

AN ACT TO AMEND SECTIONS FOUR, FIVE, AND SIX OF ACT NUMBERED FOURTEEN HUNDRED AND ONE, BY MAKING IT UNNECESSARY FOR THE PROVINCIAL BOARD TO ADVERTISE FOR BIDS FOR BUILDING ANY P...

Act No. 1752, October 07, 1907

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By authority of the United States, be it enacted by the Philippine Commission, that:

SECTION 1. Section four of Act Numbered Fourteen hundred and one is hereby amended to read as follows:

"SEC. 4. The district engineer shall have general supervision over option, maintenance, and repair of all provincial public works in the provinces of the district to which he is assigned which estimated cost the sum of five hundred pesos, and over all connected with such works. No contract for public works exceeding a cost of -five hundred pesos shall be undertaken by a provincial board before the plans and specifications have been examined and approved by the district engineer. Upon request-of any provincial hoard in his district, the district engineer shall make investigations and surveys of proposed construction or repair of public works, and shall submit to said provincial board reports and estimates of the cost of construction or repair of such proposed works with his recommendations, and he shall, when necessary, Prepare plans and specifications for such public works as may be required by the provincial board. It shall be the duty of the district engineer, by agreement with the president of each municipality, to fix the territory within which the duty of repairing, constructing, an and maintaining roads, bridges, and ferries shall fall upon the municipal government and that in which such duty shall fall upon the provincial government, and in case of disagreement the issue shall be settled by reference to the provincial board, whose decision shall be final."

SEC. 2. Section five of Act Numbered Fourteen hundred and one is hereby amended to read as follows:

"SEC. 5. All repair or construction of provincial works, except roads, involving greater cost than one thousand pesos shall be let to the lowest responsible bidder, after public advertisement of not less than ten days in a paper of general circulation in the province, if such there be, and by notice posted for not less than ten days Approval of bids, at the main entrance of be provincial building: Provided, however, That no bid shall be accepted without the approval of the district engineer. The provincial board may authorize the provincial treasurer to advertise for bids in a paper of general circulation outside of the province, and, with the approval of the district engineer, may authorize the work to be done by day labor, if no bids have been received, or if it is manifestly for the public interest, to reject Day labor, without any and all bids received. In the repair or construction of provincial roads, work may be done by day labor, and there need be no advertising or bidding, unless it seems desirable to the provincial board, when the regulations in advertising for the repair and building of other public works hereinbefore mentioned shall be followed. Public works of all kinds costing less than one thousand pesos may be undertaken either by day labor or by contract and may be let without advertisement under such rules as shall be prescribed by the Insular Auditor and the Director of Public Works, subject to the approval of the Governor-General, whenever such works are being supervised by the district engineer. The duties in regard to advertising for bids for public work, or the letting of contracts therefor under the conditions prescribed in this Act shall be performed by the provincial treasurer, with the approval of the provincial board, unless the provincial board, by resolution to that effect, shall authorize the Director of Public Works to perform

such duties."

SEC. 3. Section six of Act Numbered Fourteen hundred and one is hereby amended to read as follows:

"SEC. 6. No payments, partial or final, shall be made on any public works without a certificate on the voucher therefor to the effect that the work for which payment is contemplated has been accomplished, inspected, and accepted. Such certificate for work under the supervision of the district engineer shall be signed by him or his duly authorized representative. For work not under his supervision such certificate shall be signed by the provincial treasurer."

SEC. 4. The provisions of (his Act are hereby made retroactive and shall be applicable to all liabilities heretofore paid or incurred under resolutions of provincial boards affecting the prosecution of public works by contract or otherwise.

SEC. 5. Section fifteen of Act Numbered Eighty-three, entitled "The Provincial Government Act," is hereby repealed.

SEC. 6. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance With section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws." passed September twenty-sixth, nineteen hundred.

SEC. 7. This Act shall take effect on its passage.

Enacted, October 7, 1907.

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