

Republika ng Pilipinas
(Republic of the Philippines)
MINISTRE NG EDUCASYON, KULTURA AT ISPORTS
(MINISTRY OF EDUCATION, CULTURE AND SPORTS)
Manila

September 19, 1985

MECS MEMORANDUM
No. 138, s. 1985

AMENDING EXECUTIVE ORDER NO. 1004 ON THE PARTICIPATION
OF THE MILITARY AND LOCAL GOVERNMENT UNITS
IN THE IMPLEMENTATION OF THE NATIONAL
INFRASTRUCTURE PROGRAM

To: Bureau Directors
Regional Directors
Schools Superintendents

1. In connection with the implementation of the National Infrastructure Program, attached is Executive Order No. 1041 amending the provisions of Executive Order No. 1004 directing the participation of the Armed Forces of the Philippines in the said program.

2. Attention is invited to Section 4 of the Executive Order, which states:

"In case of schoolbuildings, the MEWH District Engineers concerned and representatives of the Ministry of Education, Culture and Sports shall conduct a joint and final inspection of the project."

3. To implement this section more effectively and efficiently, particularly in the acceptance of constructed and repaired buildings under the "Ang Bagong Lipunan School Building Program," the Division Superintendent, before issuing a Certificate of Acceptance, should check that the work has been completed in accordance with the plans, specifications, and program of work. This will minimize, if not prevent, complaints forwarded to this office regarding unfinished/ uncompleted building projects being turned over and accepted by heads of schools.

4. Compliance herewith is enjoined upon all concerned.

(SGD.) JAIME C. LAYA
Minister

Incl.:

As stated

Reference:

None

Allotment: 1-2--(D.O. 1-75)

To be indicated in the Perpetual Index under the following subjects:

BUILDINGS

BUREAUS & OFFICES

PROJECTS

SUPERINTENDENTS

MALACANANG
Manila

EXECUTIVE ORDER NO. 1041

AMENDING EXECUTIVE ORDER NO. 1004 ON THE PARTICIPATION OF THE MILITARY AND LOCAL GOVERNMENT UNITS IN THE IMPLEMENTATION OF THE NATIONAL INFRASTRUCTURE PROGRAM

WHEREAS, the basic policy of the Government to ensure the expeditious delivery of basic services to the people, particularly in those areas where social, economic and security conditions are unfavorable, has been successfully attained through the direct participation of the Armed Forces of the Philippines pursuant to Executive Order No. 1004;

WHEREAS, it is also the policy of the Government to allow the participation of qualified local government units to undertake the Construction, Rehabilitation, Betterment and Improvement (CRBI) and maintenance of barangay roads and the construction of schoolbuildings under the technical supervision of the Ministry of Public Works and Highways (MPWH);

WHEREAS, pursuant to Executive Order No. 1004, the participation of the local government units in the abovesited projects was placed under the administrative supervision of the Regional Unified Commands (RUCs);

WHEREAS, in order to maximize the efforts of the military in the maintenance of peace and order, it has become necessary to lessen their load in the implementation of infrastructure projects of the Government by allowing as much as possible the direct participation of qualified local government units;

WHEREAS, it has been observed that the monitoring activities performed by the military pursuant to Executive Order No. 1004 have been very effective;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and by law, do hereby order the amendment of Executive Order No. 1004 as follows:

SECTION 1. The President of the Philippines, notu proprio or upon recommendation of the Minister of Public Works and Highways, may allow local government units to undertake the construction, rehabilitation, betterment, improvement (CRBI) and maintenance of local roads and construction of schoolbuildings on a case-to-case basis, depending upon the latter's technical and equipment capability and track record as evaluated by the MPWH. Provided, That any project undertaken by them shall be under the technical supervision of the said Ministry.

SECTION 2. In areas where the security condition is unfavorable, the MPWH and/or the local government unit may either secure the assistance of the Armed Forces of the Philippines (AFP) in the execution of the project, or completely turn over to the AFP the implementation of the project, if the condition so warrants, in accordance with the guidelines issued pursuant to Executive Order No. 1004.

SECTION 3. The MPWH shall continue to avail of the services of the AFP in monitoring all infrastructure projects, in investigating anomalies that may be committed, and in the filing of administrative/ criminal cases against those responsible; Provided, That in the investigation and prosecution of criminal cases involving public officers or employees, the office of the Tanodbayan shall be primarily responsible.

SECTION 4. In the case of projects assigned by the MPWH to qualified local government units for implementation under its technical supervision, the MPWH shall transfer to the province/city or municipality, forty percent (40%) of the total cost of the projects based on the approved programs of work together with the Obligational Authority covering the total cost of the projects. Replenishment of the forty percent (40%) Cash Advance shall be made after the submission of the Statement of Work Accomplished (SWA) by the local engineer or officer-in-charge of the project, as verified and approved by the MPWH District Engineer, and the submission of the liquidating and clearing instruments by appropriate local government units in accordance with the usual auditing regulations. In case of school buildings, the MPWH District Engineers concerned and representatives of the Ministry of Education, Culture and Sports shall conduct a joint and final inspection of the project. In cases of CRBI, the District Engineer together with the representative of the Ministry of Local Government (MLG) shall conduct the final inspection of the project, and thereafter shall issue to the local government unit a Certificate of Project Completion (CPC) after being satisfied that the project has been completed in accordance with the plans, specifications, and program of work.

SECTION 5. Upon completion of the project, any unused balance of funds transferred may be realigned to other appropriate projects by MPWH. Otherwise, the same shall be returned to said Ministry, in accordance with existing rules and regulations. No part of the funds shall be used for the purchase of furniture or equipment.

SECTION 6. The Minister of Public Works and Highways (MPWH), the Minister of National Defense (MND) and the Minister of Local Government (MLG) are hereby authorized to prescribe the necessary rules and regulations to implement the provisions of this Executive Order within thirty (30) days after its promulgation; Provided, however, that, when the exigencies so require or in case of emergency, the President may issue such directives or orders as may in his judgment be necessary or proper to carry out the purpose of this Executive Order.

SECTION 7. All executive orders, rules and regulations, or parts thereof which are inconsistent with any provision of this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 8. This Executive Order shall take effect immediately.

Done in the City of Manila this 23rd day of July, in the year of Our Lord, nineteen hundred and eighty-five.

(SGD.) EMBROIDER Z. MARCOS
President

By the President:

Certified Copy:

(SGD.) JOUAN C. TIVERA
Presidential Executive Assistant

(SGD.) MELQUIADES T. DE LA CRUZ

