



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE JOURNAL OF THE 32ND REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 16 FEBRUARY 2026, 1:30 P.M. AT THE SANGGUNIANG BAYAN SESSION HALL.

Present:

Municipal Vice Mayor Robert S. Quiatchon	- Presiding Officer
Councilor Lucille T. Bacay	- Member
Councilor Marietta R. Pajila	- Member
Councilor David D. De La Cruz	- Member
Councilor Michael O. Pongyan	- Member
Councilor King Philip B. Dimapilis	- Member
Councilor Christopher Y. Carvajal	- Member
Councilor Gualberto V. Magno	- Member
Councilor Robert A. Baticos	- Member
Councilor Hermis S. Catapang	- President, Liga ng Barangay
Councilor Sheikinah Grace C. Sanz	- Member, MSKF President

Absent:

NONE

MUNICIPAL ORDINANCE NO. 14

Series of 2026

AN ORDINANCE INSTITUTIONALIZING QUALITY ASSURANCE OF GOVERNMENT INFRASTRUCTURE PROJECTS IN THE MUNICIPALITY OF ROXAS, MANDATING RECTIFICATION OF DISCOVERED DEFECTS, AND PENALIZING THOSE WHO FAIL TO DO SO

AUTHOR:

Councilor **KING PHILIP B. DIMAPILIS**

CO-AUTHORS:

Councilor **LUCILLE T. BACAY**
Councilor **MARIETTA R. PAJILA, PHD**
Councilor **DAVID D. DE LA CRUZ**
Councilor **MICHAEL O. PONGYAN**
Councilor **CHRISTOPHER Y. CARVAJAL**
Councilor **GUALBERTO V. MAGNO**
Councilor **ROBERT A. BATICOS**

WHEREAS, it is the policy of the Municipal Government of Roxas to ensure that government infrastructure projects in the Municipal are of the highest quality and conform to prescribed plans and specifications in order to yield the greatest benefit to the public. The early degradation and shoddy workmanship of some government infrastructure projects shortchange the public and, if allowed to go unchecked, may soon become the accepted norm rather than an abhorrent exception.

WHEREAS, there is therefore a need for a proactive mechanism that will hold accountable those responsible for such substandard and shoddy work and, equally important, break this culture of tolerance and resignation to low quality government projects as if it is the taxpayers' fate to have poorly built public infrastructure.


JERWIN S. DIMAPILIS


ROBERT S. QUIATCHON


MARIA MAHARLIKA M. FABIC

WHEREAS, the job of inspecting government infrastructure projects and initiating sanctions against erring parties can be performed by the Project Monitoring Committee (PMC) being the body tasked to monitor and evaluate government programs and projects. of the PMC will promote compliance to project standards, transparency and accountability, and prevent the unconscionable waste of public funds that could otherwise have been used for other priority needs of Roxasenos.

NOW THEREFORE, be it ordained by the Sangguniang Bayan of the Municipality of Roxas in session assembled, that:

SECTION 1. Short Title. This Ordinance shall be known and cited as the "**Roxas Bantay Proyekto Ordinance of 2026.**"

SECTION 2. Declaration of Policy. It is the declared policy of the Municipal Government of Roxas to ensure that all government infrastructure projects within its jurisdiction are of the highest quality and conform to prescribed plans and specifications in order to yield the greatest benefit to the public over their intended lifespan. To this end, the Municipality shall institutionalize an inspection and evaluation mechanism to ensure contractor fully and timely deliver what the government paid it for and to compel rectification under pain of penalty of any identified defect or substandard work during construction and after completion while the project is still under warranty.

SECTION 3. Definition of Terms. As used in this Ordinance, the following term, shall mean:

- a. **Bids and Awards Committee (BAC)** – The duly constituted Bids and Awards Committee of the Government of Roxas responsible for procurement activities.
- b. **Defects Liability Period (DLP)** – The one-year period from the completion of the project up to its final acceptance by the government during which the contractor is responsible for rectifying any defects, deficiencies, or damage that may appear. This period is covered by a performance or warranty security.
- c. **Structural Defects** – Faults/flaws/deficiencies in one or more key structural elements of the project which may lead to structural failure compromising its stability and integrity and rendering it, partly or wholly, incapable of withstanding the design loads, and/or endangering the safety of the users or the general public.
- d. **Warranty Period** – The period prescribed by law, particularly R.A. No. 9184 and R.A. No. 12009, which shall commence from the end of the defect's liability period up to the end of the prescribed warranty period. The length of the warranty period shall depend on the type of structure involved as detailed below:
 - i. Fifteen (15) years for permanent structures – Permanent structures are buildings of types 4 and 5 as classified under the National Building Code of the Philippines and other structures made of steel, iron, or concrete which comply with relevant structural codes (e.g., DPWH Standard Specifications), such as, but not limited steel/concrete bridges, flyovers, filtration and treatment plants, sewerage systems, power plants, transmission and communication towers, and other similar permanent structures;
 - ii. Five (5) years for semi. -permanent structures- semi- permanent structures are buildings of types 1, 2, and 3 as classified under the National Building Code of the Philippines, concrete or asphalt roads, concrete river control, drainage, irrigation lined canals, river landing deep wells, rock causeway, pedestrian overpass, and other similar semi-permanent structures; and


JERWIN S. DIMAPILIS


ROBERT S. QUIATCHON


MARIA MAHARLIKA M. FABIC

- iii. Two (2) years for other structures - Bailey and wooden bridges, shallow wells, spring developments, and other similar structures.

SECTION 4. Composition. There shall be created a Project Monitoring Committee, which shall be composed of the following:

Chairperson: Municipal Mayor
Co-Chairperson: Committee on Public Works, Infrastructure and Urban Development, housing and Land Use
Municipal Engineering Office
Members: Municipal Local Government Operations Officer (MLGOO)
Municipal Planning and Development Officer (MPDO)
(1) Representative of NGO/People's Organizations' Republic of the Philippines Municipality of Roxas Province of Oriental Mindoro
(1) Representative of NGO/PO who is also a member in the Local Development Council (LDC)
(4) PMC members appointed by the Local Chief Executive from among five (5) Nominees of the LDC The Local Chief Executive may designate additional members to the PMC

SECTION 5. Functions. The Project Monitoring Committee shall serve as the monitoring arm of the Municipality on the programs and projects implemented in the locality. It shall have the following functions:

- A. Provide a list and schedule of all projects to be monitored to NGOs involved in project monitoring.
- B. Collect and process reports of implementers and NGO monitors on the status of project implementation for the information of the development council and next higher-level project monitoring committee.
- C. Determine problems and verify information to be submitted for analysis and action of the development council.
- D. Provide feedback on the remedial actions of the development council and follow up implementation.
- E. Prepare and disseminate periodic project monitoring reports on the status of project implementation, and elevate to higher level bodies problems/issues which are not resolved at their level.

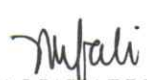
Section 6. Scope and Coverage. The scope and coverage of the Project Monitoring Committee monitoring shall be noted as follows:

- A. Programs and projects in the Local Development Investment Program (foreign funded and General Appropriations Act funded) and those in the priority list of the President, including development projects funded from the National Tax Allotment shares of the Municipality or supported by funds released directly to the municipality.
- B. Projects funded from locally-generated resources which are implemented within the Municipality of Roxas.
- C. Secretariat. The Municipal Planning and Development Office shall serve as the Secretariat of the Project Monitoring Committee (PMC).

SECTION 7. Regular Project Inspection. The PMC shall regularly inspect and evaluate on-site all government infrastructure projects in the municipality at least twice while the project is on-going and at least once a year during the project's defects liability and warranty periods. Site inspection while the project is on-going should be random and shall document actual, not contrived or staged, construction practices.


JERWIN S. DIMAPILIS


ROBERT S. QUIATCHON


MARIA MAHARLIKA M. FABIC

SECTION 8. Procedure, Timelines, and Office Taskings. The following procedure shall be observed in the implementation of this Ordinance:

- a. Identification and Listing.** Within one month from the approval of this Ordinance, the Municipality Procurement Office (MPO), in coordination with the BAC and the Municipal Engineer's Office (MEO), shall prepare and submit to the PMC a list of all on-going infrastructure projects, as well as a list of all completed projects whose Defects Liability Period or Warranty Period have not yet expired. These lists shall indicate the project name, project location, contractor, contract amount, date of award, and if already completed: date of project completion, and date of acceptance, on-going as well as a list of all completed.

Within one month from the effectivity of this ordinance, the Municipal Accounting Office (MAO) shall furnish the PMC with a copy of the Certificates of Completion/Acceptance and a copy of the Performance and Warranty Security of the projects referred to above.

The same reports and documents shall henceforth be generated and submitted to PMC by the offices mentioned in this SECTION not later than July 31 for projects awarded or completed within the first semester of the year, and not later than January 31 for projects awarded or completed within the second semester of the preceding year.

- b. Inspection.** Upon receipt of the lists, the PMC shall conduct a thorough physical inspection of the projects. For on-going projects, the inspection shall be unannounced with the inspectors documenting actual project site practices. At least two inspections shall be conducted while the project is ongoing.

For completed projects, inspection shall be scheduled no later than six (6) months before the expiration of the Defects Liability Period or Warranty Period to allow sufficient time for reporting and rectification. At least one inspection shall be conducted annually.

- c. Evaluation Report.** Within three (3) working days after the conduct of an inspection, the PMC shall prepare and render an Inspection and Evaluation Report. It shall contain the project details, the date of inspection, findings, photos and/or video evidence, and specific recommendations.

SECTION 9. Action on Substandard On-Going Projects. If during inspection the PMC discovers the use of substandard materials, substandard concrete mixtures, non-compliance with design specifications as per plans and program of work, or improper construction methods, it shall mark and measure the length, height and/or volume of the affected SECTIONS, to include adjacent sections of the same type or category of work, and submit its corresponding Inspection and Evaluation Report to the MEO, copy furnished the contractor. Such portions should be reworked or replaced, or if retained shall not be counted as part of the contractor's accomplishment. The PMC shall have evidentiary proof of its findings such as pictures or video and/or a signed or recorded account of eyewitnesses. If the contractor fails or refuses to rework the affected portion, or declines to extend or expand its scope of work to make up for the substandard portion, the PMC shall recommend to the Municipal Budget and Accounting Offices, with the approval of the Mayor, the suspension of payment to the contractor is already in breach of its contracted deliverable to the Municipal government. Prior to the approval of the PMC recommendation, the Municipal Mayor shall call a meeting among the PMC, MEO and the contractor to arrive at an informed judgement.


JERWIN S. DIMAPILIS


ROBERT S. QUIATCHON


MARIA MAHARLIKA M. FABIC

SECTION 10. Action on Completed Projects Within the Defects Liability Period (DLP). If the PMC discovers defects in a project which is still under its DLP:

The PMC shall document the defects with pictures and/or video and prepare its Inspection and Evaluation Report for submission to the Municipal Mayor, the BAC and the MEO.

Within five (5) working days from receipt of the report, the MEO shall notify the contractor of the findings of the PMC and invite it or its representatives to a joint inspection of the project with PMC to give it the opportunity to be heard. Failure by the contractor or by its representative to join the inspection shall be deemed as a waiver of its right to contest the findings of the joint inspection.

If the PMC report is validated, the MEO shall issue a written notice to the contractor to rectify the defects at the contractor's expense with work to commence not later than fifteen (15) working days from receipt of the notice, unless the convenience of the public or of end-users will be extremely compromised in which case the MEO may set a later date for the remedial works to commence.

Should the contractor fail or refuse to undertake the necessary repairs or the satisfactorily perform the same within the period agreed upon and in accordance with specifications of the project, the MEO shall report such failure or refusal to the Mayor and the BAC.

The Municipal Mayor shall cause the forfeiture of the performance or warranty security and direct the Legal Officer to subject the properties of the contractor to attachment or garnishment proceeding without prejudice to the other remedies provided under the law. The BAC shall initiate blacklisting proceedings against the contractor in accordance with R. A. No. 9184 or R. A. No. 12009, whichever law was in effect at the time of the project's procurement.

SECTION 11. Action on Completed Projects Beyond the Defects Liability Period but Within the Warranty Period. If the PMC discovers structural defects in a project that is still under the warranty period:

The PMC shall document the defects with pictures and/or video and prepare its Evaluation Report for submission to the Municipal Mayor, the BAC and the MEO.

Within five (5) working days from receipt of the PMC report, the MEO shall notify the contractor of the reported structural defects and invite the contractor or its representatives to a joint inspection with the PMC to give it the opportunity to be heard. Failure by the contractor or by its representative to join the inspection shall be deemed as a waiver of its right to contest the findings of the joint inspection.

The responsibility for the structural defects shall be determined during the joint inspection. A joint report indicating the party responsible for the structural defects shall be submitted by the MEO and the PMC to the Municipal Legal Officer.

The Municipal Legal Officer shall furnish a copy of the joint report to the party responsible for the structural defect giving it ten (10) working days to explain why it should not be sanctioned under the warranty provision of the applicable procurement law.

Failure to provide a satisfactory answer, or failure to rectify the project, shall be basis for the Municipal Legal Officer to recommend to the Municipal Mayor the forfeiture of the contractor's Warranty Security.

The municipal government may undertake the reconstruction or remediation works with the cost reimbursable by the party responsible for the structural defects. The reimbursement shall be due within three months from receipt by the responsible party of a Notice of Reimbursable Cost showing the details of the reconstruction or remediation cost. Failure by the responsible party to reimburse the municipal government shall be sufficient basis for the Municipal Legal Officer to proceed with the remedies provided by R.A. No. 9184 or R.A. No. 12009.



JERWIN S. DIMAPILIS



ROBERT S. QUIATCHON



MARIA MAHARLIKA M. FABIC