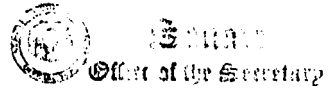


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

'18 JUL 26 P12:04

S. No. 1890

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
REGULATING THE REGISTRATION, LICENSURE, AND PRACTICE OF
QUANTITY SURVEYING, PROVIDING FUNDS THEREFOR AND FOR OTHER
RELATED PURPOSES

EXPLANATORY NOTE

The discipline of Quantity Surveying has an established presence in the construction industry, particularly that in the United Kingdom, in Australia, and in the other commonwealth countries. Those practicing the discipline are called 'Quantity Surveyors' who, in other parts of the world, are invariably known by other names such as 'cost estimators', 'measurers', or 'brick counters'.

However, in the United Kingdom and in other developed countries, the discipline of Quantity Surveying has evolved such that quantity surveyors are considered to be those professionals who are particularly concerned with construction costs and contracts. The discipline has a distinct place in their academia, and the emphasis on the commercial side would distinguish it from the more technology-heavy engineering course. Quantity surveying services are sought after throughout the life cycle of building projects, from inception to completion; and from maintenance up to the disposal of built assets. Quantity surveyors play a vital role in the establishment of budgets and cost estimate, the management of the tendering and procurement process, the valuation of changes to the works, the management and control of costs, the administration of contracts, and the implementation of commercial procedures within projects.

A Quantity Surveyor takes care of their client's finances through the establishment of measurement methods, the standardization of contracts, the study on the costs of construction works, the establishment of cost benchmarks, the consultation with colleagues in other disciplines, and the coordination with private and government bodies, all this to encourage transparency on the cost of construction projects, thus earning the confidence of clients and the general public through ethical and professional practices.

There is an increasing trend in Filipinos gaining employment overseas for various roles within Quantity Surveying, and this is particularly true with many of our engineering graduates. While they certainly prove to be capable, their full potential are not harnessed due to the inadequate founding in the discipline of Quantity Surveying. This felt inadequacy creates a reasonable doubt in the mind of well-intentioned employers, and often becomes a hindrance for our nationals to obtain their desired employment. The alternative is worse, such that they are channelled towards less-desirable employment where the compensation and management conditions are not in their favor.

The clear solution to this is to establish the discipline of Quantity Surveying in the country by professionalizing the practices associated with it. By doing so, we send a clear message to the world:

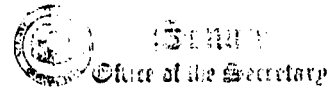
- (1) That we acknowledge the distinct character of the discipline of Quantity Surveying;
- (2) That we are committed in providing national representation to Filipinos in roles related to the discipline;
- (3) That we are keen on their development as professionals to be at par with international standards in the discipline;
- (4) That we are committed to protecting their welfare against mediocre practices and even against fraudsters;
- (5) That we are committed towards promoting transparency in construction projects by adhering to sound practices on the recording of costs and administration of contracts;
- (6) That we are committed in supporting our colleagues in the construction industry and in other fields who are themselves developing their own disciplines;

This Bill seeks to establish a Board under the Professional Regulation Commission (PRC) professionalizing the practice of Quantity Surveying. Also, this Bill shall institute mechanisms to guarantee the implementation of the highest professional standard of service promoting ethical standards in the quantity surveying profession.

In view of the foregoing, the immediate approval of this measure is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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SENATE

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AN ACT
REGULATING THE REGISTRATION, LICENSURE, AND PRACTICE OF
QUANTITY SURVEYING, PROVIDING FUNDS THEREFOR AND FOR OTHER
RELATED PURPOSES

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

ARTICLE I
TITLE AND DEFINITION OF TERMS

SEC. 1. *Short Title of Act.* - This Act shall be known as "*The Philippine Quantity
Surveying Law of 2018*".

SEC. 2. *Statement of Policy.* - The State recognizes the importance of Filipinos
engaged in the construction industry, particularly in the management of costs and contracts
which, in the other parts of the world, is known as the discipline of Quantity Surveying.
Hence, the State shall develop and nurture competent, ethical, virtuous, productive, and well-
rounded professionals in said discipline; with the levels of training and assessments to be at
par with international standards, so they are able to deliver excellent service and be able to
participate globally.

SEC. 3. *Objectives.* - This Act shall govern the following:

- (a) The supervision and regulation of the practice of Quantity Surveying in the
Philippines;
- (b) The representation for Filipinos who identify themselves as Quantity Surveyors;
- (c) The assessment of professional competence through examinations and interviews
for the title of Certified Quantity Surveyor;
- (d) The standardization and regulation of education in Quantity Surveying in the
Philippines; and
- (e) The integration of all professional Filipino quantity surveying groups and
individuals through standardized education, examination, interview assessments,
and admission to the Philippine Institute of Certified Quantity Surveyors (PICQS).

SEC. 4. *Definition of Terms.* - As used in this Act, the following terms shall mean:

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- (a) *Quantity Surveying* is the disciplined study over the cost of materials and labor required for construction work, the control of costs for construction works in progress, the management of costs in construction work changes, the administration of contracts governing construction projects, the benchmarking of the costs of construction projects, and the preparation of life cycle cost plans.
 - (b) *Quantity Surveyor (QS)* is a professional who specializes in the quantities and costs of construction works, this being commonly demonstrated through the preparation of cost estimates and bills of quantities. A Quantity Surveyor can also be involved in the management of commercial activities, the control of project risks, and the management of construction contracts, all with the aim of helping clients obtain the best value for their money. A Quantity Surveyor can be engaged by a contractor, a subcontractor, a consultant, a developer, or by any party involved in, or affected by, activities within the construction industry.
 - (c) *Philippine Institute of Certified Quantity Surveyors (PICQS)* refers to the as the national association of Quantity Surveyors in the Philippines, shall be recognized and accredited as the one and only integrated national organization of Quantity Surveyors, subject to the approval of the Professional Regulation Commission (PRC).
 - (d) *Commission* refers to the Philippine Regulation Commission (PRC).
 - (e) *Board* refers to the Board of Quantity Surveyors under the PRC.
 - (f) *APC Panel* is a panel composed of the National Board President of the PICQS, the Chairperson of the Board of Quantity Surveyors, one representative of the QS education, and two corporate members of the PICQS.
 - (g) *Certified Quantity Surveyor* refers to a person who is a holder of a Certificate of Registration and a valid professional license issued by the Board of Quantity Surveying and the Professional Regulation Commission, and who is legally qualified to practice Quantity Surveying in the Philippines pursuant to this Act.
 - (h) *Assessment of Professional Competence (APC) Interview* refers to a one (1) hour professional interview between the candidate and select members of the PICQS to evaluate the aptitude of a candidate against the standard competencies in the practice of Quantity Surveying.
 - (i) *Registration without examination* refers to a facility that, at the discretion of the Board of Quantity Surveyors, accords recognition to foreign and Filipino nationals who, as members of professional quantity surveying organizations in their respective countries of origin, are practicing in the Philippines.
 - (j) *PICQS APC Training Program* refers to an International Cost Engineering Council (ICEC) accredited Structured Training Program for the Assessment of Professional Competence (APC). The Program is comprised of four (4) levels of trainings delivered by the PICQS.

- 1
2 (b) Supervise and regulate the registration, licensure and practice of Quantity
3 Surveyors in the Philippines;
4
5 (c) Administer oaths in connection with the administration of this Act;
6
7 (d) Adopt an official seal of the Board;
8
9 (e) Maintain a roster of Quantity Surveyors indicating therein the basic information
10 about the registered professionals;
11
12 (f) Issue, reinstate, suspend, cancel or revoke the professional license, or special
13 permits for the practice of Quantity Surveying;
14
15 (g) Study and monitor conditions affecting the practice of Quantity Surveying and
16 adopt such measures as may be deemed necessary for the enhancement of the
17 profession and maintenance of high professional and ethical standards;
18
19 (h) Ensure, in collaboration with the Technical Education and Skills Development
20 Authority (TESDA) and Commission on Higher Education (CHED) or its
21 equivalent, that all educational institutions offering Quantity Surveying education
22 shall comply with the prescribed policies, standards, and guidelines;
23
24 (i) Prescribe the Code of Ethics and Standards of Practice for Quantity Surveyors
25 endorsed by the PICQS;
26
27 (j) Hear or investigate any violations of this Act, its implementing rules and
28 regulations and the Code of Ethics, and for this purpose, issue *Subpoena duces*
29 *tecum* and/or *ad testificandum* to secure the appearance of the witnesses and the
30 production of documents in connection therewith; Provided that the decision of
31 the Board shall, unless appealed to the Commission, become final and executory
32 after thirty (30) days from receipt of judgment or decision;
33
34 (k) Prescribe guidelines and criteria for the continuing development of Filipinos in the
35 practice of Quantity Surveying;
36
37 (l) Prescribe the subjects in the licensure examinations and the interview
38 assessments, determine the syllabi of the subjects and their relative weights and
39 scores in the rating of examination papers, and submit the results to the
40 Commission within the period provided for in the rules of the Commission;
41
42 (m) Administer the examinations and the interview assessments of professional
43 competence to applicants for the practice of Quantity Surveying in accordance
44 with the provisions of this Act;
45
46 (n) Grant registration without examination subject to approval by the Board and
47 concurrence of the Commission;
48
49 (o) Issue special permits to persons admitted to the practice of Quantity Surveying for
50 a specific duration of time, and certificates of recognition for advanced studies,

1 researches and accomplishments that contribute to the enrichment of the
2 Profession; and

- 3
4 (p) Perform such other powers and functions as deemed necessary to carry out the
5 objectives of this Act.
6

7 The policies, resolutions, rules and regulations, orders or decisions issued or
8 promulgated by the Board shall be subject to review and approval of the Commission.
9

10 **SEC. 8. *Qualifications of Board Members.*** - The members of the Board shall, at the
11 time of their appointment, possess the following qualifications:

- 12
13 (a) A citizen and resident of the Philippines for the last (5) years;
14
15 (b) A duly registered Certified Quantity Surveyor under this Act;
16
17 (c) A person who has rendered Quantity Surveying services for at least ten (10)
18 continuous years;
19
20 (d) A member of good standing of the PICQS, and not an Incorporator or someone
21 directly involved in the training program of the PICQS thereof; Should an
22 Incorporator or someone involved in the Training program of the PICQS, he/she must
23 immediately resign from being an Incorporator or a Trainer of the PICQS training
24 program;
25
26 (e) A person who is not a current Incorporator or faculty Member of any Quantity
27 Surveying School. Should an Incorporator or a faculty Member of a School is
28 appointed to the Board, he/she must immediately resign from being an Incorporator or
29 a Faculty Member of a school;
30
31 (f) A person who has no prior conviction by any competent court, of an offense involving
32 moral turpitude; and
33
34 (g) A person who has no pecuniary interest, directly or indirectly, in any school, college
35 or university or institution conferring an academic degree necessary for admission to
36 the practice of Quantity Surveying; or where review classes in preparation for
37 licensure examination are offered or conducted; nor be a member of faculty or
38 administration thereof. Should a person, directly or indirectly is connected to any
39 school or academic institution or conducting review for the licensure exam is
40 appointed to the Board, he/she must immediately inhibit himself/herself from any of
41 these activities, whether the involvement is indirect or direct.
42

43 **SEC. 9. *Term of Office.*** - The members of the Board shall hold office for a term of
44 three (3) years or until their successors have been appointed and duly qualified; *Provided*
45 *that*, members of the first Board to be appointed after the approval of this Act shall hold
46 office for the following terms: the chairperson for three years, one member for two years, and
47 the other member for one year; *Provided further* that, a chairperson or member may be re-
48 appointed for a second term, but may not serve more than two consecutive three-year terms
49 or six consecutive years. Interim vacancies shall be filled for the unexpired term only.
50

1 (c) Must hold a Masters Degree in Quantity Surveying, Bachelor of Science in
2 Quantity Surveying, Engineering Degree or degree of an allied discipline,
3 Engineering Technology course, Higher National Diploma in Quantity
4 Surveying, Higher National Certificate in Quantity Surveying or completion
5 of the PICQS APC Training Program, as determined by the Board from
6 a school, college or university in the Philippines or abroad whose Quantity
7 Surveying program is recognized by the Commission on Higher Education and
8 TESDA and affiliated organizations of the PICQS.

9
10 (d) Must have at least 3 years of relevant QS experience
11

12 **SEC. 16. *Scope of Examination and APC Interview.*** - The licensure examination
13 and APC Interview for Quantity Surveyors shall cover 13 quantity surveying competencies
14 integrated into the following domains:
15

16 (a) Mandatory Competencies (5%)
17

- 18 1. Sustainability
- 19 2. Health and Safety
- 20 3. Conflict Avoidance and Alternative Dispute Resolution
- 21 4. Client Care
22

23 (b) Rules of Conduct and Ethical Practice (15%)
24

25 (c) Core Competencies (40%)
26

- 27 1. Design Economics and Cost Planning
- 28 2. Quantification and Costing of Works
- 29 3. Tendering and Procurement
- 30 4. Project Financial Reporting
- 31 5. Contract Practice
- 32 6. Construction Technology
- 33 7. Contract Administration
- 34 8. Commercial Management
35

36 (d) An Assessment of Professional Competence (APC) Interview (40%)
37

38 The Board, subject to approval by the Commission, may revise or exclude any of the
39 subjects or add new ones as the need arises, and may adjust or modify the percentage weight
40 of the subjects in order to keep the examination abreast and in conformity with the latest
41 developments in the profession here and abroad.
42

43 **SEC. 17. *Ratings in the Examination and APC Interview.*** - To be qualified as
44 having passed the licensure examination and APC Interview for Quantity Surveyors, a
45 candidate must have obtained a general average of seventy percent {70%}, with no grade
46 lower than fifty percent (50%) in any given domain.
47

48 Should the examinee fails five (5) times whether consecutive or cumulative in the
49 Quantity Surveying licensure examination and APC interview, the examinee must present

1 a certification issued by a reputable institution duly recognized by the PICQS that such
2 examinee have satisfactorily completed a refresher course in quantity surveying.
3

4 **SEC. 18. *Report of Ratings.*** - The Board shall submit to the Commission the ratings
5 obtained by each candidate within twenty one (21) calendar days after the examination and
6 interview, unless extended for just cause.
7

8 **SEC. 19. *Issuance of the Certificate of Registration, Professional License -***
9 A Certificate of Registration and a professional license shall be issued to examinees who pass
10 the licensure examination and APC Interview for Quantity Surveyors subject to payment of
11 fees prescribed by the Commission. The registration and professional license shall bear the
12 signature of the chairperson of the Commission and the members of the Board, stamped with
13 the official seal, indicating that the person named therein is entitled to practice the profession
14 with all the privileges appurtenant thereto. The registration and license shall remain in full
15 force and effect until revoked or suspended in accordance with this Act.
16

17 **SEC. 20. *Initial.***- The initials MPICQS, which stands for Member of the Philippine
18 Institute of Certified Quantity Surveyors (PICQS), shall be used following the name of the
19 Certified Quantity Surveyor, especially when signing documents pertinent to the practice of
20 the profession.
21

22 **SEC. 21. *Refusal to Register.*** - The Board shall refuse to register any successful
23 examinee who has been convicted by a court of competent jurisdiction of any criminal
24 offence involving moral turpitude, or has been found guilty of immoral or dishonorable
25 conduct after investigation by the Board, or has been declared to be of unsound mind. The
26 reason for the refusal shall be set forth in writing.
27

28 **SEC. 22. *Reinstatement, Re-issuance or Replacement of Certificate of Registration***
29 ***and Professional License.*** - Two years after the date of revocation, the Board may, upon
30 application and for reasons deemed proper and sufficient, reinstate any revoked certificate of
31 registration or professional license, and in so doing, may, in its discretion, exempt the
32 applicant from taking another examination and APC interview. A new certificate of
33 registration, professional license, or special permit, to replace lost, destroyed, or mutilated
34 ones, may be issued subject to the rules as implemented by the Board.
35

36 **SEC. 23. *Oath.*** - Successful examinees qualified for registration, and qualified
37 applicants for registration without examination, shall be required to take an oath of profession
38 before any member of the Board or any government official authorized by the Commission to
39 administer oaths, prior to entering into the practice of Quantity Surveying in the Philippines.
40

41 **SEC. 24. *Indication of Licensure and Privilege Tax Receipt*** - The Quantity Surveyor
42 shall be required to indicate his/her registration/professional license number and date of
43 issuance thereof, the duration of validity of said license, including his or her privilege tax
44 receipt number, on the documents he/she signs, uses or issues in connection with the practice
45 of his/her profession.
46

47 **SEC. 25. *Revocation or Suspension of the Certificate of Registration and***
48 ***Cancellation of Special Permit*** - The Board may, after giving proper notice of hearing to the
49 party concerned, revoke the practitioner's certificate of registration and professional license,
50 or be suspended from the practice of the profession; or cancel the special permit for any of

1 the causes or grounds mentioned in Section 26 of this Act or for any unprofessional or
2 unethical conduct, malpractice, violation of any of the permissions of this Act, its rules and
3 regulations, the Code of Ethics, and Standards of Practice for Quantity Surveyors.
4

5 **SEC. 26. Roster of registered Certified Quantity Surveyors.** - The Board shall
6 prepare, update and maintain a roster of Certified Quantity Surveyors which shall contain the
7 name of each registered Quantity Surveyor, *his* residence and office addresses, the date of
8 registration and issuance of certificates, and other data which the Board may deem pertinent.
9 The roster shall be open to the public, copies of which shall be mailed to each person listed
10 therein.
11

12 **SEC. 27. Issuance of Special and Temporary Permit.** - Special or temporary permits
13 upon recommendation of the national association of Quantity Surveyors may be issued by the
14 Board, subject to the approval by the Commission and payment of the fees the latter has
15 prescribed and charges, to the following persons;
16

- 17 (a) Foreign-licensed Quantity Surveyors called for consultation or a specified purpose
18 that is deemed essential to national development; provided that, the practice shall
19 be limited only for the particular work being engaged; *Provided further*, that there
20 is no Filipino Certified Quantity Surveyor qualified for such consultation or
21 purpose.
22
- 23 (b) Foreign-licensed Quantity Surveyors whose service shall be free and who are
24 highly needed under particular settings;
25
- 26 (c) Foreign-licensed Quantity Surveyors engaged as professors, lecturers, or critics in
27 fields essential to Quantity Surveying education in the Philippines, whose
28 engagement is limited to teaching only; and
29
- 30 (d) Foreign-licensed Quantity Surveyors recognized as an expert or specialist whose
31 service is deemed essential to the advancement of the profession in the
32 Philippines.
33

34 The permit shall among other things, include these limitations and conditions: valid
35 only for period of not more than one year subject to renewal; the branch or specialty of
36 quantity surveying which the permit holder can practice, and; the specific place or places of
37 practice such as construction projects (government and private), school/college/university
38 offering the course of quantity surveying. The Board, subject to the approval by the
39 Commission, shall prescribe rules and regulations for the implementation of this particular
40 section.
41

42 **ARTICLE IV**
43 **PRACTICE OF QUANTITY SURVEYING**
44

45 **SEC. 28. Prohibition on the use of the Certified Quantity Surveyor Title.** - No
46 person shall offer to be a Certified Quantity Surveyor, or use or claim the title, word, letter,
47 figure, or any sign tending to convey the impression of being a Certified Quantity Surveyor,
48 nor advertise or indicate in any manner whatsoever to be qualified to perform the work of a
49 Quantity Surveyor without passing the licensure examination and interview assessments
50 given by the Board, except as otherwise provided in this Act.

1
2 **SEC. 29. *Prohibited Acts.*** – The following shall be considered prohibited acts:
3

- 4 (a) Represent himself/herself as Certified Quantity Surveyor without a valid professional
5 license, or a valid temporary special permit granted by the Board pursuant to this Act.
6
7 (b) Represent to be a Certified Quantity Surveyor during the time that his or her
8 professional license is not valid or that his/her certificate of registration has been
9 suspended or revoked, or that his/her temporary or special permit has been cancelled;
10
11 (c) Allow anybody to use his/her certificate of registration and/or professional license
12 and/or temporary/special permit as a Certified Quantity Surveyor to enable such
13 unqualified individual to engage in the practice of Quantity Surveying;
14
15 (d) Use as his/her own certificate of registration, professional license, or temporary
16 special permit of another person.
17
18 (e) Violate any provision of the Code of Ethics as recommended by the national
19 association of Quantity Surveyors in the Philippines.
20

21 **SEC. 30. *Code of Ethics and Standards of Practice for Quantity Surveyors.*** – The
22 Board shall adopt and promulgate the Code of Ethics and Standards of Practice for Quantity
23 Surveyors prescribed and issued by the PICQS.
24

25 **SEC. 31. *Continuing Professional Development (CPD) Program.*** - All Certified
26 Quantity Surveyors shall abide with the requirements, rules and regulation on continuing
27 professional development to be promulgated by the Board on Quantity Surveying, subject to
28 the approval of the Commission, in coordination with the PICQS and/or the recognized
29 representative of duly accredited education institutions. For this purpose, the Board may
30 create a CPD council to implement the CPD program, subject to such guidelines as may be
31 prescribed by the Commission.
32

33 **SEC. 32. *Integration of Certified Quantity Surveyors.*** - The Board of Quantity
34 Surveyors shall integrate all Filipino Certified Quantity Surveyors into the PICQS, the
35 national association of Quantity Surveyors in the Philippines, which shall be duly registered
36 with the Securities and Exchange Commission (SEC). The Board, subject to approval by the
37 Commission, shall accredit said organization so that all individuals whose names appear in
38 the current Registry Book of Quantity Surveyors shall become members thereof and shall
39 receive all the benefits and privileges upon payment of the required membership fees and
40 dues.
41

42 Membership to said organization shall not be a bar on membership to international
43 organizations of Quantity Surveyors.
44

45 **SEC. 33. *Foreigners Practicing Quantity Surveying in the Philippines.*** – Foreigners
46 can set up a limited company to carry out Quantity Surveying services in the Philippines in
47 the private sector. However, for government projects or government funded projects, the
48 Quantity Surveying firms interested to submit tenders would need to comply with the certain
49 number of Filipino Certified Quantity Surveyors established by the Board in order to be
50 allowed to tender.

