



Republic of the Philippines
Province of Cavite
CITY OF BACOOR

Office of the Sangguniang Panlungsod



DISTRICT I

HON. CATHERINE SARINO-EVARISTO

City Councilor

HON. MIGUEL N. BAUTISTA

City Councilor

HON. ADRIELITO G. GAWARAN

City Councilor

HON. MANOLO S. GALVEZ JR.

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City Councilor

HON. RANDY C. FRANCISCO

City Councilor-ABC President

HON. PALM ANGEL S. BUNCIO

City Councilor- SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.

Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA

City Vice Mayor/Presiding Officer

Approved:

HON. STRIKE B. REVILLA

City Mayor

CITY ORDINANCE NO. 496-2026
Series of 2026

AN ORDINANCE INSTITUTIONALIZING THE AUTHORITY OF THE CITY GOVERNMENT OF THE CITY OF BACOOR, CAVITE TO UNDERTAKE INFRASTRUCTURE, REPAIR, AND MAINTENANCE PROJECTS BY ADMINISTRATION, PROVIDING A POLICY FRAMEWORK, PRESCRIBING PENAL SANCTIONS, AND FOR OTHER PURPOSES INCIDENTAL THERETO.

Sponsored by:

Hon. Roberto L. Advincula, Hon. Miguel N. Bautista, Hon. Horacio M. Brillantes, Hon. Palm Angel S. Buncio, Hon. Simplicio G. Dominguez, Hon. Catherine Sarino-Evaristo, Hon. Reynaldo M. Fabian, Hon. Randy C. Francisco, Hon. Manolo S. Galvez, Jr., Hon. Adrielito G. Gawaran, Hon. Rogelio M. Nolasco, Hon. Reynaldo D. Palabrica, Hon. Levy M. Tela, and Hon. Ricardo F. Ugalde.

WHEREAS, the 1987 Constitution recognizes the policy of local autonomy and affirms the duty of every local government unit to promote the general welfare and to ensure the efficient, effective, and economical delivery of basic services and development projects;

WHEREAS, Section 16 of the Republic Act (R.A.) No. 7160, otherwise known as the "Local Government Code of 1991," vests in cities the power to exercise such acts and undertake such projects as are essential to efficient and responsive governance, in order to promote the general welfare;

WHEREAS, the City of Bacoor must possess the capability to expeditiously implement infrastructure, repair, and maintenance projects, particularly in times of public exigency, calamity, or urgency, where efficiency and timeliness are paramount;

WHEREAS, Republic Act (R.A.) No. 12009, otherwise known as the "New Government Procurement Act," recognizes, under several of its provisions, the authority of procuring entities — including local government units — to implement infrastructure projects "by administration" as a





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City Mayor



legitimate mode of undertaking public works, distinct from contractual procurement;

WHEREAS, Section 7.7.1 of the Implementing Rules and Regulations (IRR) of R.A. No. 12009 explicitly provides that, in the preparation of Project Procurement Management Plans (PPMPs), the End-User or Implementing Units of the Procuring Entity shall determine "whether the implementation of the programs, activities, and projects (PAPs) will require procurement or be undertaken by administration," thereby recognizing "by administration" as an official mode of project execution within the PPMP and Annual Procurement Plan (APP);

WHEREAS, Section 35.2.2 of the same IRR provides that "in the case of Infrastructure Projects, the Procuring Entity has the option to undertake the projects through Negotiated Procurement, by Administration, or, in high security risk areas, through the Armed Forces of the Philippines (AFP)," thus affirming the discretionary authority of the City Government to opt for "by administration" execution of infrastructure, maintenance, or repair projects where public interest so demands;

WHEREAS, Section 35.3.2 (d) thereof further provides that, "if the negotiation fails and there is no bidder left from the previous bidding, or if the original awardee is a Single Calculated Responsive Bidder (SCRB) or Single Rated Responsive Bidder (SRRB), the Procuring Entity may opt to take over the contract by Administration," thereby granting the City an alternative legal recourse to proceed with the implementation of a project when procurement processes prove unsuccessful or impracticable;

WHEREAS, Section 35.5 (d) of the IRR recognizes that "for the procurement of Infrastructure Projects, the Servicing Agency must have a track record of having completed, or supervised a project, by Administration or by contract, similar to and with a cost of at least fifty percent (50%) of the project at hand," thereby validating the competence of government instrumentalities, including local governments, to lawfully undertake such projects directly;

WHEREAS, Department of Public Works and Highways (DPWH) Circular No. 62, Series of 2018, entitled "**Revised Guidelines for the Implementation of DPWH Projects (by Administration or Contract) by Local Government Units**," authorizes local governments to undertake nationally funded infrastructure projects, whether by administration or by contract, subject to certain conditions;

2 City Ordinance No. 496-2026(By Administration Infrastructure Implementation Ordinance of the City of Bacoor) 16 February 2026



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HON. STRIKE B. REVILLA

City Mayor



WHEREAS, Section 8, paragraph (b), sub-paragraph (1) of Republic Act (R.A.) No. 10160, otherwise known as the "Charter of the City of Bacoor," empowers the City Mayor to exercise those powers expressly granted by law, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for the efficient and effective governance of the City, and those essential to the promotion of the general welfare, in order to ensure efficient, economical, and effective governance;

WHEREAS, the City Mayor proposed to the Sangguniang Panlungsod, pursuant to Section 8 (b)(1)(iv) of R.A. No. 10160, the passage of an ordinance authorizing the City Engineering Office and other departments under his direct supervision to undertake infrastructure, repair, and maintenance projects by administration, as part of his duty to promote the general welfare and to ensure efficient, effective, and economical governance;

WHEREAS, the Sangguniang Panlungsod of Bacoor recognizes that the judicious use of the "by administration" modality, under conditions of clear public necessity and adequate technical capacity, enhances fiscal discipline, reduces administrative delays, and ensures the direct accountability of City Government officials and employees in the execution of public works;

WHEREAS, authorizing the City Government to undertake infrastructure, repair, and maintenance projects directly, using its own personnel and resources without going through competitive bidding - subject, however, to clear guardrails- will not only lower the cost of such projects and lead to their faster completion, but also make City Government officials directly accountable for the said projects;

NOW THEREFORE, be it ordained by the 6th Sangguniang Panlungsod of the City of Bacoor, Cavite that:

SECTION 1. Title. This Ordinance shall be known and referred to as the "**By Administration Infrastructure Implementation Ordinance of the City of Bacoor**".

SECTION 2. Objectives of the Ordinance. This Ordinance aims to:

2.1. Promote the efficient and prompt execution of various infrastructure, maintenance, and repair projects carried out by administration by the City Government;

3 City Ordinance No. 496-2026(By Administration Infrastructure Implementation Ordinance of the City of Bacoor) 16 February 2026



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City Vice Mayor/Presiding Officer

Approved:

HON. STRIKE B. REVILLA
City Mayor



2.2. Authorize the City Engineering Office and other departments under the Office of the City Mayor to undertake projects by administration subject to strict compliance with the conditions provided hereunder and other applicable laws;

2.3. Align local infrastructure programs with the City's development agenda and the public welfare objectives set forth under R.A. No. 10160;

2.4. Capacitate the City Government of Bacoor by training existing personnel and hiring local skilled workforce to ensure the sustainability of projects undertaken by the administration;

2.5. Provide sources of livelihood to skilled residents of the City of Bacoor with relevant construction work experience; and

2.6. Hold city government officials accountable for any violation of law related to the implementation of projects by the administration.

SECTION 3. Suppletory Application of Various Related Laws. Various laws, together with their implementing rules and regulations, relating to the authority of local government units to carry out projects, activities, and programs by administration shall have suppletory application in the implementation of this Ordinance.

SECTION 4. Scope and Coverage. This Ordinance shall apply to all infrastructure, maintenance, and repair projects implemented by the City Government, whether funded by local or national sources, provided that such projects fall within the authorized monetary ceiling and operational capability of the City, as provided by law.

SECTION 5. Definition of Terms. For purposes of this Ordinance:

5.1. "By Administration" shall mean project implementation using City Government personnel, or skilled residents of Bacoor City, together with equipment and resources, without engaging external contractors through competitive bidding.

5.2. "Implementing Department" refers to any department, office, or unit under the City



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Government of Bacoor authorized to carry out projects under this Ordinance.

5.3. "Pakyaw" refers to a method of hiring a community labor group or members of a cooperative composed of residents of the City of Bacoor with relevant experience in various types of construction work, for a specific task within a City Government infrastructure project, wherein the implementing department provides the tools and materials. The group is paid a lump-sum amount for the completed work and is not subject to regular public bidding rules.

5.4. "Project" refers to any infrastructure, repair, or maintenance activity undertaken by the City Government.

5.5. "Negative Slippage" refers to a delay exceeding fifteen percent (15%) of the approved project schedule, attributable to performance deficiencies.

SECTION 6. Authority To Undertake Projects by Administration. The City Engineering Office and other departments or units under the supervision of the City Mayor are hereby authorized to undertake infrastructure, repair, and maintenance projects directly, using City Government personnel and resources in accordance with the provisions of R.A. No. 12009, its Implementing Rules and Regulations, and other applicable laws, rules, and regulations and subject to the following conditions, to wit:

6.1. The overall cost of projects undertaken by administration shall not exceed Five Million Pesos (Php 5,000,000.00). However, infrastructure projects exceeding this amount may likewise be undertaken by administration in the following cases, subject to the guidelines issued by the Government Procurement Policy Board (GPPB):

- a) In response to a public emergency arising from natural calamities, or where immediate action is necessary to prevent imminent loss of life or property;
- b) To comply with commitments of the city government to the National Government or to any of its agencies, as certified by the City Mayor:



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c) Upon failure of the City Government's Bid and Awards Committee (BAC) to award a contract after competitive bidding for a valid cause; and/or

d) Upon termination or rescission of a contract with a contractor by the City Government for any lawful or valid cause.

6.2. The infrastructure, maintenance, or repair project to be undertaken by the administration shall comply with the duly approved Program of Work, Plans, Specifications, Construction Methodology, Project Cost (Budget), and Project Duration as prepared and certified by the City Engineering Office and approved by the City Mayor in accordance with applicable laws, rules, and regulations.

6.3. The cost of projects undertaken shall not exceed the standard unit costs and ceilings prescribed by the National Government, and the materials to be used shall conform to the quality and specifications set by the Department of Public Works and Highways (DPWH), the Government Procurement Policy Board (GPPB), or other applicable national standards.

6.4. Materials, equipment, and other pre-construction services shall be procured in accordance with the pertinent provisions of Republic Act No. 12009 and its IRR. The specifications of materials and equipment shall conform to applicable national standards and shall prioritize quality, efficiency, performance and sustainability parameters consistent with the principle of value for money and not solely their price.

6.5. The head of the implementing department or unit undertaking the project shall ensure compliance with all safety and health requirements at the project site, as mandated by national laws, local ordinances, and applicable government regulations.

6.6. No contractor or City Government official or employee, including barangay and/or Sangguniang Kabataan officials and personnel, shall directly or indirectly participate in any project implementation pursuant to this Ordinance if such participation would result in financial gain, any profit, or any form of consideration. This prohibition shall include, but is not limited to, the provision of workers or laborers for the project.

6.7. The department or unit that will carry out the project by administration must possess the demonstrated



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technical, financial, and operational capability to implement it, in accordance with the pertinent provisions of R.A. No. 12009, its Implementing Rules and Regulations, local ordinances, and other applicable government regulations.

6.8. The head, or acting head of the department or unit that carried out the project, shall be held accountable for any violation of national laws, city ordinances, or applicable government regulations in relation to the said undertaking, and shall be subject to administrative, civil, or criminal liability as may be provided by laws.

6.9. The head or acting head of the implementing department or unit shall not tolerate, and shall immediately take appropriate action to stop, any act or omission committed by his/her subordinates, or by any natural or juridical person, connected with the project, that amounts to a violation of national laws, city ordinances, or applicable government regulations.

6.10. The infrastructure, repair, or maintenance project to be undertaken by administration must comply with the required Market Scoping and Detailed Engineering Design under R.A. No. 12009 and its IRR including, but not limited to, the preparation of the Program of Work, Plans, Specifications, Construction Methodology, Project Cost (Budget) and Project Duration, duly prepared and certified by the Implementing Department and approved by the City Mayor.

6.11. The head or acting head of the implementing department or unit shall submit written reports to the City Mayor on the status of the project and on any proposed revision thereto. **Provided, however,** that no revision affecting the scope, cost, specifications, or duration of the project shall be carried out without the written approval of the City Mayor and in accordance with R.A. No. 12009, its IRR, and other applicable government regulations.

6.12. The City Mayor shall, upon written recommendation of the City Engineer or Acting City Engineer, immediately suspend the implementation of the project if it incurs a negative slippage exceeding fifteen percent (15%) of the original schedule, attributable to the poor performance of the implementing department or unit. **Provided, however,** that prior to reaching the fifteen percent (15%) negative slippage threshold, the City Engineering Office or the implementing department shall undertake appropriate corrective measures and/or catch-up plans upon reaching the five percent (5%) and ten percent (10%)



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City Mayor



negative slippage marks to ensure timely completion of the project.

6.13. All infrastructure projects carried out by virtue of this Ordinance shall comply with the material testing requirements and quality control policies prescribed by the DPWH during project implementation, subject to inspection and audit in accordance with applicable laws and regulations.

6.14. This Ordinance shall likewise cover implementation of projects by "pakyaw" labor contracting schemes, in accordance with R.A. No. 12009, its IRR, and the prevailing guidelines issued by the GPPB. Such schemes shall be limited to labor-only contracting arrangements, subject to compliance with applicable labor laws, procurement rules, and documentation requirements.

SECTION 7. Authority of the City Government to Undertake Nationally Funded Projects By Administration. The City Government may request for authority from the appropriate national agency to undertake projects funded by the National Government by administration, subject to the provisions of R.A. No. 12009, its IRR, and applicable issuances and regulations of the concerned national agency.

SECTION 8. Technical Documentation and Approval. No project shall commence without the prior written approval of the City Mayor, upon certification by the City Engineer or the Implementing Department, of the following:

- 8.1. The duly prepared and signed Program of Work (POW);
- 8.2. The Detailed Engineering Design (DED), inclusive of cost breakdowns, methodologies, and material schedules; and
- 8.3. The Project Cost Estimate (PCE), duly evaluated and certified in accordance with national standards.

Provided, however, that any revision, variation, or supplemental work order shall likewise require prior written approval of the City Mayor, and the corresponding modification of the POW and Project Procurement Management Plan (PPMP), in accordance with R.A. No. 12009, its IRR, and applicable government regulations.



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SECTION 9. Performance Accountability and Liability.

The head of the implementing department or unit shall exercise direct, personal, and continuous supervision over the project and shall be primarily accountable for:

- 9.1. Compliance with all national laws, city ordinances, and applicable technical standards;
- 9.2. The truthfulness, accuracy, integrity, and completeness of all project documentation;
- 9.3. The immediate reporting of any irregularity, deviation, or material discrepancy; and
- 9.4. The observance of ethical conduct and fiscal accountability in all project transactions.

Any failure to comply with the foregoing obligations shall render the official concerned administratively, civilly, and, when warranted, criminally liable, without prejudice to the filing of appropriate charges under applicable laws, rules, and regulations.

SECTION 10. Quality Control, Material Testing, and Workmanship Standards.

All projects undertaken by administration shall conform with the material testing, inspection, and quality assurance requirements prescribed by the Department of Public Works and Highways (DPWH) and other applicable national standards, including, but not limited to, field sampling, laboratory testing, and third-party verification, as may be required by law or regulation.

The City Engineering Office shall maintain complete testing records, inspection reports, and as-built documentation, which shall be submitted or made available for inspection and audit by the Office of the Accounting and Internal Audit Services and the Sangguniang Panlungsod.

SECTION 11. Internal Audit, Transparency, and Citizen Participation.

All projects undertaken by administration shall be subject to pre-audit, concurrent audit, and post-audit by the Commission on Audit (COA), consistent with COA Circulars on Infrastructure Projects by Administration. The Office of the City Accounting and Internal Audit Services shall conduct internal reviews to strengthen compliance, while the Sangguniang Panlungsod shall exercise oversight of its functions through monitoring and requiring reports.

The City Engineering Office shall maintain an online and physical registry of all projects, indicating project cost,



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HON. PALM ANGEL S. BUNCIO
City Councilor- SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Approved:

HON. STRIKE B. REVILLA
City Mayor



status, duration, and responsible personnel, in compliance with the Department of Interior and Local Government's Full Disclosure Policy (FDP) that is accessible to the general public. Any member of the public may submit reports, comments, or grievances regarding the implementation of this Ordinance or of any project undertaken pursuant thereto, which shall be acted upon and documented by the City Mayor's Office within fifteen (15) calendar days.

SECTION 12. Oversight and Periodic Reporting. The Committee on Public Works and Highways of the Sangguniang Panlungsod shall exercise legislative oversight over the implementation of this Ordinance and shall require the City Mayor to submit quarterly accomplishment and financial utilization reports covering all projects undertaken by the administration.

Such reports shall include details on project completion rates, fund disbursements, and audit findings, and shall form part of the City's Annual Accomplishment Report.

SECTION 13. PENALTIES. Any person who violates the provisions of this Ordinance shall, upon conviction by a court of law, be punished by a fine not exceeding Five Thousand Pesos (P5,000.00), or imprisonment for a period not exceeding one (1) year, or both, at the discretion of the court. This is without prejudice to the penalties imposable under R.A. No. 3019, the Revised Penal Code, and other applicable laws. Moreover, if the offender is a City Government, Barangay, or Sangguniang Kabataan official of the City of Bacoor, he/she shall also be held administratively liable pursuant to relevant civil service rules and regulations.

SECTION 14. Implementing Rules and Regulations. Within sixty (60) calendar days from the approval of this Ordinance, the City Mayor, in coordination with the Office of the City Legal Services, the City Engineering Office, the City Budget Office, and the Office of the Accounting and Internal Audit Services, shall promulgate the Implementing Rules and Regulations (IRR) necessary to operationalize the provisions hereof, consistent with R.A. 12009, its IRR, and applicable issuances such as the DPWH Circular No. 62, Series of 2018.

SECTION 15. Transitory Provision. All ongoing or previously approved projects initiated prior to the effectivity of this Ordinance may continue to be implemented by administration, subject to compliance with the documentary, technical, and audit requirements prescribed herein and in accordance with applicable laws, rules, and regulations. This shall be without prejudice to the post-validation of their



Republic of the Philippines
Province of Cavite
CITY OF BACOOR

Office of the Sangguniang Panlungsod



DISTRICT I

HON. CATHERINE BARINO-EVARISTO

City Councilor

HON. MIGUEL N. BAUTISTA

City Councilor

HON. ADRIELITO C. GAWARAN

City Councilor

HON. MANOLO S. GALVEZ JR.

City Councilor

HON. RICARDO F. UGALDE

City Councilor

HON. LEVY M. TELA

City Councilor

DISTRICT II

HON. ROBERTO I. ADVINCULA

City Councilor

HON. REYNALDO D. PALABRICA

City Councilor

HON. ROGELIO M. NOLASCO

City Councilor

HON. REYNALDO M. TABIAN

City Councilor

HON. SIMPLICIO G. DOMINGUEZ

City Councilor

HON. HORACIO M. BRILLIANTES JR.

City Councilor

HON. RAMON C. FRANCISCO

City Councilor-ABC President

HON. PALM ANGEL S. BUNCIO

City Councilor- SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.

Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA

City Vice Mayor/Presiding Officer

Approved:

HON. STRIKE B. REVILLA

City Mayor



legality, propriety, and cost reasonableness by the Commission on Audit (COA), and to the legislative oversight of the Sangguniang Panlungsod.

SECTION 16. Separability Clause. If, for any reason, any provision or part of this Ordinance is declared invalid or unconstitutional, other provisions that are not affected thereby shall remain in full force and effect.

SECTION 17. Repealing Clause. All ordinances, rules, and regulations or parts thereof in conflict with this Ordinance are hereby repealed and/or modified accordingly, provided that rights that are already vested upon the effectivity of this Ordinance shall not be impaired.

SECTION 18. Effectivity Clause. This Ordinance shall take effect immediately upon its publication in a newspaper of general circulation within the Province of Cavite and the posting of copies thereof in at least three (3) conspicuous public places within the City of Bacoor, Cavite.

ENACTED on the 16th day of February 2025 by the Sangguniang Panlungsod of the City of Bacoor, Cavite at the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance is true and correct and that it was passed in accordance with law.

Certified:

HON. ROWENA BAUTISTA-MENDIOLA

City Vice Mayor/ Presiding Officer

Attested:

ATTY. KHALID A. ATEGA JR.

Sangguniang Panlungsod Secretary

Approved:

HON. STRIKE B. REVILLA

City Mayor

Date of Approval: 26 FEB 2026

