

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10636



INTRODUCED BY REP. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

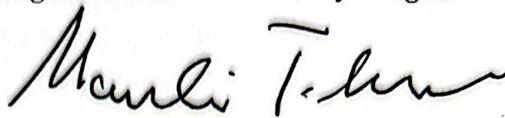
Public infrastructure projects represent one of the largest areas of government expenditure. While such projects are intended to spur economic development and improve the lives of Filipinos, they have likewise become vulnerable to inefficiency, cost overruns, project delays, unnecessary change orders, and, in some instances, corruption arising from the lack of transparency and public oversight.

Although existing procurement laws provide safeguards during the bidding process, there remains a need for a comprehensive mechanism that ensures transparency throughout the entire life cycle of government infrastructure projects—from planning and procurement to implementation, completion, and final acceptance.

This proposed measure seeks to institutionalize an Open Contracting System for all national government infrastructure projects, particularly those undertaken by the Department of Public Works and Highways (DPWH) and other implementing agencies. The bill mandates the online publication of all project documents; real-time reporting of project implementation, fund disbursements, and accomplishments; public disclosure of all change orders, variation orders, extensions of time, and cost adjustments; GPS-tagged and timestamped photographic documentation before, during, and after construction; and mechanisms for independent citizen monitoring.

By making government infrastructure information readily accessible to the public, this measure aims to strengthen accountability, improve project implementation, discourage corruption, and ensure that every peso of public funds is spent efficiently and transparently.

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

A handwritten signature in black ink, appearing to read 'Marcelino T. Teodoro', with a stylized flourish at the end.

HON. MARCELINO "MARCY" R. TEODORO

Representative

1st District, Marikina City

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**AN ACT PROMOTING TRANSPARENCY, ACCOUNTABILITY, AND PUBLIC
PARTICIPATION IN GOVERNMENT INFRASTRUCTURE PROCUREMENT AND
PROJECT IMPLEMENTATION THROUGH AN OPEN CONTRACTING SYSTEM,
AND PROVIDING FUNDS THEREFOR**

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 "Government Transparency and Open Contracting Act."

Section 2. Declaration of Policy.

It is the policy of the State to promote transparency, accountability, integrity, public participation, and efficient utilization of public funds in all government infrastructure projects through the adoption of an open contracting system.

Section 3. Coverage.

This Act shall apply to all infrastructure projects undertaken by:

DPWH;
Department of Transportation;
Department of Education;
Department of Health;
Department of Agriculture;

Local Government Units utilizing national funds; and
All other government agencies implementing infrastructure projects.

Section 4. Mandatory Publication of Project Information.

All implementing agencies shall publish on a publicly accessible online portal:

1. Approved project proposals;
2. Feasibility studies, where applicable;
3. Approved plans and specifications;
4. Approved Program of Works;
5. Approved Budget for the Contract (ABC);
6. Procurement documents;
7. Bid results;
8. Contract agreements;
9. Notices to Proceed;
10. Notices of Completion;
11. Certificates of Final Acceptance; and
12. Warranty information.

Section 5. Real-Time Project Monitoring.

Implementing agencies shall maintain an online monitoring system showing:

Percentage of physical accomplishment;

Financial accomplishment;

Amounts disbursed;

Remaining balance;

Revised target completion dates;

Delays and corresponding explanations.

Updates shall be made at least every fifteen (15) days.

Section 6. Disclosure of Change Orders and Cost Adjustments.

Every Change Order, Variation Order, Supplemental Agreement, Extension of Time, Price Escalation, and Cost Overrun shall be uploaded to the online portal within five (5) working days from approval, together with the legal and technical justification therefor.

Section 7. GPS-Tagged and Time-Stamped Documentation.

Implementing agencies shall upload GPS-tagged and timestamped photographs showing:

Site condition prior to construction;

Progress during implementation;

Completion of every major project milestone; and

Final completed project.

Such photographs shall form part of the official project records.

Section 8. Independent Citizen Monitoring.

Civil society organizations, professional organizations, academic institutions, and accredited people's organizations may participate in monitoring government infrastructure projects and submit findings through the online portal.

Implementing agencies shall establish a mechanism for receiving, evaluating, and responding to citizen reports.

Section 9. National Open Contracting Portal.

The Department of Information and Communications Technology (DICT), in coordination with the Government Procurement Policy Board (GPPB), shall establish and maintain a centralized National Open Contracting Portal integrating information from all implementing agencies.

Section 10. Penalties.

Any public officer who knowingly fails to comply with the disclosure requirements under this Act, deliberately withholds information, or uploads false or misleading information shall be subject to administrative, civil, and criminal liability pursuant to existing laws, without prejudice to prosecution under the Anti-Graft and Corrupt Practices Act and other applicable statutes.

Section 11. Implementing Rules and Regulations.

Within ninety (90) days from the effectivity of this Act, the DICT, GPPB, COA, DBM, and concerned agencies shall promulgate the necessary rules and regulations.

Section 12. Appropriations.

The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the implementing agencies. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

Section 13. Separability Clause.

If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

Section 14. Repealing Clause.

All laws, executive orders, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

Section 15. Effectivity.

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