

[REPUBLIC ACT NO. 1900, June 22, 1957]

**AN ACT TO APPROPRIATE FUNDS FOR PUBLIC WORKS,
SYNCHRONIZING THE SAME WITH PREVIOUS PUBLIC WORKS
APPROPRIATIONS.**

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

SECTION 1. *Long-range Program of Capital Improvements with General Funds.*—For the purpose of implementing the 1957-1958 phase of the long-range Program of Capital Improvements of the Administration, 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 and for the purposes mentioned hereunder:

[Itemized portions omitted for lack of space]

Total for Miscellaneous	P 3,890,000.00
Total under Section 1	P40,553,100.00

SEC. 2. *Short-term 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 to carry out short-term projects subject to the provisions hereinafter set forth, and for the purposes mentioned hereunder:

[Itemized portions omitted for lack of space]

Total for paragraph g	P17,998,200.00
Total under Section 2	P44,517,300.00
Total appropriation from General Fund	P85,070,400.00

SEC. 3. *Public Works Projects to be financed from Bond Issue.*—The following sums or so much thereof as may be necessary are hereby appropriated from the proceeds of the sales of bonds issued and/or from loans that may be negotiated under existing laws, to be allocated by the President of the Philippines upon recommendation of the National Economic Council and concurrence of the Council of State:

[Itemized portions omitted for lack of space]

Total for Portworks	P 16,900,000.00
Total amount authorized from Bond Issue	P201,495,000.00

SEC. 4. *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 under Act Numbered Three thousand five hundred and ninety-two as amended by Commonwealth Act Numbered One hundred and thirty and by Republic Act Numbered One thousand two hundred and sixteen, not otherwise apportioned, for the implementation of the 1957-1958 phase of the Five-Year Program of Capital Improvements 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 for lack of space]

Total for Lighthouses	P 300,000.00
Total Appropriation from Port-works Special Fund	P7,081,000.00

SEC. 5. *Suspension of Work Done by Administration before General Elections.*—The provisions of any existing law to the contrary notwithstanding, regardless of the source of funds, within forty-five days before every general election, no laborer shall be employed or money spent in any public works project even if the money is actually released before or within such period except for:

- a. Ordinary maintenance work on existing and/or completed public works projects: *Provided*, That there is no increase over the number of usual laborers or employees employed therein sixty days prior to the beginning of this forty-five-day period: *Provided, further*, That no extra gang of laborers are employed within the said period of forty-five days.
- b. Work undertaken by contract through public bidding held before the forty-five-day period: *Provided*, That work for the purpose of this section undertaken under the so-called "takay" or "paquiao" system, shall not be considered as work by contract;
- c. Payment for the usual cost of preparation of working drawings, specifications, bills of materials, estimates, and other procedures preparatory to actual construction, including the purchase of materials and equipment, and all incidental expenses for wages of watchmen and other laborers employed for such work in the central offices and field storehouses before the beginning of such period: *Provided*, That the number of such laborers shall not be increased over the number hired when the project or projects were commenced; and
- d. Emergency work necessitated by the occurrence of a public calamity within the forty-five-day period, but such work shall be limited to the restoration of the damaged facility and shall further be limited to funds available for maintenance.

SEC. 6. *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 authorized in this Act or in any previous Public Works Acts is released and made available for expenditure, wholly or partly, such project shall be undertaken by Administration, the provisions of existing laws or regulations to the contrary notwithstanding.

When any such project does not require complicated methods 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 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 eighty-five percent of the cost of the work as originally estimated and programmed pursuant to section ten of this Act. In case two or more Civic Organizations offer to undertake the project, the official concerned shall award the contract to the organizations 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.

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 circumstances 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 nor 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 official counterpart, may not charge any expense for inspection by him or his assistant but he may designate as his representative and assign to the project as worker-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 percent 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 compensation-limitation herein imposed.

SEC. 7. No surcharge of any kind shall be imposed upon the appropriations provided in this Act as well as in previous Public Works Acts nor upon the expenditures thereof, the provisions of existing law or regulations to the contrary notwithstanding: *Provided*, That the Secretary of Public Works and Communications may supplement the administrative requirements of Districts and City offices out of appropriations provided under Title I of section one of this Act.

Expenses of engineering supervision and field management shall be charged directly against the funds of any project under prosecution when performed by personnel assigned officially thereto by special order of the Chief of office concerned but in no case shall the total of such charges against any project exceed four percent of the estimated cost of the project as shown in the approved program of work: *Provided*, That this provision shall not apply to the contracts covered by section six of this Act.

SEC. 8. *Rental of equipments.*—Rental of equipment shall not be deducted at the time of the release of funds for public works but shall be paid by the Highway District Engineer based on actual use of equipment: *Provided*, That no rental shall be charged or collected for use of equipment on any project authorized under this