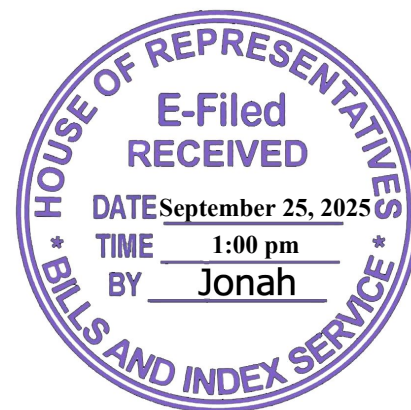


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**TWENTIETH CONGRESS**  
*First Regular Session*

**HOUSE BILL NO. 4904**



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**Introduced by Representative Roman T. Romulo**

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### **EXPLANATORY NOTE**

Education is the great equalizer of the conditions of men, according to Horace Mann, a pioneer of American public schools in the 19<sup>th</sup> century. It is the foundation of national development. Yet, our nation is facing a tremendous education crisis.

The Department of Education has reported a persistent shortage of classrooms nationwide, causing severe congestion and a significant decline in the quality of learning. With the full implementation of the K to 12 Basic Education Program and the projected increase in enrollment, the current classroom backlog continues to widen each year.

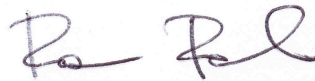
The Philippines ranked among the lowest in the 2018 Programme for International Student Assessment (PISA) conducted by the Organisation for Economic Co-operation and Development (OECD). In 2019, the Southeast Asia Primary learning Metrics (SEA-PLM) results revealed that only 10% of our Grade 5 learners met the minimum reading standard, while merely 17% attained the math standard. We have yielded almost the same results in the Trends in International Mathematics and Science Study (TIMSS) in the same year, placing last among the 58 participating countries. These findings were further corroborated by the scores in the National Achievement Test (NAT) for Grade 6 in School Year 2020-2021, with the Filipino subject having near proficiency, while the rest of the subjects are merely low proficiency.

This crisis is aggravated by a shortage of more than 165,000 classrooms nationwide, affecting approximately 5.1 million students. Considering the current pace of procuring the construction, it would take 30 to 55 years to eliminate this backlog.

Research consistently demonstrates that the availability of adequate, safe, and conducive learning spaces is essential to ensuring effective teaching and meaningful learning outcomes. Studies further indicate that well-designed classrooms, smaller class sizes, and improved educational facilities significantly contribute to enhanced academic performance, increased learner engagement, and better overall well-being. Without urgent and coordinated intervention, the persistent classroom shortage will continue to exacerbate learning loss, widen educational disparities, hinder human capital development, and ultimately threaten the nation's long-term competitiveness.

This bill seeks to accelerate the construction, rehabilitation, and repair of classrooms, prioritize underserved areas with high student-to-classroom ratios, and ensure the provision of quality learning environments that meet global design and safety standards. It likewise aims to strengthen collaboration between the national government, local government units, and private sector partners. By addressing the classroom shortage, this measure aspires to promote equitable access to quality education and better prepare Filipino learners for a competitive, knowledge-driven future.

For these reasons, the passage of this bill is earnestly sought.

A handwritten signature in dark ink, appearing to read 'Roman T. Romulo', is positioned above the printed name.

**ROMAN T. ROMULO**  
Lone District, Pasig City

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**TWENTIETH CONGRESS**  
*First Regular Session*

**HOUSE BILL NO. 4904**

---

**Introduced by Representative Roman T. Romulo**

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**AN ACT**  
**GRANTING THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES**  
**EMERGENCY POWERS TO EXPEDITE THE CONSTRUCTION,**  
**REHABILITATION, AND REPAIR OF CLASSROOMS NATIONWIDE, PROVIDING**  
**FOR SPECIAL PROCUREMENT MEASURES, AND FOR OTHER PURPOSES**

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

1 **SECTION 1. *Title.*** – This Act shall be known as the "Emergency Classroom Building  
2 Act".

3 **SEC. 2. *State of National Emergency.*** – The State recognizes that the Philippines is  
4 facing an unprecedented education crisis arising from persistently poor learning  
5 outcomes and the severe shortage of classrooms nationwide.

6 In the 2018 Programme for International Student Assessment (PISA)  
7 conducted by the Organisation for Economic Co-operation and Development (OECD)  
8 among 79 participating countries, the Philippines ranked among the lowest globally.  
9 Similarly, in the 2019 Trends in International Mathematics and Science Study  
10 (TIMSS), the nation scored 297 in Mathematics and 249 in Science, the lowest among  
11 58 participating countries. These international findings are further corroborated by the  
12 results of the National Achievement Test (NAT) for Grade 6 (SY 2020-2021), with  
13 students exhibiting near proficiency in Filipino and low proficiency in other key learning  
14 areas such as Mathematics, Science, and English.

1           Aggravating the learning crisis is the severe shortage of classrooms  
2 nationwide. Based on data from the Department of Education (DepEd) and the Second  
3 Congressional Commission on Education (EDCOMII), the nation currently lacks  
4 around 165,000 classrooms, leaving an estimated 5.1 million students classified as  
5 “aisle learners,” or those forced to study in overcrowded classrooms far beyond their  
6 intended capacity. At the present pace of construction, it would take 30 to 55 years to  
7 fully resolve this backlog.

8           Studies consistently prove that adequate, safe, and conducive classrooms are  
9 critical to effective teaching and learning, with research showing that proper classroom  
10 design, reduced class sizes, and improved facilities directly enhance academic  
11 performance, learner engagement, and overall well-being. Without immediate  
12 intervention, the classroom shortage will further compound learning loss, deepen  
13 educational inequity, undermine human capital development, and jeopardize the  
14 nation’s long-term competitiveness.

15           Accordingly, a state of national emergency is hereby declared due to the  
16 magnitude and urgency of the classroom shortage and its direct impact on the quality  
17 of education.

18       **SEC. 3. Declaration of Policy.** – It is the policy of the State to protect and promote  
19 the right of all citizens to quality education at all levels and to take appropriate steps  
20 to make such education accessible to all. Cognizant of the critical role that adequate,  
21 safe, and functional school infrastructure plays in ensuring the effective delivery of  
22 basic education, the State hereby recognizes the urgent necessity of adopting  
23 extraordinary, immediate, and comprehensive measures to address the longstanding  
24 and worsening classroom backlog nationwide.

25           Towards this end, the President shall be granted emergency powers to adopt  
26 innovative, flexible, and results-oriented approaches in the planning, procurement,  
27 and implementation of school infrastructure projects, free from undue bureaucratic  
28 constraints and existing procedural limitations, provided that the exercise of such  
29 powers shall be strictly confined to measures necessary to ensure the timely and  
30 efficient completion of classrooms, with due regard to transparency, accountability,

1 fiscal responsibility, and faithful adherence to the Constitution and principles of good  
2 governance.

3 **SEC. 4. *Authorized Powers.*** – Pursuant to Article VI, Section 23 (2) of the  
4 Constitution, the President is hereby authorized to exercise powers that are necessary  
5 and proper to carry out the declared national policy. The President shall have the  
6 power to adopt the following temporary emergency measures to ensure the timely  
7 delivery of safe, adequate, and quality school infrastructure:

8 a. Establish and employ the most expedient, efficient, and practicable modes of  
9 procurement for the construction, rehabilitation, and repair of classrooms  
10 nationwide, notwithstanding the procedures and requirements prescribed  
11 under existing laws, rules and regulations;

12 b. Directly negotiate and enter into contracts with suppliers, contractors, or project  
13 implementers who have been duly determined to possess the proven technical,  
14 financial, and legal capacity to deliver safe, adequate, and quality classrooms  
15 within the shortest possible time and at a just and reasonable cost;

16 c. Reallocate and realign funds from any available appropriations, savings, or  
17 special purpose funds of the National Government to finance the construction,  
18 rehabilitation, and repair of classrooms, subject to constitutional limitations and  
19 applicable auditing rules and regulations;

20 d. Create and constitute a task force which shall be composed of representatives  
21 from the Department of Education, Department of Public Works and Highways,  
22 Department of Budget and Management, Department of Economy, Planning  
23 and Development, Commission on Audit, and such other agencies as the  
24 President may deem necessary, to oversee, coordinate, and ensure the  
25 efficient, transparent, and accountable implementation of the programs and  
26 projects authorized under this Act.

27 **SEC. 5. *Exemption from Republic Act No. 12009.*** – The procurement for the  
28 construction, rehabilitation, or repair of classrooms under this Act shall be exempt from  
29 the provisions of Republic Act No. 12009, or the “New Government Procurement Act.”  
30 However, the President shall ensure that due diligence and price reasonableness are

1 strictly observed, that only suppliers and contractors with proven technical, financial,  
2 and legal capacity are engaged, and that adequate measures are instituted to  
3 safeguard public funds and prevent any form of corruption, abuse, or misuse of  
4 authority.

5 **SEC. 6. Reports to Congress and Creation of an Oversight Committee.** – The  
6 President, within ten (10) days from the issuance of any of the executive acts, order,  
7 rules and regulations promulgated and issued under the powers herein granted shall  
8 report to Congress the issuance thereof and the justification therefor: Provided, That  
9 within the first ten (10) days of every month, the President shall likewise submit a  
10 monthly report to Congress of all acts performed, including all the contracts entered  
11 into under this Act, the contract price, amounts disbursed, and the status of classroom  
12 projects.

13 For this purpose, the Congress shall establish a Joint Congressional Oversight  
14 Committee composed of five (5) members, each from the Senate and the House of  
15 Representatives, with the Chairperson on Basic Education of both Houses as Co-  
16 Chairperson. The President of the Senate and the Speaker of the House of  
17 Representatives shall designate the other members of the JCOC, one (1) member of  
18 which shall be from the minority.

19 **SEC. 7. Penalties.** — In addition to acts or omissions already penalized by existing  
20 laws, the following offenses shall be punished either with a fine or imprisonment, or  
21 both, at the discretion of the court, as follows:

22 For Private Contracted Entities:

| OFFENSE                                                                              | PERSON/S INVOLVED | FINE                                                                                                               | IMPRISONMENT AND OTHER PENALTIES                                                  |
|--------------------------------------------------------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| (a) Refusing or failing to post the performance security within the prescribed time. | Corporation       | Not less than Two hundred thousand pesos (200,000.00) and not more than Eight hundred thousand pesos (800,000.00). | Suspension for two (2) years from acquiring or bidding other government projects. |

|                                                                                                                                                                             |             |                                                                                                                   |                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                             | Individual  | Not less than One hundred thousand pesos (100,000.00) and not more than Five hundred thousand pesos (500,000.00). | Imprisonment for not less than one (1) month and one (1) day but not more than two (2) months.                      |
| (b) Refusing or failing to enter into contract, without justifiable cause, after the same has been agreed upon by the contracting party and the President or his task force | Corporation | Not less than One hundred thousand pesos (100,000.00) and not more than Five hundred thousand pesos (500,000.00). | Suspension for two (2) years from acquiring or bidding other government projects.                                   |
|                                                                                                                                                                             | Individual  | Not less than Two hundred thousand pesos (200,000.00) but not more than One million pesos (1,000,000.00)          | Imprisonment for not less than two (2) months and one (1) day but not more than six (6) months.                     |
| (c) Causing the delay, without justifiable cause, of the delivery of the classrooms                                                                                         | Corporation | Not less than One million pesos (1,000,000.00) but not more than Five million pesos (5,000,000.00)                | Blacklisted from acquiring or bidding other government projects.                                                    |
|                                                                                                                                                                             | Individual  | Not less than Five hundred thousand pesos, but not more than Two million pesos (2,000,000.00)                     | Imprisonment for not less than six (6) months and one (1) day, but not more than two (2) years and four (4) months. |
| (d) Delivering classrooms of unsatisfactory or inferior quality as may be provided in the contract                                                                          | Corporation | Not less than Two million pesos (2,000,000.00) but not more than Ten million pesos (10,000,000.00)                | Blacklisted from acquiring or bidding other government projects.                                                    |
|                                                                                                                                                                             | Individual  | Not less than One million pesos (1,000,000.00), but not more than Five                                            | Imprisonment for not less than six (6) months and one (1) day, but not more than six (6) years.                     |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             |                                                                                                     |                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |             | million pesos<br>(5,000,000.00)                                                                     |                                                                                                 |
| (e) Rendering poor performance or unsatisfactory quality and/or progress of work by the contracted entity. Poor performance shall be as follows:<br><br>(1) Defective design resulting in substantial corrective works in design and/or construction, rehabilitation, or repair;<br><br>(2) Failure to deliver critical output due;<br><br>(3) Using materials which are inappropriate, substandard, or way above acceptable standards causing inflation in the price;<br><br>(4) Defective workmanship or works;<br><br>(5) Negative slippage of the project due entirely to the fault or | Corporation | Not less than Two million pesos (2,000,000.00) but not more than Ten million pesos (10,000,000.00)  | Blacklisted from acquiring or bidding other government projects.                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Individual  | Not less than One million pesos (1,000,000.00), but not more than Five million pesos (5,000,000.00) | Imprisonment for not less than six (6) months and one (1) day, but not more than six (6) years. |

|                                                                                                                                                                                                    |             |                                                                                                        |                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| negligence of the contracted entity                                                                                                                                                                |             |                                                                                                        |                                                                                                    |
| (f) Using force, fraudulent machinations, coercion, undue influence, or pressure upon the President or his task force in order to acquire the contract                                             | Corporation | Not less than Ten million pesos (10,000,000.00) but not more than Twenty million pesos (20,000,000.00) | Perpetual disqualification from acquiring or bidding other government projects                     |
|                                                                                                                                                                                                    | Individual  | Not less than Five million pesos (5,000,000.00), but not more than Ten million pesos (10,000,000.00)   | Imprisonment for not less than six (6) years and one (1) day, but not more than twelve (12) years. |
| (g) Using the name of another for purposes of contracting                                                                                                                                          | Corporation | Not less than Two million pesos (2,000,000.00) but not more than Ten million pesos (10,000,000.00)     | Blacklisted from acquiring or bidding other government projects.                                   |
|                                                                                                                                                                                                    | Individual  | Not less than One million pesos (1,000,000.00), but not more than Five million pesos (5,000,000.00)    | Imprisonment for not less than six (6) months and one (1) day, but not more than six (6) years.    |
| (h) Submitting eligibility requirements containing false information or falsified documents or the concealment of such information that will materially alter the outcome of eligibility screening | Corporation | Not less than Ten million pesos (10,000,000.00) but not more than Twenty million pesos (20,000,000.00) | Blacklisted from acquiring or bidding other government projects.                                   |
|                                                                                                                                                                                                    | Individual  | Not less than Five million pesos (5,000,000.00), but not more than Ten million pesos (10,000,000.00)   | Imprisonment for not less than six (6) years and one (1) day, but not more than twelve (12) years. |
| (i) Submission of beneficial ownership information                                                                                                                                                 | Corporation | Not less than Ten million pesos (10,000,000.00) but not more than Twenty                               | Perpetual disqualification from acquiring or bidding                                               |

|                                                                                                                                                                                                                                                          |             |                                                                                                        |                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| containing false entries                                                                                                                                                                                                                                 |             | million pesos (20,000,000.00)                                                                          | other government projects.                                                                         |
|                                                                                                                                                                                                                                                          | Individual  | Not less than Five million pesos (5,000,000.00), but not more than Ten million pesos (10,000,000.00)   | Imprisonment for not less than six (6) years and one (1) day, but not more than twelve (12) years. |
| (j) Failing to faithfully disclose its relationship, regardless of the time of discovery, with the President or the members of his task force, or any elected or appointed government official by consanguinity or affinity up to the third civil degree | Corporation | Not less than Ten million pesos (10,000,000.00) but not more than Twenty million pesos (20,000,000.00) | Perpetual disqualification from acquiring or bidding other government projects.                    |
|                                                                                                                                                                                                                                                          | Individual  | Not less than Five million pesos (5,000,000.00), but not more than Ten million pesos (10,000,000.00)   | Imprisonment for not less than six (6) years and one (1) day, but not more than twelve (12) years. |
| (k) Terminating the contract due to the default or unlawful acts of the contracted entity                                                                                                                                                                | Corporation | Not less than Two million pesos (2,000,000.00) but not more than Ten million pesos (10,000,000.00)     | Blacklisted from acquiring or bidding other government projects.                                   |
|                                                                                                                                                                                                                                                          | Individual  | Not less than One million pesos (1,000,000.00), but not more than Five million pesos (5,000,000.00)    | Imprisonment for not less than six (6) months and one (1) day, but not more than six (6) years.    |
| (l) Engaging in any documented unsolicited attempt to unduly influence the decision of the President or his task force                                                                                                                                   | Corporation | Not less than Ten million pesos (10,000,000.00) but not more than Twenty million pesos (20,000,000.00) | Perpetual disqualification from acquiring or bidding other government projects.                    |
|                                                                                                                                                                                                                                                          | Individual  | Not less than Five million pesos (5,000,000.00), but                                                   | Imprisonment for not less than six (6) years and one (1) day, but                                  |

|                                                                                                                                                                                         |             |                                                                                                     |                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                         |             | not more than Ten million pesos (10,000,000.00)                                                     | not more than twelve (12) years.                                                                |
| (m) Assigning or subcontracting the contract or any part thereof, or substituting key personnel named in the contract without prior written approval by the President or his task force | Corporation | Not less than Two million pesos (2,000,000.00) but not more than Ten million pesos (10,000,000.00)  | Blacklisted from acquiring or bidding other government projects.                                |
|                                                                                                                                                                                         | Individual  | Not less than One million pesos (1,000,000.00), but not more than Five million pesos (5,000,000.00) | Imprisonment for not less than six (6) months and one (1) day, but not more than six (6) years. |
| (n) Willful or deliberate abandonment or non-performance of the contract, resulting in substantial breach thereof without lawful and/or just cause                                      | Corporation | Not less than Two million pesos (2,000,000.00) but not more than Ten million pesos (10,000,000.00)  | Blacklisted from acquiring or bidding other government projects.                                |
|                                                                                                                                                                                         | Individual  | Not less than One million pesos (1,000,000.00), but not more than Five million pesos (5,000,000.00) | Imprisonment for not less than six (6) months and one (1) day, but not more than six (6) years. |

Moreover, the performance security posted by the contracted entity shall be forfeited in favor of the Government, and the contracted entity may be blacklisted and disqualified from participating in any and all future government procurement activities.

For Public Officials and Employees:

| OFFENSE                                                                                                                                          | FINE                                                                                                              | IMPRISONMENT AND OTHER PENALTIES                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| (a) Recommending suppliers, contractors, or project implementers while having the knowledge that it has previously engaged in unlawful deeds and | Not less than One hundred thousand pesos (100,000.00) and not more than Five hundred thousand pesos (500,000.00). | Imprisonment for not less than six months and one day but not more than two years. |

|                                                                                                                                                                                   |                                                                                                          |                                                                                                                                                                           |
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| behaviors relative to contract acquisition and implementation.                                                                                                                    |                                                                                                          |                                                                                                                                                                           |
| (b) Commission of any corrupt practice as defined under Section 3 of R.A. 3019 or the “Anti-Graft and Corrupt Practices Act” in relation to awarding of contracts under this Act. | Not less than Two hundred thousand pesos (200,000.00) but not more than One million pesos (1,000,000.00) | Imprisonment for not less than six years and one month nor more than fifteen years, and dismissal from the public post and perpetual disqualification from public office. |

All wealth, proceeds, and gains derived or obtained from the commission of any of the aforementioned punishable acts shall be subject to forfeiture and confiscation in favor of the Government.

**SEC. 8. Construction and Interpretation.** – Nothing herein shall be construed as an impairment, restriction, or modification of the provisions of the Constitution. In case the exercise of the powers herein granted conflicts with other statutes, orders, rules or regulations, the provisions of this Act shall prevail.

**SEC. 9. Separability Clause.** – If any provision of this Act is declared unconstitutional or invalid, the other sections or provisions not otherwise affected shall continue to be in full force and effect.

**SEC. 10. Repealing clause.** — All laws, executive orders, decrees, instructions, rules and regulations contrary to or inconsistent with any provision of this Act are hereby amended, repealed or modified accordingly.

**SEC. 11. Effectivity Clause.** — This Act shall take effect immediately upon its publication in two (2) newspapers of general circulation or in the *Official Gazette*, and shall be in full force and effect for only two (2) years or until the required classrooms have been completed, whichever is earlier: Provided, that the powers granted under this Act may be withdrawn sooner by means of a concurrent resolution of Congress.

Approved,