

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3781



Introduced by Lone District of Agusan del Norte Representative
HON. DALE B. CORVERA

AN ACT
AUTHORIZING LOCAL GOVERNMENT UNITS TO UNDERTAKE CLASSROOM
CONSTRUCTION PROJECTS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

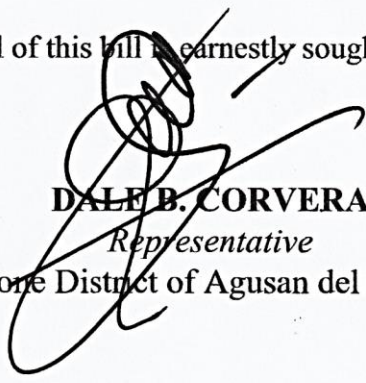
The Second Congressional Commission on Education (EDCOM II) noted that the country faces more than 165,000 backlog in classrooms which, in the current average annual budget, may take more than 20 years to meet. This shortage leads to large class sizes, multiple shifts and poor learning outcomes for affected Filipino learners. In fact, around 5.1 million out of the 24 million students in public schools are classified as aisle learners or those in excess of the ideal number of 25 to 45 learners in a classroom.

Presently, the Department of Education and the Department of Public Works and Highways (DPWH) administer the National Classroom Building Program funded under the Basic Education Facilities Fund of the General Appropriations Act. The present set-up provides for a uniform design for classroom building construction across the country despite glaring differences in local topography and other factors that affect construction, procurement, and pricing.

A careful reading of Section 17(c) of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”, will conclude that public works and infrastructure projects and other facilities funded by the national government under the General Appropriations Act, other special laws, pertinent executive orders, and those wholly or partially funded from foreign sources, may be implemented by the local government units (LGUs) if they will be duly designated as the implementing agency for such projects, facilities, programs and services.

Engaging LGUs in the construction of the classrooms will empower them in prioritizing areas which are in dire need of classrooms. The progress of construction will also be accelerated nationwide as there will be more entities that will manage the progress of classroom construction. Such designation and delegation to LGUs may also significantly reduce the unit cost of construction on account of the LGUs’ existing technical capacity of administering such projects.

In view of the foregoing, immediate approval of this bill is earnestly sought.



DALE B. CORVERA
Representative
Lone District of Agusan del Norte

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

SECTION 1. *Short Title.* – This Act shall be known as the “Classroom-Building Authority for Local Government Units Act”

SEC. 2. *Declaration of Policy.* – It is a declared policy that the State shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all. Towards this end, the State shall endeavor to include local government units (LGUs) in addressing shortages in classrooms by designating LGUs as implementing institutions for the construction of classroom buildings.

SEC. 3. *Designation of Local Government Units as Implementing Institutions.* – LGUs may be designated as implementing institutions for classroom construction projects funded under the General Appropriations Act, other special laws, pertinent executive orders, or foreign sources if they meet at least one of the following criteria:

- (a) Awardee of the Seal of Good Local Governance for at least one year for the past two years; or
- (b) Demonstrated technical capacity to implement educated-related infrastructure projects as evidenced by a track record of successful implementation of such projects for the last three years regardless of funding source; or

LGUs who meet either of the above criteria must also be willing and able to provide counterpart funding for the construction of school buildings within their respective territorial jurisdiction.

SEC. 4. *Capacity Building and Technical Assistance.* – The Department of Education (DepEd) shall, in coordination with the Department of Public Works and Highways (DPWH), design and conduct capacity-building seminars on compliance with existing masterplans,

conduct of feasibility studies, design standards, procurement planning and project management for designated LGUs.

SEC. 5. *Monitoring and Reporting.* – All classroom building projects implemented by LGUs shall be subject to monitoring and evaluation by the DepEd. A consolidated national report shall be submitted by the DepEd to the CBA-LGU Oversight Committee on an annual basis.

SEC. 6. *Creation of Oversight Committee* – There is hereby created a Congressional Oversight Committee, to be referred to as the CBA-LGU Oversight Committee, to monitor the LGUs' performance in constructing classrooms subject of this Act. The Committee shall be composed of three (3) Senators and three (3) Representatives to be appointed by the Senate President and the Speaker of the House of Representatives, respectively. The Committee shall be co-chaired by the Chairpersons of the Committee on Basic Education of the Senate and Committee on Basic Education and Culture of the House of Representatives.

SEC. 7. *Review and Evaluation.* – For purposes of determining remedial legislation, the CBA-LGU Oversight Committee shall, within two (2) years after the effectivity of this Act, conduct a review and evaluation of the impact of this Act.

SEC. 8. *Downloading and Source of Funds.* – Funds for the construction of classroom buildings shall be primarily sourced from the annual appropriations of the Basic Education Facilities of the DepEd.

The release of funds may be released directly by the Department of Budget and Management (DBM) to the implementing LGUs upon the endorsement of the DepEd.

The utilization of such funds shall be subject to usual budgeting, accounting and auditing rules and regulations.

SEC. 9. *Implementing Rules and Regulations.* – Within thirty (30) days from the effectivity of this Act, the DepEd shall, in consultation with DBM, DILG, and other relevant government agencies, formulate the rules and regulations for the effective implementation of this Act.

SEC. 10. *Separability Clause.* – If, for any reason, any section, clause or term of this Act is held to be illegal, invalid, or unconstitutional, such parts not affected by such declaration shall remain in full force and effect.

SEC. 11. *Repealing Clause.* – All laws, presidential decrees, issuances, executive orders, letters of instruction, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,