

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **3314**

HOUSE OF REPRESENTATIVES	
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REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

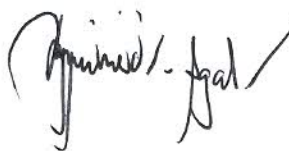
AN ACT
PRESCRIBING URGENT RELATED MEASURES NECESSARY AND PROPER TO
EFFECTIVELY ADDRESS THE TRAFFIC CRISIS IN METRO MANILA AND FOR
PURPOSES

EXPLANATORY NOTE

Living in the metropolis has its benefits and disadvantages. The metro offers almost everything a modern living can offer. Residences, business districts, schools, malls and shopping districts among others. However, with the bustling city life comes the dilemma. The population and the growing number of cars and other modes of transportation that leads to traffic congestion. It may be admitted then, that the metropolis we are living now was formed and developed from the time when population is not as the number we have now.

Today, traveling from your residence to work, business, school or just to a mall will take an hour of your time, the minimum. Traffic has become hellish that it is becoming worse by the days. In a study conducted by Japan International Cooperation Agency (JICA), P2.4B is lost in business attributed to the traffic condition in the metro. And these losses will continue to increase in the coming years if not addressed properly by the government. A "Dream Plan" which provides for the road map in addressing the traffic congestion is now being considered but results will be totally felt by 2030. But we need strategies to address the current traffic situation as we are living in these kind of condition now and it is consuming our time and resources which may be considered as unquantifiable. And these need our urgent attention.

Thus, the herein proposal to address the traffic crisis situation in the metro. And with the foregoing, adoption of this bill is hereby earnestly requested.



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

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

3
4 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to
5 adopt adequate and effective measures to address the traffic crisis in Metro Manila
6 that has disrupted the country's economic and social life and assumed the nature
7 and magnitude of a public calamity.

8
9 **SEC. 3. Negotiated Contracts.** – Pursuant to the above declared policy and in
10 the public interest and whenever it is advantageous to the Government, the
11 President may enter into negotiated contracts for the construction, repair,
12 rehabilitation, improvement or maintenance of critical infrastructure projects and
13 facilities, subject to the following requirements:

- 14
15 a) In order to form competitive contracts, the list of projects to be
16 undertaken in this Act, together with their description, the budgetary
17 estimates involved and other salient features, shall be published in a

1 newspaper of general circulation thirty (30) days after the effectivity of
2 this Act;

3
4 b) Upon perfection of the contract, the terms and conditions of the same,
5 with the name and qualification of the contractor, shall likewise be
6 published in a newspaper of general circulation two (2) weeks before
7 the signing of the contract;

8
9 c) The contracts shall be awarded only to contractors with:

- 10 1) proven competence and experience in similar projects
11 2) competent key personnel and sufficient and reliable equipment; and
12 3) sound financial capacity

13
14 d) All the awarded projects shall be subject to existing government
15 auditing rules and regulations governing negotiated contracts.
16

17 **SEC. 4. Internal Rate of Return.** - Further pursuant to the above-declared
18 policy, the President is hereby authorized, whenever it is necessary for the national
19 welfare and in the public interest, to set a maximum internal rate of return of not
20 more than twelve per centum (12%) of the house-estimated project cost. **Provided,**
21 that any infrastructure project that has the capacity to yield said internal rate of return
22 under commercial conditions may be undertaken on a Build-Operate-Transfer (BOT)
23 basis or any of its variants as enumerate in Section 2 of Republic Act 7718:
24 **Provided, further,** that the toll fees in the case of projects undertaken as BOT or
25 any of its variants shall be set by the Toll Regulatory Board.
26

27 **SEC. 5. Reorganization of the Metro Manila Development Authority.** -
28 The President is hereby empowered to reorganize the Metro Manila Development
29 Authority (MMDA) to make it more effective, innovative and responsive to the traffic
30 crisis in Metro Manila. For this purpose, the President may abolish or create offices;
31 split, group or merge positions; transfer functions, equipment, properties, records
32 and personnel; institute drastic traffic reduction measures and take such other
33 related actions necessary to carry out the purpose herein declared. Nothing in this

1 Section shall result in the diminution of the present salaries and benefits of the
2 personnel of the MMDA: **Provided**, that any official or employee of the MMDA who
3 may be phased out by reason of the reorganization authorized herein shall be
4 entitled to such benefits as may be determined by the Chairman of the MMDA, with
5 the approval of the President.

6
7 The President may upgrade the compensation of the personnel of the MMDA
8 who are involved in traffic reduction to take effect upon approval by Congress of
9 MMDA's budget for 2017.

10
11 **SEC. 6. Subsidy.** – The Philippine Amusement and Gaming Corporation
12 (PAGCOR) shall set aside ten per centum (10%) of its annual aggregate gross
13 earnings for the next five (5) years as subsidy to MMDA. **Provided**, that such
14 percentage allocation shall be based on gross revenue after deducting the five per
15 centum (5%) franchise tax and the fifty per centum (50%) income share of the
16 National Government.

17
18 **Sec. 7. Duration of Grant of Powers.** – The authority granted to the
19 President under this Act shall subsist, be valid and effective for a period of two (2)
20 years from the effectivity of this Act, unless sooner withdrawn by a Resolution of
21 Congress, without prejudice to rights and benefits that may have been vested, and
22 culpabilities and liability that may have been incurred.

23
24 **SEC. 8. Oversight Committee.** - There is hereby created an Oversight
25 Committee in each House of Congress to be composed of five (5) members each, as
26 may be designated by the Senate President and the Speaker of the House of
27 Representatives, to monitor the implementation of this Act and the exercise of the
28 authority granted thereunder.

29
30 The Oversight Committees shall submit periodic reports, evaluations and
31 recommendations to the Senate and the House of Representatives.

32
33 **SEC. 9. Report to Congress.** – The President shall submit a quarterly report
34 to Congress on the implementation of this Act.

1
2 **SEC. 10. Separability Clause.** – If for any reason any provision of this Act is
3 declared unconstitutional or invalid, other parts or provisions hereof which are not
4 affected thereby shall continue to be in full force and effect.

5
6 **SEC. 11. Repealing Clause.** – All laws, decrees, orders, rules and
7 regulations or portions thereof, inconsistent with this Act, are hereby repealed or
8 modified accordingly.

9
10 **SEC. 12. Effectivity Clause.** – This Act shall take effect fifteen (15) days
11 following its publication in the Official Gazette or in a newspaper of general
12 circulation.

13
14 *Approved,*