

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3162

HOUSE OF REPRESENTATIVES

RECEIVED

DATE: 22 AUG 2016

TIME: 1:50 PM

BY: P. Tol

REGISTRATION UNIT
BILLS AND INDEX SERVICE

Introduced by **HON. GUS S. TAMBUNTING**

EXPLANATORY NOTE

Metro Manila is currently experiencing a traffic crisis resulting in a P2,400,000,000.00 productivity loss daily (JICA), not to mention the wasted man-hours, fuel and opportunities that the people plying our busy and congested thoroughfares experience each day.

Currently ranked as having the "worst traffic on Earth" based on a global evaluation conducted by Waze, a GPS-based navigation application, the current traffic situation in Metro Manila greatly impedes economic growth and makes life harder for the working class Filipinos.

It is the aim of this bill that by giving emergency powers to the President of the Republic of the Philippines, long-term solutions and remedial measures in solving this crisis will immediately be implemented without hindrance and at shortest time possible. Drastic traffic solutions are needed if we are to fight this crisis and immediate traffic measures are needed to be undertaken.

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


GUS S. TAMBUNTING

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AN ACT
PROVIDING FOR EMERGENCY POWERS TO THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES TO ADDRESS THE TRANSPORTATION CRISIS IN METRO
MANILA

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

SECTION 1. *Title.* – This Act shall be known as “The Traffic Crisis Act of Metro Manila 2016.”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to adopt effective measures and find long term solutions that will address the current traffic crisis that Metro Manila is experiencing resulting in economic loss and hardship for our countrymen who are plying the streets on a daily basis to get to their workplace.

SECTION 3. *Methods of Procurement.* – Pursuant to the above stated policy and whenever it is advantageous to the government and our people, the President is hereby authorized to enter into contracts for the purchase, construction, repair, rehabilitation, maintenance or improvement of critical transportation-related projects that aims to reduce congestion and ease the current traffic crisis in Metro Manila under the following methods:

- 1) *Direct Contracting otherwise known as Single Source Procurement* – a method of Procurement that does not require elaborate Bidding Documents because the supplier is simply asked to submit a price quotation or a pro-forma invoice together with the conditions of sale, which offer may be accepted immediately or after some negotiations.
- 2) *Negotiated Procurement* – a method of Procurement that may be resorted under the extraordinary circumstances whereby the Procuring Entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant. This method may be used subject to the any of the following conditions:
 - (a) In case of imminent danger to life or property during a state of calamity, or when time is of the essence arising from natural or man-made calamities or other causes where immediate action is necessary to prevent damage to or loss of life or property;

- (b) To restore vital public services, infrastructure facilities and other public utilities;
- (c) Take-over of contracts, which have been rescinded or terminated for causes provided for in the contract and existing laws, where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public services, infrastructure facilities and other public utilities;
- (d) Where the subject contract is adjacent or contiguous to an on-going infrastructure project;
- (e) Other instances as the President may determine that requires immediate action.

SECTION 4. *Reorganization of Various Agencies and Creation of a Centralized Traffic Authority.* – The President is hereby authorized to reorganize the Department of Transportation (DOT), Land Transportation Authority (LTO), Land Transportation Franchising and Regulatory Board (LTFRB), Metropolitan Manila Development Authority (MMDA), Toll Regulatory Board (TRB) to make them more effective, productive and responsive to solve and facilitate solutions to the current traffic crisis. The President may abolish, create, merge, split government positions, transfer personnel/property/equipment to maximize efficiency, avoid overlapping of positions/tasks/responsibilities and institute cost cutting measures. Provided, that there will be no diminution of salaries and benefits to the affected personnel and those who will be phased out due to reorganization shall receive compensation which should conform with existing Civil Service and Commission on Audit rulings on the granting of salaries and compensations.

The President may create a centralized traffic authority, which he will lead, that will take charge of the conceptualizing, planning and implementation of programs and projects aimed at reducing traffic such as, but not limited to:

- 1) Improvement and upgrading of the mass transport system in Metro Manila - this will include the Light Rail Transit (LRT), Metro Rail Transit (MRT), Philippine National Railways (PNR), Pasig Ferry System, Integrated Bus Terminals.
- 2) Possibility of a Mega-Manila sub-way system connecting the various business districts.
- 3) Possible transfer of the Ninoy Aquino International Airport or creation/use of another airport for domestic flights to lessen the number of people going to and from the NAIA.
- 4) Implement a unified traffic system in Metro Manila to be followed by all Local Government Units in the National Capital Region.
- 5) Create remedial measures such as but not limited to:
 - a) Transfer of public markets located in busy thoroughfares;
 - b) Issue implementing rules and regulations on the maintenance of motor vehicles and possibly remove aging and pollution-causing vehicles;
 - c) Possible shifting of the working hours of government employees to non- traffic peak hours to lessen vehicles / passengers on the road during rush hours;
 - d) Coordinate with various government agencies to facilitate/create on-line application and processing of driver's license, NBI clearance, vehicle

registration and the likes that will lessen the need of people to go out and brave the traffic.

- 6) Exercise the right of eminent domain to expropriate private properties for right of way use for necessary infrastructure projects and public use.

SECTION 5. *Appropriation of Funds.* – The initial amount needed for the implementation of this Act shall be taken from the aggregate gross earnings of the Philippine Amusement and Gaming Corporation, the Motor Vehicle User’s Charge Fund created under Republic Act 8794 and the current fiscal year’s appropriation of the agencies involved in the implementation of this Act. Thereafter, the amount needed shall be included in the annual General Appropriations Act.

SECTION 6. *Duration of Grant of Powers.* – The authority granted to the President under this Act shall be valid for a period of two (2) years from its effectivity, unless sooner withdrawn by a resolution in Congress without prejudice to rights and benefits that may have been vested, and culpabilities and liabilities that may have been incurred.

SECTION 7. *Oversight Committee.* – A Congressional Oversight Committee is hereby created, which shall have five (5) members from each House, to monitor the implementation of this Act and the exercise of the authority granted hereunder.

SECTION 8. *Report to Congress.* – The President shall submit a quarterly report to Congress on the progress of the implementation of this Act.

SECTION 9. *Repealing Clause.* – All laws, decrees, executive orders, issuances, regulations or parts or provisions of this Act, which are inconsistent herewith are hereby deemed repealed, amended or modified.

SECTION 10. *Separability Clause.* – If for any reason or reasons, any part or provision of this Act shall be declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation.

Approved,