

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

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4634



Introduced by Honorable Rodante D. Marcoleta

EXPLANATORY NOTE

In a hearing conducted by the Senate Committee on Urban Planning and Housing on July 31, 2018, two subcontractors testified that there were irregularities in the construction of Bagong Pag-asa Housing Project of the National Housing Authority (NHA) in Eastern Samar.

The President of CQB Construction firm claimed they were underpaid for the construction of 72 housing units as they received only 40% of the total agreed amount. The contract, according to the head of the construction firm, is worth P10.4 billion, adding that P145,000 for unit was not enough and that is why the quality of the construction was compromised.

Considering that the housing projects are for those hit by calamities, it is inconceivable how enterprising individuals would think of personal gains to the extent of remissness at the expense of our innocent and dejected countrymen.

Let it now be the policy of the State to criminalize negligence of contractors and subcontractors of government projects to the detriment of the Filipino people.

The immediate passage of this urgent bill is most earnestly sought.


RODANTE D. MARCOLETA

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AN ACT
CRIMINALIZING NEGLIGENCE OF CONTRACTORS AND SUBCONTRACTORS
OF GOVERNMENT PROJECTS WHOSE QUALITY OF WORK IS BELOW
PRESCRIBED STANDARDS

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

SECTION 1. This Act shall be known as the "Criminal Negligence Act."

SEC 2. The State shall promote the integrity of all government projects by ensuring the optimum quality with which they are undertaken. As such, it shall outlaw the negligence of contractors and subcontractors of government projects.

SEC. 3. Any contractor or subcontractor of a government project whose quality of work is below prescribed standards shall be guilty of remissness and upon conviction shall be punished as provided in Section 4 hereof;

SEC. 4. Any person found to be guilty of remissness shall suffer the penalty of imprisonment of not less than six (6) months but not to exceed one (1) year or a fine of not less than Five hundred thousand pesos (Php 500,000) but not more than One million pesos (Php 1,000,000.00) or both find and imprisonment at the discretion of the court.

SEC 5. This Act shall take effect thirty (30) days upon publication in the Official Gazette and in at least two (2) newspapers of general circulation.

Approved,