

[REPUBLIC ACT NO. 2301, June 19, 1959]

**AN ACT APPROPRIATING FUNDS FOR PUBLIC WORKS,
SYNCHRONIZING THE SAME WITH PREVIOUS PUBLIC WORKS
ACTS.**

Be it enacted by the Senate and Bouse of Representatives of the Philippines in Congress assembled:

SECTION 1. *Projects in the Long-Range Program of Capital Improvements.*—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 purposes mentioned hereunder:

[Itemized portions omitted due to lack of space]

SEC. 2. *Projects under maintenance and short-term program of capital improvements.*—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 purposes mentioned hereunder:

[Itemized portions omitted due to lack of space]

SEC. 3. *Pre-fabricated School Buildings.*—The following sum or so much thereof as may be necessary is hereby appropriated out of the General Funds in the National Treasury not otherwise appropriated, subject to the provisions hereinafter set forth, for the prefabrication of materials into schoolroom units for elementary school buildings, including the purchase of necessary spare parts, tools, materials and supplies and the erection thereof: *Provided*, That the President of the Philippines may authorize the pre-cutting and crating of schoolroom units by contract thru public bidding with operators of private sawmills or lumber yards in every Congressional District of the Philippines, where the capacity of such sawmills or lumber yards is adequate, to handle contracts amounting to not more than P20,000 at one time, in which case the schoolroom units so produced shall be allocated strictly in accordance with and without exception to the proportion established in Republic Act No. 836, as amended

	<u>P2,500,000.00</u>
Total for Section 3	P2,500,000.00
	=====
Total Appropriations from	P91,745,700.00
General Fund	=====

SEC. 4. So much as may be necessary, but not exceeding the sum of 1,000,000, to cover deficiencies in appropriation for miscellaneous dredging operations of dredges furnished Under MSA or ICA assistance in connection with construction and

improvement of river control projects as the Secretary of Public Works and Communications may certify to, the President are hereby appropriated out of the unexpended balances of the appropriations under "Title I Miscellaneous", of Republic Acts Numbered Sixteen Hundred Thirteen, Nineteen Hundred, and Twenty Hundred Ninety-three.

The remainder of said unexpended balances shall be spent for engineering, architectural, statistical, and economic investigations, studies, planning, design, and other procedures preliminary to actual construction of any public works projects, including personnel transportation, purchase of necessary supplies and equipment, and payment of wages of skilled, semi-skilled and unskilled laborers casually employed for such purposes; for the maintenance of eight irrigation districts; for water-rights adjudication and hydrographic investigations; for in-service training and participation in local or foreign technological conferences; for the preparation, editing, publication and binding of reports, and technical data, technological material and and magazines; and I'or the undertaking of necessary field engineering investigation and survey of projects financed in this Act:

SEC. 5. *Apportionment of Portworks Special Fund.*—The following sums or so much thereof as may be necessary are hereby apportioned out of the construction portion of the Portworks Special Fund that have accrued tinder Act No. 3592, as amended by Commonwealth Act No. 130 and by Republic Act No. 1216, not otherwise apportioned, to be released by the Secretary of Public Works and Communications pursuant to the provisions hereinafter set forth and for the purposes mentioned hereunder:

[Itemized portions omitted due to lack of space]

SPECIAL PROVISIONS

SEC. 6. Program of Work Required before Prosecuting Public Works.—Before prosecuting any public works, the district, city, or project engineer concerned shall prepare a. program and estimate of work. For work to be undertaken by administration, the engineer concerned may, however, be allowed to submit a revised program of work if due to unforeseen rise in price of materials or to change in field conditions or to other such circumstance, it becomes evident that the work can not be accomplished in accordance with the original program. With the exception of projects the estimated cost of any of which is ten thousand pesos or less, under no circumstance shall the District or City or Project Engineer start work without first securing approval of the corresponding program of work from the Head of the Bureau or Office concerned or from the latter's duly designated representative, and 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 in the construction of community projects under this Act or any previous Public Works Acts and projects under Republic Act Numbered Eight hundred thirty-six, the district, city or project engineer may proceed with the construction of such projects on his own initiative if the costs thereof does not exceed ten thousand pesos. If the cost exceeds ten thousand pesos but is less than twenty thousand pesos, the approval of the program of work by the division engineer must first be secured, if such cost exceeds twenty thousand pesos but is less than fifty thousand pesos, the approval of the Commissioner of Highways or the Director of Public Works, as the case may be, must first be secured, and if the

cost exceeds fifty thousand pesos then the approval of the Secretary of Public Works and Communications must first be secured before the construction of such Project can be undertaken. The Auditor General or his authorized representatives shall be furnished a copy of the program of work for his guidance and shall have access to the data on which the program was based.

SEC. 7. Recognition of Civic Organizations in the Prosecution of Community Improvement Projects.—Whenever the appropriation amounting to not more than fifteen thousand pesos for any project released and made available for expenditure, wholly or partly, such project may be undertaken by administration the provisions of existing laws or regulations to the contrary notwithstanding.

When any such project does not require complicated methods of construction or highly specialized techniques, it may be awarded through a negotiated contract to the most concerned civic organization in the locality which has filed an application therefor in the manner herein provided. The application shall be filed by the organization concerned with the District Engineer or his official counterpart, as the case may be, specifying, among other things, the payment to be received for the work. After evaluating in prequalifying bidders and awarding contracts, no bid the offer and the terms proposed by comparing them with the corresponding program of work and estimate, the project may be awarded by the official concerned to the applicant through a negotiated contract for an amount not to exceed ninety percent of the cost of the work as originally estimated and programmed pursuant to section six of this Act. In case two or more civic organizations offer to undertake the project, the official concerned shall award the contract to the organization offering the lowest quotation, determined by sealed bidding to be opened in the municipal building of the municipality where the project is located within ten days, but not earlier than seven days, after notice of such bidding is posted on the public bulletin board of said municipality: *Provided*, That in prequalifying bidders and awarding contracts, no bid nor performance bond will be required.

The authority of the District Engineer or his official counterpart to undertake any work by administration or through negotiated contract as herein provided for shall be deemed to have been duly secured upon receipt by the Provincial or City Auditor of the official advice to the head of the bureau or office concerned to so prosecute the work.

Under no circumstance shall the provisions of this section be construed to deprive the District Engineer or his official counterpart, as the case may be, of his supervisory control over any of the projects referred to in this section or to relieve him of any responsibility, administrative or otherwise, for any defect in procedure, control or technical surveillance, resulting in waste of money, destruction of, or damage to, property or lowering of engineering standards. In cases where the work is undertaken through negotiated contract with a civic organization, the District Engineer, or his counterpart, may not charge against the fund of the project any expense for inspection by him or his assistant but he may designate as his representative and assign to the project as work-inspector any competent craftsman whose compensation and travel expenses for the duration of the assignment shall be chargeable against the funds of the project but not against the contract and shall not exceed one half of one per cent of the contract price. The District Engineer, or his official counterpart, may make any other suitable arrangement to enable him to maintain supervisory control over the project without however exceeding the