



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

097.13 DPWH (R)  
5-5-93

April 28, 1993

DEPARTMENT ORDER)

NO. **110** <sup>new</sup> <sub>rk</sub>

Series of 1993 )

-X-X-X-X-X-X-X-X-

SUBJECT: Devolution of DPWH Functions,  
Projects, Personnel, Assets,  
Liabilities And Records To  
Local Government Units

In compliance with pertinent provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, particularly Section 17(b) thereof, the devolution to the Local Government Units (LGUs) concerned, of DPWH functions and projects, together with the corresponding personnel, assets, liabilities and records, is hereby directed.

I. *Functions and Projects to be Devolved to LGUs -*

The following DPWH functions and projects shall be devolved to the LGUs -

1. Construction and maintenance of local roads and bridges
2. Construction of barangay multi-purpose pavements
3. Installation and maintenance of locally-funded water supply projects
4. Construction and maintenance of local flood control and drainage systems
5. Maintenance of health centers and facilities and other public buildings except national buildings and facilities
6. Maintenance of municipal ports and shore protection
7. Enforcement of the provisions of the National Building Code

II. *Personnel, Assets, Liabilities and Records to be Transferred to LGUs -*

1. Personnel corresponding to the devolved DPWH functions and projects shall be transferred to the LGUs concerned, subject to the policies and principles provided for in Sections 2 and 3 of Executive Order No. 503 dated January 22, 1992.
2. Regional Directors/District Engineers shall inform their affected personnel (lists of positions attached), through a written notice, to enable them to exercise their option to be either

transferred, retired or separated from the service, subject to the provisions of Section 2 (e) of Executive Order No. 503.

3. Assets, Liabilities and Records corresponding to the devolved functions, projects and personnel shall be transferred to the LGUs concerned, in accordance with existing auditing and accounting rules and regulations, and subject to the conditions prescribed in Section 3(d) of Executive Order No. 503.

### **III. Memorandum of Agreement On Devolution -**

1. As required under Section 6(b) of Executive Order No. 503, the transfer of functions, projects, assets, liabilities and records shall be effected through a Memorandum of Agreement (MOA) between the DPWH and the LGU concerned, format enclosed. The MOA shall contain and embody, among other things, the scope and extent of the devolution, its terms and conditions, the undertakings of both parties, and the devolution timetable.
2. The functions, projects, assets, personnel and records to be transferred to LGUs shall be identified and listed in the prescribed forms (sample copies attached), and appended as annexes to the MOA.
3. Regional Directors and District Engineers shall meet with the representatives of the LGUs concerned in their respective areas of jurisdiction, to hasten the execution of the MOAs and the devolution process. The LGUs to which the DPWH functions, projects, personnel, assets and records are to be transferred shall be determined in accordance with the criteria and guidelines prescribed in Sections 2(b) and 3(d) of Executive Order No. 503 dated 22 January 1992.
4. The Regional Director concerned is hereby authorized to sign the MOAs between the DPWH and the Provincial Government/City Government concerned; the District Engineer involved is empowered to sign MOAs between the DPWH and the Municipal Government concerned.

### **IV. Post Devolution Status of DPWH National Government Sections in City Engineering Offices -**

1. Upon completion of the devolution to City Government Units, the DPWH National Government Sections presently attached to City Engineering Offices and currently under the supervision and control of City Engineers as Ex-Officio City Public Works and Highways Engineers, shall cease to exist as such.

2. Through supplementary orders to be issued by the DPWH Regional Directors concerned under and by virtue of this Department order, the undeveloped functions and projects of the said National Government Sections, including their respective personnel, assets and records not otherwise transferred to the City Government Units, shall be absorbed by and placed under the jurisdiction and control of the District Engineers of the Engineering Districts within whose territorial boundaries the City Government Units concerned are situated.

V. *Transfer of Budgetary Allocations to LGUs -*

1. The unexpended balance of the appropriations for the projects to be devolved to LGUs had been transferred by the DBM from the 1992 budget of the DPWH to the Internal Revenue Allotments of LGUs.
2. The personal services cost of the devolved regular/budgetary positions, corresponding to the period from the actual date of transfer to December 31, 1993, shall be transferred by the DPWH to the LGUs concerned.

VI. *Devolution Timetable -*

1. The devolution of the identified DPWH functions, projects, personnel, assets and records shall be completed not later than June 30, 1993.
2. Reports on the devolution shall be submitted to this Office, together with copies of the MOAs and its annexes, for consolidated and submittal to the DILG and the Office of the President.

This Department Order shall take effect immediately.

  
EDMUNDO V. MIRASOL  
Acting Secretary *6/30*  
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