


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL 24 P3:13

SENATE
S. B. No. 1330

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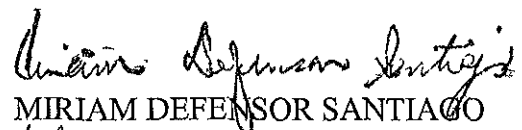
Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article XII, Section 12, provides "The State shall promote the preferential use of Filipino labor, domestic materials, and locally produced goods, and adopt measures that help make them competitive."

For Government must promise and encourage the use of Philippine made products, materials and supplies in every contract for the construction, alteration, or repair of any public building or public work.

This bill seeks to achieve such goal by blacklisting contractors, subcontractors, and materialmen and suppliers who fail to comply with such requirement.*



MIRIAM DEFENSOR SANTIAGO
fldr

* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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1 AN ACT
2 REQUIRING THE USE OF PHILIPPINE MADE MATERIALS IN CONTRACTS FOR
3 PUBLIC WORKS AND PROVIDING FOR THE BLACKLISTING OF CONTRACTORS
4 VIOLATING SUCH REQUIREMENT

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

7 SECTION 1. *Short Title.* – This Act shall be known as “The Preference for Philippine
8 Materials in Public Contracts Act.”

9 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote the use of
10 Philippine made products by requiring the use of Philippine made materials in contracts for the
11 construction, alteration, or repair of any public building or public work.

12 SECTION 3. *Definition of Terms.* – For the purpose of this Act, the terms “contractor”
13 and “subcontractor” include any person performing architectural, engineering and other services
14 directly related to the preparation for or performance of the construction, alteration, or repair or
15 any public building or public work in the Republic of the Philippines.

16 SECTION 4. *Requirements for the Use of Philippine Materials.* – Every contract for the
17 construction, alteration, or repair of any public building or public work in the Republic of the
18 Philippines growing out of an appropriation heretofore made or thereafter be made shall contain
19 a provision that in the performance of the work the contractor, subcontractors, materialmen or
20 suppliers, shall use only such unmanufactured articles, materials and supplies as have been or
21 produced in the Republic of the Philippines, substantially all from articles, materials, or supplies
22 mined, produced, or manufactured, as the case may be, in the Republic of the Philippines.
23 *Provided however,* that if the head of the Government agency making the contract shall find that

1 in respect to some particular articles, materials, or supplies it is impracticable to make such
2 requirement of that it would unreasonably increase the cost, an exception shall be noted in the
3 specification as to that particular article, material, or supply, and a public record made of the
4 findings which justified the exception.

5 SECTION 5. *Blacklisting.* – If the head of the government agency which has made any
6 contract containing the provision required by Section 4 of this Act finds that in the performance
7 of such contract there has been a failure to comply with such provisions, he shall make public his
8 findings, including therein the name of the contractor obligated under such contract, for the
9 construction, alteration, or repair of any public building or public work in the Republic of the
10 Philippines or elsewhere shall be awarded to such associated or affiliated, within a period of
11 three (3) years after such finding is made public.

12 SECTION 6. *Separability Clause.* – If any provision or part hereof, is held invalid or
13 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
14 valid and subsisting.

15 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
16 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
17 with, the provision of this Act is hereby repealed, modified, or amended accordingly.

18 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
19 publication in at least two (2) newspapers of general circulation.

20 Approved,