



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

H. NO. **5088**



Introduced by Rep. AURELIO "DONG" D. GONZALES, JR.

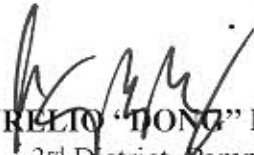
EXPLANATORY NOTE

Central Luzon, which is composed of Bataan, Bulacan, Nueva Ecija, Pampanga, Tarlac, and Zambales invariably suffer massive flooding during rainy season. The rainy season starts in June and ends in October of every year. As a result, tremendous losses of properties composing high value crops, rice, and other agricultural crops such as rice and aquatic resources take effect. This is not to mention the inconvenience and suffering of the residents within the areas affected by flooding, which is incapable of pecuniary estimation.

Studies show that the proximate cause of the flooding is due to the heavy siltation of the waterways in the region — which is exacerbated by the absence of adequate flood control facilities and poor maintenance of existing ones. Such challenges are the result of lack of funds from the government. This is due to the fact that the agency of the national government primarily in charged with the planning and implementation of infrastructure projects does not put much emphasis on projects.

In essence therefore, it is not only imperative but likewise urgent that a permanent office be created by law instead of merely issuance of the Department of Public Works and Highways whose purpose is to create an ad hoc office, to ensure not only continuity but also focus on no other concerns except on matters which are utmost priority pertaining to flood control projects in the region. This office shall none the less be placed under the control and supervision of the Secretary of the Department of Public Works and Highways most especially in terms of policy formation, feasibility studies, and planning and implementation of flood control projects funded by the national government. It important to note that the office shall be independent and autonomous from the office of the Regional Director of Region III.

This proposed office shall focused solely on the identification of causes of the flooding and formulation of solutions that would effectively mitigate if not prevent the flooding problem in Central Luzon on a long term basis.


REP. AURELIO "DONG" D. GONZALES, JR.
3rd District, Pampanga



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**AN ACT PROVIDING FOR THE CREATION OF THE CENTRAL
LUZON RIVER CONTROL SYSTEM COMMISSION COVERING THE
PROVINCES OF BATAAN, BULACAN, NUEVA ECIJA, PAMPANGA,
TARLAC, AND ZAMBALES AND APPROPRIATING FUNDS THEREFOR**

Section 1. Short Title – This Act shall be known as the Central Luzon River Control System Commission.

Section 2. Composition of the Central Luzon River Control System Commission – The Central Luzon River Control System Commission shall be headed by a Project Manager to be appointed by the Secretary of the Department of Public Works and Highways. The Project Manager shall be assisted by an assistant with the rank, qualifications and salary of a Project Manager II to be appointed likewise by the Secretary of the Department of Public Works and Highways. The Project Manager shall likewise be assisted by such technical, financial and administrative personnel which shall be provided in the Project Management Office staffing pattern or plantilla as may be recommended by the Project Manager and approved by the appropriate agencies of the national government.

Section 3. Supervision of the Project Management Office – The Secretary of the Department of Public Works and Highways shall exercise supervision and control over the Project Management Office. As such, the funds of the Project Management Office shall be automatically included in the annual budget of the Department of

Public Works and Highways and shall be released directly thereto by the concerned offices of the national government.

Section 4. Areas of Jurisdiction of the Project Management Office- The Project Management Office shall exercise original jurisdiction on matters concerning nationally funded major flood control projects in the Provinces of Bataan, Bulacan, Nueva Ecija, Pampanga, Tarlac and Zambales.

Section 5. Powers and Functions of the Project Management Office – The Project Management Office shall exercise original jurisdiction to identify nationally funded major flood control projects in its areas of jurisdiction including any and all activities related thereto such as, but not limited to, pre-feasibility studies, feasibilities studies, pre-detailed engineering, detailed engineering, construction, repair, rehabilitation and maintenance of existing flood control facilities which are already existing but are presently under the jurisdiction of the Department of Public Works and Highways. The Project Management Office shall also exercise the powers and functions to implement all major flood control projects within the five provinces of Central Luzon mentioned herein.

Section 6. - The Project Management Office shall also have the power to create its own Bids and Awards Committee for the purpose of undertaking the procurement activities for its contract whether for infrastructure projects, consultancy or goods.

Section 7. Transfer of Personnel of the Regional and District Offices of the Department of Public Works and Highways assigned to Flood Control Projects in Central Luzon to the Project Management Office – Within sixty (60) days upon effectivity of this Act, to avoid redundancy and/or duplication of functions, all personnel of the Regional and District Offices of the Department of Public Works and Highways assigned to their major flood control projects shall be transferred to and absorbed by the Project Management Office without loss of rights of seniority, security of tenure, diminution in rank and salaries and other monetary benefits which they are presently receiving on account of the positions they are presently holding.

Section 8. Implementing Rules and Regulations – Within sixty (60) days from the effectivity of this Act, the Project Manager shall create a Technical Working Group to promulgate the necessary rules and regulations for the implementation of this Act and submitted to the Secretary of the Department of Public Works and Highways or as may be required by law to other agencies of the national government for review and approval.

Section 9. Appropriations Act – Funds necessary for the provisions of this Act shall be taken from the funds allotted to the Regional and District Offices in Central Luzon of the Department of Public Works and Highways for the implementation of nationally funded flood control projects in their areas of jurisdiction including but not limited to, pre-feasibility studies, feasibility studies, detailed engineering, construction, rehabilitation, improvement and/or maintenance thereof. The Secretary of the Department of Public Works and Highways or as may be appropriate and necessary, other officials of the concerned national government agencies are hereby directed to effect the transfer of the funds within sixty (60) days to the Project Management Office once this becomes operational. Exempted from this provisions are construction, rehabilitation, improvement and/or maintenance of flood control projects which are already on-going or are already bid out including those that are presently undergoing procurement process.

Section 10. Repealing Clause – Any and all Acts, administrative issuances, rules and regulations inconsistent herewith are hereby repealed accordingly.

Section 11. – Separability Clause – If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

Section 14. – Effectivity Clause – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in a newspaper of national circulation.