

AN ACT APPROPRIATING FUNDS FOR PUBLIC WORKS AND HIGHWAY PROJECTS AND FOR OTHER PURPOSES.

BATAS PAMBANSA BLG. 50, December 20, 1979

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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 and highway projects of the National Government for the years beginning 1980, as prescribed hereunder:

Title A.—RURAL INFRASTRUCTURE SUPPORT SYSTEMS

For the construction, improvement, provision, rehabilitation, reconstruction and/or completion of Rural Infrastructure Support Systems to service Bagong Lipunan Improvement of Sites and Services (BLISS) and related programs covering the provision of community centers, warehousing facilities, multi-purpose pavements and associated facilities, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region.....

P 400,000

Region I

20,100,000

Region II

13,100,000

Region III

14,100,000

Region IV

24,800,000

Region V

13,200,000

Region VI

14,800,000

Region VII

15,100,000	
Region VIII	
16,700,000	
Region IX	
9,900,000	
Region X	
13,700,000	
Region XI	
9,200,000	
Region XII	
10,500,000	
Nationwide	
24,400,000	
Total, Title A	
P200,000,000	

Title B.—RURAL WATER SUPPLY

For the construction, improvement, provision, rehabilitation, reconstruction and/or completion of rural water supply facilities, including engineering- and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects. B-1. Wells, Springs, and Other Point Source Development Projects

B-1. Wells, Springs, and Other Point Source Development Projects

National Capital Region.....	
P 10,000,000	
Region I	
129,000,000	
Region II	
87,000,000	
Region III	
138,000,000	
Region IV	
134,000,000	
Region V	
105,000,000	

Region VI

134,000,000

Region VII

74,000,000

Region VIII

109,000,000

Region IX

66,000,000

Region X

60,000,000

Region XI

83,000,000

Region XII

70,000,000

Nationwide

64,000,000

Total, Title B-1

P1,263,000,000

B-2. Communal Faucet Systems

National Capital Region.....

P 27,000,000

Region I

274,000,000

Region II

188,000,000

Region III

300,000,000

Region IV

344,000,000

Region V

251,000,000

Region VI	
320,000,000	
Region VII	
242,000,000	
Region VIII	
296,000,000	
Region IX	
171,000,000	
Region X	
170,000,000	
Region XI	
217,000,000	
Region XII	
191,000,000	
Nationwide	
85,000,000	
Total, Title B-2	
P3,076,000,000	
Grand Total, Title B.....	
P4,339,000,000	

Title C—NATIONAL AND COMMUNAL IRRIGATION, AND FARM SYSTEMS DEVELOPMENT

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

C-1. Communal Irrigation and Farm Systems Development

Region I	
P193,000,000	
Region II	
208,000,000	
Region III	
109,000,000	
Region IV	

195,000,000	
Region V	
122,000,000	
Region VI	
100,000,000	
Region VII	
66,000,000	
Region VIII	
84,000,000	
Region IX	
105,000,000	
Region X	
163,000,000	
Region XI	
207,000,000	
Region XII	
254,000,000	
Nationwide	
100,000,000	
Total, Title C-1	
P1,906,000,000	

C-2. National Irrigation Projects

Region II	
P1,020,000,000	
1. Magat Multi-Purpose Project (IBRD-assisted Project).....	
966,000,000	
2. Soil Erosion Control and Watershed Management Project, Magat River Multi-Purpose Watershed Area (IBRD-assisted Project).....	
54,000,000	
Region III.....	
P186,000,000	
3. Soil Erosion Control and Watershed Management Project, Upper Pampanga River Project Watershed Area,	

Nueva Ecija (IBRD-assisted Project)	
186,000,000	
Region IV.....	
P1,084,000,000	
4. Medium Scale Irrigation Project, Mindoro and Palawan (IBRD-assisted Project).....	
900,000,000	
5. Laguna de Bay Development Project, Part B, Cavite (ADB-assisted Project).....	
184,000,000	
Region X.....	
119,000,000	
6. Lower Agusan Irrigation Project, Agusan del Norte (KFW-assisted Project).....	
119,000,000	
Nationwide.....	
360,000,000	
7. Various Watershed Management Projects.....	
360,000,000	
Total, Title C-2	
P2,769,000,000	
Grand Total, Title C.....	
P4,675,000,000	

Title D.—SMALL WATER IMPOUNDING MANAGEMENT PROJECTS

For the construction, improvement, provision, rehabilitation, reconstruction and/or completion of small water impounding management (SWIM) projects, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects in support of the Bagong Lipunan Improvement of Sites and Services (BLISS) and related programs.

National Capital Region.....	
P 40,000,000	
Region I	
100,000,000	
Region II	
100,000,000	
Region III	

102,000,000	
Region IV	
100,000,000	
Region V	
100,000,000	
Region VI	
100,000,000	
Region VII	
100,000,000	
Region VIII	
100,000,000	
Region IX	
100,000,000	
Region X	
100,000,000	
Region XI	
98,000,000	
Region XII	
100,000,000	
Nationwide	
160,000,000	
Total, Title D	
P1,400,000,000	

Title E.—FARM DRAINAGE

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

Region I	
P38,000,000	
Region II	
20,000,000	
Region III	

17,000,000	
Region IV	
16,000,000	
Region V	
7,000,000	
Region VI	
7,000,000	
Region VII	
4,000,000	
Region VIII	
7,000,000	
Region IX	
3,000,000	
Region X	
14,000,000	
Region XI	
7,000,000	
Region XII	
12,000,000	
Nationwide	
15,000,000	
Total, Title E	
P167,000,000	

Title F.—DREDGING OF RIVERS

For the dredging of rivers and inland waters and removal of obstructions and encroachments, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

Region I	
P10,000,000	
Region II	
10,000,000	
Region III	

10,000,000	
Region IV	
15,000,000	
Region V	
10,000,000	
Region VI	
15,000,000	
Region VII	
20,000,000	
Region VIII	
20,000,000	
Region IX	
15,000,000	
Region X	
10,000,000	
Region XI	
15,000,000	
Region XII	
20,000,000	
Nationwide	
20,000,000	
Total, Title F	
P190,000,000	

Title G.—FLOOD AND EROSION' CONTROL FOR HIGHWAYS AND RAILWAYS

For the construction, improvement, provision, rehabilitation, reconstruction and/or completion of flood and erosion control projects for highways, including but not limited to embankments, revetments, cross-drains, raising and construction of bridges and improvements of bridge approaches, detours, and related structures, and the engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region	
P 950,000,000	
Region I	

210,000,000	
Region II	
40,000,000	
Region III	
60,000,000	
Region V	
35,000,000	
Region X	
40,000,000	
Region XII	
30,000,000	
Nationwide	
50,000,000	
Total, Title G	
P1,415,000,000	

Title H.—RECLAMATION OF SWAMPS AND INLAND WATERS AND LANDS

For the reclamation of swamps and inland waters and lands, including engineering, acquisition of sites, equip-ment, materials, supplies and services to be used directly for the projects, and provision of infrastructure.

National Capital Region	
P 600,000,000	
Region III	
275,000,000	
Region V	
55,000,000	
Region IX	
125,000,000	
Region X	
82,000,000	
Region XI	
55,000,000	
Region XII	

550,000,000

Nationwide

150,000,000

Total, Title H

P1,892,000,000

Title I.—PORTS

For the construction, improvement, provision, rehabilitation, reconstruction and 'or completion of municipal fishing ports and national ports, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

I-1 Municipal Fishing Ports

National Capital Region.....

P 10,000,000

Region I

30,000,000

Region II

30,000,000

Region III

20,000,000

Region IV

30,000,000

Region V

30,000,000

Region VI

40,000,000

Region VII

30,000,000

Region VIII

60,000,000

Region IX

40,000,000

Region X

20,000,000

Region XI

20,000,000

Region XII

20,000,000

Nationwide

40,000,000

Total, Title I-1

P420,000,000

1-2. National Ports

Region VI.....

P65,000,000

1. Port of Iloilo (3rd IBRD-assisted Port Package), Iloilo City.....

65,000,000

Region VII.....

P245,000,000

2. Port of Cebu (3rd IBRD-assisted Port Package), Cebu City.....

245,000,000

Region VIII.....

P100,000,000

3. Port of Isabel (Support to Industrial Estate), Leyte.....

100,000,000

Region IX.....

P122,000,000

4. Port of Zamboanga (3rd IBRD-assisted Port Package), Zamboanga City.....

122,000,000

Region X.....

P71,000,000

5. Port of Cagayan de Oro (3rd IBRD-assisted Port Package), Cagayan de Oro City.....

71,000,000

Total, Title I-2

P603,000,000

Grand Total, Title I.....

P1,023,000,000

Title J.—SCHOOL BUILDINGS

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

National Capital Region.....

P 244,000,000

Region I

163,000,000

Region II

163,000,000

Region III

216,000,000

Region IV

325,000,000

Region V

244,000,000

Region VI

216,000,000

Region VII

190,000,000

Region VIII

190,000,000

Region IX

190,000,000

Region X

163,000,000

Region XI

244,000,000

Region XII

163,000,000

Nationwide

292,000,000

Total, Title J

P3,003,000,000

Title K. —NATIONAL BUILDINGS

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

K-1. Regional, Provincial, City and Municipal Sports and Recreational Centers

National Capital Region.....

P 60,000,000

Region I

40,000,000

Region II

40,000,000

Region III

40,000,000

Region IV

40,000,000

Region V

40,000,000

Region VI

40,000,000

Region VII

40,000,000

Region VIII

40,000,000

Region IX

40,000,000

Region X

40,000,000

Region XI

40,000,000

Region XII

40,000,000

Nationwide

40,000,000

Total, Title K-1

P540,000,000

K-2. Court of First Instance and Related Judicial Buildings

National Capital Region.....

P 10,000,000

Region I

22,000,000

Region II

14,000,000

Region III

22,000,000

Region IV

38,000,000

Region V

18,000,000

Region VI

28,000,000

Region VII

26,000,000

Region VIII

18,000,000

Region IX

18,000,000

Region X

28,000,000

Region XI

14,000,000	
Region XII	
16,000,000	
Nationwide	
18,000,000	
Total, Title K-2.....	
P290,000,000	
Grand Total, Title K	
P830,000,000	

Title L.—URBAN INFRASTRUCTURE

For the construction, improvement, provision, rehabilitation, reconstruction and/or completion of small-scale infrastructure facilities, such as communal water supply (tankers, tanks and public standpipes), public toilets, sewage disposal, drainage and roads in low-income areas, including engineering and acquisition of sites, equipment, materials, supplies and services to be used directly for the projects.

National Capital Region.....	
P220,000,000	
Metro-Manila Infrastructure, Utilities and Engineering (IBRD-assisted Project).....	
P220,000,000	

Title M. —FEASIBILITY STUDIES AND ENGINEERING ACTIVITIES

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

M-1 Public Works

Nationwide	
P200,000,000	
Total, Title M-1	
P200,000,000	

M-2 Public Highways

Nationwide	
1. Feasibility Studies and Preliminary Engineering	
P50,000,000	
2. Detailed Engineering	
__50,000,000	

Total, Title M-2

P100,000,000

Grand Total, Title M

P300,000,000

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, approval of detailed engineering plans and programs of work by the Minister of Public Works or the Minister of Public Highways, as the case may be, shall be obtained for every project with an estimated cost greater than P1,000,000; by the line Bureau or 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. 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. 4. 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 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 payment 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 the Ministry of Public Highways for the identification of project work items or activities for labor-intensive methods of construction.

SEC. 5. 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. 6. Purchase of Materials and Supplies. —The Minister of Public Works or the Minister of Public Highways, as the case may be, is authorized, subject to bidding 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 or the Minister of Public Highways, as the case may be, subject to bidding and auditing requirements. No surcharge shall be imposed for the service of procuring such materials and supplies. The expenditures for these materials and supplies shall not exceed the estimated cost for the same as stated in the approved program of work.

SEC. 7. 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 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 Highways and the Minister of Public Works, 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 or the Minister of Public Highways, as the case may be, if the project cost is P2,000,000 or less; and the approval of the President of the Philippines, upon recommendation of the Minister of Public Works or the Minister of Public Highways, as the case may be, if the project cost is more than P2,000,000. In case of urgent necessity or emergency, however, a project costing more than P500,000 may be prosecuted by administration, without prior public bidding, by the bureau or agency concerned subject to the approval by the Minister of Public Works or the Minister of Public Highways, as the case may be, if the project cost is P2,000,000 or less; and to the approval of the President of the Philippines, upon recommendation of the Minister of Public Works or the Minister of Public Highways, as the case may be, if the project cost is more than P2,000,000.

SEC. 8. 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 cases where 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 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 or the Minister of Public Highways, as the case may be, if the project cost is P2,000,000 or less; and to approval by the President of the Philippines, upon

recommendation of the Minister of Public Works or the Minister of Public Highways, as the case may be, if the project cost is more than P2,000,000.

SEC. 9. Allocation of Regionwide Lump-Sum Appropriations.—The lump-sum appropriations authorized in this Act for each region shall be allocated to specific areas and projects within the region concerned on the basis of their conformance to the national and regional plans, and taking into account the size and potentials of the area, population, low rate of employment and/or underemployment, and degree of infrastructure needs, and allocating such projects as equitably as possible among the provinces and cities within the region.

SEC. 10. Reports.—The head of the bureau or agency concerned shall submit to the Minister of Public Works or the Minister of Public Highways, as the case may be, quarterly accomplishment reports, copies of which shall be furnished the President (Prime Minister), the National Economic and Development Authority, the Ministry of the Budget, the Speaker of the Batasang Pambansa 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 the Minister of Public Highways 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 (Prime Minister), with copies furnished the National Economic and Development Authority, the Ministry of the Budget and the Batasang Pambansa through the Speaker.

SEC. 11. Separability.—If any provision of this Act is declared unconstitutional, the remaining provisions shall remain in force.

SEC. 12. Effectivity.—This Act shall take effect immediately upon approval.

Approved, December 20, 1979.

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