



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
MANILA

077-13 L.
2-28-90

DEPARTMENT ORDER)
NO. **51**)
Series of 1990)

SUBJECT: GUIDELINES FOR THE
IMPLEMENTATION OF
THE PROVISIONS OF
REPUBLIC ACT NO. 6685

Pursuant to Section 7 of R.A. 6685, the following
Implementing Rules and Regulations are hereby issued:

1. The mandatory minimum percentage of 50% of the unskilled labor requirement shall be recruited as follows:
 - 1.1 First priority shall be recruitment from the unemployed bona fide residents of the locality/(barangay) where the project is being undertaken who are ready, willing and able as determined/certified by the City Mayor or Municipal Mayor concerned;
 - 1.2 If the unskilled labor requirement is not fully met by the recruitment pursuant to item 1.1 above, the deficiency shall be recruited from the unemployed bona fide residents of neighboring barangays of the city/municipality where the project is being undertaken who are ready, willing and able as determined/certified by the City Mayor or Municipal Mayor concerned;
 - 1.3 If still the unskilled labor requirement is not fully satisfied after the recruitment pursuant to items 1.1 and 1.2 above, then the deficiency shall be recruited from the unemployed bona fide residents of the province where the project is being undertaken who are ready, willing and able as determined/certified by the Governor.
2. The mandatory minimum 30% of the skilled labor requirement shall be recruited as follows:
 - 2.1 First priority shall be recruitment from the unemployed bona fide residents of the locality (barangay) where the project is being undertaken who are ready, willing and able as determined by the City Mayor or Municipal Mayor concerned;
 - 2.2 If the skilled labor requirement is not fully met by the recruitment pursuant to item 2.1 above, the deficiency shall be

recruited from the unemployed bona fide residents of neighboring barangays of the city/municipality where the project is being undertaken who are ready, willing and able as determined/certified by the City Mayor or Municipal Mayor concerned;

- 2.3 If still the skilled labor requirement is not fully satisfied after the recruitment pursuant to item 2.1 and 2.2 above then the deficiency shall be recruited from the unemployed bona fide residents of the province where the project is being undertaken who are ready, willing and able as determined/certified by the Governor.
3. In the case of a project traversing two or more barangays/municipalities/cities/provinces, the labor requirement shall be recruited proportionately from the localities traversed by the project.
4. The Implementing Office (DPWH Regional Office/ District or City Engineer's Office) shall, upon publication of the Invitation for Prequalification to Bid, advise the concerned City/Municipal Mayor or Governor, as the case may be, of the project to be bid and the labor requirements thereof and shall likewise advise them to submit a list of able, qualified and willing laborers (unskilled and skilled) in their respective localities, from which listing, the contractor shall select for employment the labor requirements of the project.

This list of laborers shall be submitted and made available to the contractor upon award of the contract and before the Notice to Proceed is issued. In case of non-submission of this list within the period abovestated, the contractor has the option to employ the labor requirements, but preferably laborers from the barangay or locality where the project is located.

Finally, this process of labor recruitment shall be coordinated with the DOLE Regional Office/Community Employment Center.

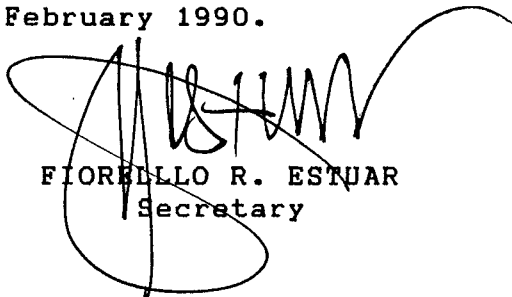
5. The above-mentioned Implementing Office shall see to it that the Instructions to Bidders and Tender Documents include a provision for strict compliance with R.A. 6685 and that the penalty clause provision thereof is included in the Conditions of the Contract to be entered into.

6. In the pre-bid conference, the Prequalification Bids and Awards Committee shall discuss and disseminate to all prequalified bidders the provisions of R.A. 6685 and emphasize to the bidders concerned that the organization chart for the project under bid, which shall accompany the bid proposal, must indicate the total number of the skilled and unskilled labor requirements of the project in which the mandatory minimum 50 - 30% local labor recruitment shall be based; otherwise, appropriate sanctions as provided by law/regulation may be imposed.
7. Upon award of contract and after the contractor has signed the contract and submitted the requirements for the approval of the contract, the contractor shall inform the concerned DOLE Regional Office - Community Employment Center (DOLE-CEC) of the manpower requirements of the project so that the DOLE-CEC can provide recruitment assistance to the contractor. The contractor shall then cause the posting of the "Notice of Labor Requirements" in conspicuous areas (municipal hall, churches and project site) as specified and designated by the District, Provincial, City or Municipal authorities in either English or Filipino or in any local dialect, announcing that local residents are needed as laborers for the project. The notice shall contain the basic project information and instruction to responding labor applicants on where and when to register to the DOLE/CEC and to bring with them the necessary identification papers such as Voter's ID, Residence Certificate and/or certification from the Barangay Captain or in the absence of the Barangay, any other member of the Barangay Council that they are bona fide and actual residents of the place/locality where the project is being undertaken.
8. The "Certificate of Compliance" under oath to be submitted by the contractor/subcontractor as among the requirements for every progress billing, pursuant to Section 5 of R.A. 6685, shall be counter-checked by the District, Provincial or City/Municipal Engineer concerned before effecting the payment to ensure compliance.

Pursuant to Sections 7 and 8 of R.A. 6685, these implementing rules and regulations shall take effect

immediately upon issuance thereof and shall apply to all contracts for infrastructure projects of the national, provincial, city and municipal government.

Issued this 27th day of February 1990.



Handwritten signature of Fiorello R. Estuar, consisting of a large, stylized 'F' and 'E' followed by several loops.

FIORIELLO R. ESTUAR
Secretary