



“... PARA SA PATULOY NA PAGBABAGO”

e-mail Address: TimCaytonDDN@gmail.com

Facebook Page: @LGUDupaxDelNorteNV

OFFICE OF THE MUNICIPAL MAYOR

EXECUTIVE ORDER NO. 07
Series of 2021

AN EXECUTIVE ORDER REQUIRING AND MANADATING FAITHFULL COMPLIANCE OF REPUBLIC ACT 6685 OTHERWISE KNOWN AS “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” PARTICULARLY LOCAL GOVERNMENT UNIT OF DUPAX DEL NORTE INFRASTRUCTURE PROJECTS

WHEREAS, every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, Section 444(a)(b)(1) of Republic Act 7160 also known as the Local Government Code of the Philippines states that (a)The municipal mayor, as the chief executive of the municipal government, shall exercise such powers and perform such duties and functions as provided by the said Code and other laws (b)For efficient, effective and economical governance the purpose of which is the general welfare of the municipality and its inhabitants pursuant to section 16 of the said Code, the municipal mayor shall: (1) Exercise general supervision and control over all programs, projects, services, and activities of the municipal government.

NOW THEREFORE, I, TIMOTHY JOSEPH E. CAYTON, by virtue of the powers vested upon me as the Local Chief Executive of the Municipality of Dupax del Norte, do hereby order the following:

Section 1. Contractor Requirement. — All private contractors, including subcontractors, to whom awards are made for the undertaking of local public works projects funded by either the National Government or the 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 municipality who are ready, willing and able as determined by the 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 engineer as sufficient compliance with the labor requirements under the said Act.

Section 2. Public Works Projects Involved. — Public works projects referred to include municipal and barangay projects including but not limited to roads, schools, power and water systems, and similar projects.

Section 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.

Section 4. Notice of Labor Requirements. — The contractor and/or subcontractor shall post in conspicuous areas to be specified and designated by proper 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.

Section 5. Certificate of Compliance. — The contractor and/or subcontractor shall submit to the municipal 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.

Section 6. Penalty. — Failure without good cause by the contractor or subcontractor to comply with the requirements of Sections 1, 4 and 5 of this Executive Order 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 Executive Order shall be included in all contracts to be entered into by and between the municipal government and the contractor upon approval of this Executive Order.

Section 7. Effectivity. — This Executive Order shall take effect immediately.

Issued this 8th day of March 2021 in Dupax del Norte, Nueva Vizcaya.


ATTY. TIMOTHY JOSEPH E. CAYTON
Municipal Mayor