

REPUBLIC ACT NO. 6685

AN ACT REQUIRING PRIVATE CONTRACTORS TO WHOM NATIONAL, PROVINCIAL, CITY AND MUNICIPAL PUBLIC WORKS PROJECTS HAVE BEEN AWARDED UNDER CONTRACT TO HIRE AT LEAST FIFTY PERCENT OF THE UNSKILLED AND AT LEAST THIRTY PERCENT OF THE SKILLED LABOR REQUIREMENTS TO BE TAKEN FROM THE AVAILABLE BONA FIDE RESIDENTS IN THE PROVINCE, CITY OR MUNICIPALITY IN WHICH THE PROJECTS ARE TO BE UNDERTAKEN, AND PENALIZING THOSE WHO FAIL TO DO SO.

Section 1. Contractor Requirement. — All private contractors, including subcontractors, to whom awards are made for the undertaking of national and local public works projects funded by either the National Government or any local government unit including foreign-assisted projects must hire at least fifty percent (50%) of the unskilled and thirty percent (30%) of the skilled labor requirements from the unemployed bona fide and actual residents in the province, city and municipality who are ready, willing and able as determined by the governor, city mayor or municipal mayor concerned where the projects are to be undertaken: Provided, That labor used or to be used for the manufacture of prefabricated construction materials and other materials premade outside the place of project implementation and skilled manpower utilized or to be utilized for the preparation of engineering designs and project plans and layouts shall be exempted from the labor requirements herein imposed: Provided, further, That where the number of available resources is less than the required percentages provided herein, said requirements shall be based on the maximum number of locally available labor resources which fact shall be certified by the municipal, city, provincial or district engineer as sufficient compliance with the labor requirements under this Act.

Sec. 2. Public Works Projects Involved. — Public works projects referred to include national, provincial, city, municipal, and barangay projects including but not limited to roads, schools, power and water systems, piers, airports and similar projects.

Sec. 3. Excluded Projects. — Any scientific project of a highly technical nature, all defense and military installations which fall under security requirements, any public works project that may be assigned to and which can be undertaken by the engineering battalions of the Armed Forces of the Philippines shall be excluded: Provided, That where such strategic projects are to be undertaken by private contractors, the same shall require the clearance and permission of the Chief of Staff of the Armed Forces of the Philippines and/or the Secretary of the Department of Science and Technology, and the provisions of Section 1 shall apply.

Sec. 4. Notice of Labor Requirements. — The contractor and/or subcontractor shall post in conspicuous areas to be specified and designated by proper district, provincial, city or municipal authorities, a notice in either Filipino, English or the local dialect, that local residents are needed for the project. Applicants shall bring their voter's identification card or any reliable document of identification or submit a verification from the barangay captain or any other member of the barangay council in the absence of the barangay captain to prove that they are bona fide and actual residents of the locality where the project will be undertaken. Furthermore, applicants shall pass reasonable performance requirements of the contractor.

Sec. 5. Certificate of Compliance. — The contractor and/or subcontractor shall submit to the district, provincial or city engineer, among the requirements for every progress billing, a certificate of compliance with the above requirements duly sworn to, including a list of names of residents hired from the locality where the project was undertaken.

Sec. 6. Penalty. — Failure without good cause by the contractor or subcontractor to comply with the requirements of Sections 1, 4 and 5 of this Act shall be penalized by a fine of Twenty thousand pesos (P20,000) for the first offense; suspension for one (1) year from participating in public works bidding for the second offense; and perpetual disqualification from participating in public works bidding for the third offense. The penalty clause as provided for in this Act shall be included in all contracts to be entered into by and between the national, provincial, city and municipal governments and the contractor upon approval of this Act.

Sec. 7. Rules and Regulations. — The Secretary of the Department of Public Works and Highways (DPWH) shall, after consultation with duly accredited national constructors associations and the Secretary of Labor, issue implementing rules and regulations within sixty (60) days upon approval of this Act.

Sec. 8. Effectivity. — This Act shall take effect upon its complete publication in at least two (2) national newspapers of general circulation.

Approved: December 12, 1988