cost of P200,000 or more, the Department Head concerned may hire the services of Filipino or associated Filipino and foreign consultants or consulting firms whenever available, for a fee not exceeding two and one half per centum (2-1/2%) of the estimated cost for the review of the project or plans and specifications devised by the bureau or office concerned, and/or for a fee not exceeding nine per centum (9%) of the estimated total project cost to undertake the detailed design, including plans and specifications, and/or construction, supervision of the project; Provided, That the participation of Filipino consultants and/or government implementing agency concerned in any joint venture of foreign and local agencies shall be maximized.

SECTION 9. - Purchase of Sites. - Any appropriation herein authorized for construction of any project shall be understood to include the acquisition or purchase of sites whenever such acquisition or purchase is necessary for the prosecution of the project.

SECTION 10. - Prosecution of Public Works Projects by Administration. - The provisions of any law, rules or regulation to the contrary notwithstanding and irrespective of the source of funds, all public works projects with a cost of Two Hundred Thousand Pesos (P200,000) or less may be done by administration by the bureau or agency

concerned without benefit of public bidding subject to the provisions of Section 5 and Section 6 thereof. Public works projects with a cost of more than Two Hundred Thousand Pesos (P200,000) shall, after public bidding, be awarded by contract. If there are no acceptable bids for the project, or the bids are higher by more than ten per centum (10%) over the government estimate, the project may be prosecuted by administration by the bureau or agency concerned after securing the approval of the Department Head. In case of urgent necessity or emergency, projects costing more than P200,000 may be prosecuted by administration without benefit of public bidding upon representation by the bureau or agency concerned, subject to favorable recommendation of the Department Head and approval by the President of the Philippines.

SECTION 11. - Purchase of Materials and Supplies. -The Department Head concerned is authorized, in the interest of public service, subject to bidding and auditing requirements, to procure the necessary materials and supplies, needed for the construction, reconstruction, improvement, repair and/or maintenance of any public works project, regardless of the source of funds; Provided, That, when such materials and supplies are obtainable locally in the district, city or neighboring districts, the same may be procured by the District or City Engineer without prior authority from the Department Head; Provided, further, that, no surcharge shall be imposed for the service of procuring such materials and supplies; Provided, furthermore, that the cost of such materials and supplies shall not exceed the estimated cost of such materials and supplies stated in the approved program of work as provided under Section 3 hereof.

SECTION 12. - Engineering Surcharge and Other Overhead Expenses. - No national surcharge shall be collected from the appropriation or expenditures authorized for any category of public work and all surcharges to be collected by the district or city engineering office for administrative overhead and engineering expenses, including the compensation and travel expenses and all other deductions shall not exceed ten per centum of expenditures or appropriation for any public works project, so that ninety per centum of said appropriation shall be expended directly for the project: Provided, That nine per centum of said expenditures shall accrue to the district or city engineering office and one per cent shall accrue to the regional engineering offices concerned: Provided, further, That such surcharges shall be under the custody of the disbursing officers of the said engineering offices: Provided, finally, That such surcharges may be used for the purchase of motor vehicles and equipment.

SECTION 13. - National Disbursing Funds. - Any provisions of existing law to the contrary notwithstanding, all funds appropriated under the provisions of this Decree shall, when released, be carried in the account books of the treasurers or special disbursing officers as national disbursing funds and all projects herein specified are classified as national projects: Provided, That, provincial fund allocated as counterpart shall not be considered as national fund.

SECTION 14. - Interchangeability of Financing Methods. - Upon the recommendation of the Secretary of Finance and the National Economic and Development Authority, the President of the Philippines is authorized to modify the financing methods indicated in this and previous Public Works Measures, so as to enable the department head concerned to undertake the projects financed from general revenue with the proceeds from the sale of bonds and/or from loans.

SECTION 15. - Other Financing Methods. - The provisions of existing laws, executive orders, rules and regulations to the contrary notwithstanding, the proceeds from the payment for reparations goods may be used for financing projects authorized in this Decree and other Public Works Measures, including the purchase of necessary equipment, construction materials and supplies.

SECTION 16. - Unreleased Appropriations. - All unreleased appropriations in Republic Acts Numbered Forty

Eight Hundred Fifty Four, Fifty One Hundred Eighty Seven, and Fifty Nine Hundred Seventy Nine are hereby repealed.

SECTION 17. - Reports. - The Department Head concerned shall submit an annual accomplishment report to the President, copy of which shall be furnished the National Economic and Development Authority. Such report shall include the appropriations released as of the end of the fiscal year, the extent of work accomplished, further work to be done to complete the program of broad categories of public works and recommendations if any, for transfer of appropriations or for program changes to be incorporated in the next Public Works Appropriations Measure.

SECTION 18. - Effectivity. - This Decree shall take effect immediately.

Done in the City of Manila, this 31st day of July, in the year of our Lord, Nineteen Hundred and Seventy Five.

(Sgd.)

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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