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

'22 JUL 12 P6 :11

RECEIVED BY:

SENATE

S.B. No. 439

Introduced by Senator MARK A. VILLAR

AN ACT
INSTITUTIONALIZING THE "BUILD! BUILD! BUILD!" PROGRAM

EXPLANATORY NOTE

In the past six years, the Filipino people have seen and experienced the impact of the Philippines' Golden Age of Infrastructure. The "Build! Build! Build!" program of the government resulted in the creation of hundreds of ports, thousands of roads and bridges, and millions of jobs. As the country welcomes a new administration, it is important to keep the momentum going by uniting behind this revolution and bringing it to new heights not only for us, but also for the generations to come.

A 30-Year National Infrastructure Program shall be formulated to create a safe, efficient, and accessible national infrastructure system and to ensure continuity and consistency in the development and implementation of projects notwithstanding leadership changes. It will serve as the framework for the desirable locations, scopes, linkages, and timing of public and private investments in major infrastructure over the next three decades which will provide the construction industry, investors, and allied sectors with a reliable and predictable road map in carrying out their long-term business plans and decisions.

The bill lays down the policies and strategies to be pursued by the government, identifies the initial core infrastructure projects to be given priority, provides various

modalities for the implementation and financing of projects, and defines the role of implementing agencies in the development of essential transport, energy, water resources, information and communications technology, social infrastructure systems, and other basic overhead facilities in the country.

Given the foregoing, prompt approval of this bill is earnestly sought and recommended.

MARK A. VILLAR
Senator

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

Section 1. *Short Title.* – This Act shall be known as the "Build! Build! Build! Act."

Sec. 2. *Declaration of Policy.* – It is the policy of the State to provide an efficient infrastructure system to promote sustainable and inclusive economic growth and sound quality of life for all Filipinos. For this purpose, the Government shall adopt a long-term National Infrastructure Program that will provide the framework in the next 30 years for the systematic and continuing development – across government administrations - of essential transport, energy, water resources, information and communications technology, social infrastructure systems, and other basic overhead facilities in the country. This National Infrastructure Program shall be directed to support the achievement of the overall long-term development vision for the Philippines by the middle of the twenty-first century as a prosperous, predominantly middle-class society, where no one is poor, and where Filipinos shall live long and healthy lives, be smart and innovative, and live in a high-trust society. The Program shall serve as the overall guide for the preferred locations, magnitude, interrelationships, and timing of public and private investments in infrastructure in the Philippines over the next three decades to maximize their impact to the economy and

society. The Program shall, therefore, provide an overall road map for investors, the construction industry, and allied sectors in pursuing their respective long-term strategies.

Sec. 3. *Definition of Terms.* – As used in this Act,

a) *Agri-fisheries Modernization and Food Logistics Infrastructure* – refers to facilities which include farm access roads, trading posts, agricultural tramlines and other market infrastructure, fish ports, irrigation and soil and water conservation structures, post-harvest facilities such as warehouses and cold storage, meat establishment infrastructure such as slaughterhouses, and production infrastructure such as greenhouses, hydroponics, aquaponics, and food irradiation facilities. This includes the health and safety infrastructure required to meet regulatory standards;

b) *Core infrastructure projects* – refer to projects in the 30-Year National Infrastructure Program that shall be given the highest priority in view of their national significance and impact;

c) *Energy infrastructure* – refers to infrastructure for power generation, transmission, and distribution, and electrification, as well as for exploration, development, production, storage and distribution of energy resources including those based on or using water resources, fossil fuel, geothermal, solar, wind, wave, and other emerging technologies, such as nuclear;

d) *Green financing* – refers to investments that create environmental benefits in support of green growth, low-carbon emission, and sustainable development;

e) *Implementing agencies* – refer to the national government agencies responsible for the actual execution of specific infrastructure projects in the 30-Year National Infrastructure Program, including the planning, design, programming, budgeting, procurement, and implementation of the projects, in accordance with the provisions of this Act.

f) *Information and Communications Technology (ICT) infrastructure* – refers to facilities that provide access to information through telecommunications, including the internet, wireless networks, telephone systems, and other communication media;

g) *Infrastructure* – refers to the basic physical facilities, for use by public, that underlie and enable, sustain, and enhance the economic and social development of the country. Infrastructure includes transport, energy, water resources, information and communications technology, social infrastructure systems, and other basic overhead facilities;

h) *Projects of national significance* – refer to infrastructure projects whose socio-economic influence or impact significantly affect the entire country based on specific guidelines and criteria to be set by the National Economic and Development Authority (NEDA);

i) *Social Infrastructure* – refers to school buildings, hospitals and health facilities, public housing, solid waste management, penitentiary, evacuation centers, and other public and community facilities. The term also includes, as an important sub-sector, waste management and circular economy infrastructure, which refers to infrastructure for solid waste collection, distribution, and disposal, waste aggregation and transfer stations, waste markets, material recycling, sustainable production, material recovery, and waste-to-energy facilities;

j) *Transport and Logistics Infrastructure* – refers to (1) roads, bridges, tunnels, grade separation, and related structures, (2) rail, bus rapid transit and other mass transport systems, including subways, fixed facilities, and rolling stock, (3) ports, including terminals and navigation facilities, (4) airports, including terminals and navigation facilities, (5) intermodal transport facilities, including terminals, and (6) supply chain infrastructure including warehouses and distribution centers. Transport infrastructure includes support systems for the operation of transport services and facilities, such as intelligent transport systems;

k) *Water Resources Infrastructure* – refers to (1) water supply, sewerage, and sanitation for domestic, commercial and industrial uses, (2) irrigation for agriculture, and (3) flood control and drainage facilities, including dams, reservoirs, and coastal zone protection.

Sec. 4. *Creation of the 30-Year National Infrastructure Program.* – There is hereby established a 30-Year National Infrastructure Program for the Philippines for the years 2023 – 2052, hereinafter referred to as the Program. This Program consists of major infrastructure projects of the national government to be implemented under any of the following modes: (a) by the concerned national government agencies and government-owned and controlled corporations as provided under their respective charters; (b) under Public-Private Partnership (PPP) arrangements; or (c) in partnership with local government units (LGUs).

Sec. 5. *Infrastructure Policies and Strategies.* – The 30-Year National Infrastructure Program through its component projects shall pursue the following national development policies and strategies of the Government:

a) Prioritization of projects of national significance which are consistent with the approved National Physical Framework Plan and Land Use Plan, as well as with National, Regional, Local, and Sectoral Development Plans, Roadmaps, and Master Plans;
b) Observance of the following principles in the determination of priorities: 1) effectiveness in meeting government objectives; 2) economic feasibility and impact; 3) poverty alleviation and social inclusion; 4) environmental sustainability and climate resilience; 5) safety; 6) security; 7) affordability; 6) public access; 7) technical readiness for implementation; and 8) financial viability and value for money;
c) Maximization of private sector participation in the planning, development, financing, design, construction and operation and maintenance of infrastructure;

d) Establishment and pursuit of a whole-of-government strategy to coordinate infrastructure investment planning and implementation that promote collaboration among key actors, with the NEDA as the lead coordinator;

e) Promotion of public consultation and feedback mechanisms on infrastructure investment priorities and projects at the national and local levels. These include alliances among government, industry, investors, academe, think tanks, and donor agencies, to come up with smart approaches to infrastructure development on a sector-by-sector basis;

f) Implementation of adequate infrastructure asset preservation and maintenance strategies;

g) Incorporation of green and sustainable design, climate change adaptation and disaster resilience measures, as well as updated strength, safety, health, and environmental standards, in the design and construction of infrastructure projects, especially against powerful and disastrous typhoons, floods, earthquakes, fires, volcanic eruptions, landslides, and other hazards. Utilize nature-based solutions, where appropriate, to promote sustainability and cost-savings. Invest in systems to ensure compliance and enforcement of all safety and construction regulations. Establish a robust national geospatial infrastructure that will provide location-specific spatial data to support evidence-based planning and implementation of infrastructure projects;

h) Intensification of infrastructure-related research and development;

i) Deliberate harmonization of technical-vocational and higher education courses offered in educational institutions with the workforce requirements of the long-term infrastructure programs of the government and the private sectors;

j) Prioritization of the employment of qualified Filipino professional and technical workers in infrastructure projects;

k) Preferential use of quality construction materials that have a high domestic content, especially those that use sustainable materials and appropriate technology;

l) Provision of appropriate training of and technology transfer to Filipino counterparts in infrastructure projects involving new or imported technology;

m) Prioritization of multi-sectoral, multi-modal and area-wide development projects to take advantage of their synergistic effects. Where feasible, provide common underground ducts for utilities, and synchronize timelines for their installation;

n) Emphasis on food security infrastructure that will ensure the smooth flow of cargo across the archipelago. This will cover essential transport and logistics, energy, ICT and other agri-fisheries modernization and food logistics infrastructure;

o) Strict observance of prior completion and submission of documentary requirements evidencing technical readiness for implementation, such as pre-feasibility/feasibility studies, design, right-of-way, environmental clearance, funding, and transaction documents, before the procurement and implementation of the projects;

p) Strict monitoring of project completion of all functional structures;

q) Requirement for continuity in funding and implementation of multi-year projects up their completion;

r) Adoption of appropriate infrastructure risk management measures, including risk identification, allocation, and mitigation, in project development and management. These shall include mechanisms for hindsight review of historical events as well as foresight strategies to provide the concerned agencies and stakeholders the agility to adapt to unpredictable large-impact disruptive events, such as pandemics, severe natural catastrophes, and major financial crises;

s) Strengthening of the absorptive capacities of the concerned agencies in the implementation of infrastructure projects in order to optimize the utilization of funds; and

t) Strengthening of transport and other infrastructure to support agriculture, tourism, trade and industry, and electronic commerce, through convergence programs among appropriate national and local government agencies.

Sec. 6. *Role of Implementing Agencies in the Development of the Transport and Logistics Infrastructure.* – Implementing agencies involved in the development of the transport and logistics infrastructure program shall perform the following responsibilities:

a) Develop a national transport system with the following characteristics: efficient in facilitating mobility, safe, secure, economical, accessible, affordable, environmentally sustainable, user-oriented, reliable, convenient, integrated, and seamless;

b) Establish a strategic national transport network consisting of complementary roads, rail, ports, and airports that serve medium and long-distance high-density traffic between key cities and municipalities, economic hubs, international gateways, or along major corridors in urban centers. The configuration of the network should fit into and influence the desired spatial development pattern under the National Physical Framework Plan;

c) Plan and implement transport projects within the context of the entire supply chain and logistics system, that is facilitative of both traditional and electronic commerce, through a seamless and demand-responsive intermodal transport network that shall link production areas with processing, warehousing, transport and transshipment hubs, and markets, and ensure unimpeded flow of people, goods, services, disaster response equipment, relief goods, and basic commodities in times of emergencies;

d) Focus the role of the government on policy formulation, planning, safety and environmental regulations, supervision, and monitoring of projects and operations, rather than as a direct provider of transport services which shall generally be assigned to the private sector;

e) Optimize the use of funds through efficient transport infrastructure maintenance and asset management, as well as applicable travel demand management, before considering additional investments;
f) Make use of the comparative advantages and interconnectivity of the different transport modes, and provide for healthy competition within and between transport modes to increase productivity, lower costs and user charges, and improve services. Allocate resources to the transport modes in accordance with their comparative advantages;
g) Apply the "user-pays" principle cost recovery where it is appropriate;
h) Improve road-based people-oriented transport to address traffic congestion through engineering, enforcement, and education;
i) Encourage a shirt from private to public transport, especially on mass transport, through promotion of active transport culture, cost-effective public transport, and lower and/or zero carbon emissions mobility solutions;
j) Improve the operational efficiency of airports and address constraints to their optimal capacity utilization; and
k) Improve port facilities to ensure that inter-island shipping, including a stronger roll-on roll-off (RORO) network as a viable option for transporting people and cargo.

Sec. 7. *Role of Implementing Agencies in the Development of the Energy Infrastructure Program.* – Implementing agencies involved in the development of the energy infrastructure program shall perform the following responsibilities:

a) Support the required massive investments and fast track the implementation of infrastructure projects to improve power generation, transmission and distribution;
b) Encourage competition to drive down electricity costs;
c) Pursue development of the natural gas industry, as well as renewable energy such as wind and solar and other clean energy technologies as power sources;

d) Ensure efficient transmission of electricity to various load centers and interconnect the entire grid;

e) Prioritize the provision of off-grid, stand-alone renewable energy technology to the remaining unelectrified off-grid, island, remote, and last-mile communities;

f) Implement energy infrastructure projects in accordance with the policies and programs of the Energy Efficiency and Conservation Act of 2019;

g) Prioritize and fast track the implementation of energy projects of national significance that shall ensure energy security and reliability, as well as environmental sustainability aligned with the energy sector's strategic directions, the Government's Nine-Point Energy Agenda, the Philippine Energy Plan and other approved national, regional or local energy plans, among others; and

h) Promote the deployment of clean, efficient and smart energy technologies and establishment of the necessary infrastructure and regulatory support for these technologies.

Sec. 8. *Role of the Implementing Agencies Involved in the Development of the Water Resources Infrastructure Program.* – Implementing agencies involved in the development of the water resources infrastructure program shall perform the following responsibilities:

a) Create an apex body that will address the fragmented structure of water resources management;

b) Formulate long-range water resources master plans and multi-purpose projects that will optimize the development and use of water resource potentials for irrigation, hydroelectric power, water supply, and flood control;

c) Pursue institutional reforms such as streamlining processes in involved agencies to encourage and guide investments in water supply, sewerage system and sanitation services; and

d) Intensify flood control in major river basins, principal rivers, and urban centers, combining structural or engineering intervention works with non-structural measures, such as land use management, watershed conservation, and flood information and warning system, on an area or river system-wide basis, with priority on areas with high risks of flooding.

Sec. 9. *Role of the Implementing Agencies Involved in the Development of ICT Infrastructure Program.* – Implementing agencies involved in the development of ICT infrastructure program shall perform the following responsibilities:

a) Provide digital infrastructure to complement the national broadband plan, geared towards increasing internet access in unserved and underserved areas;
b) Expand the deployment of ICT infrastructure and address the gaps in digital connectivity and promote digital trade;
c) Enhance the country's e-government system as a vital tool for good governance, including the improvement and integration of various database and software management systems within and across different sectors and government bodies;
d) Ensure and improve cybersecurity by investing in robust systems and key management resources;
e) Use ICT to provide climate-smart and resilient infrastructure, such as flexible smart power grids that can accommodate renewable energy sources, early warning systems for natural hazards, sustainable transport systems that enable public transit, walking, and biking, safety-promoting roadway designs that integrate wastewater management, rainwater harvesting, nature-based solutions to floods, droughts, and typhoons, and green infrastructure in public spaces;
f) Ensure a fair and and level playing field for ICT operators by applying service obligations and performance standards uniformly;
g) Fast-track and lower the cost of deploying broadband infrastructure through infrastructure sharing policies that address the use of

government assets, use of infrastructure across sectors, and coordinated build for a shared utility corridor;

h) Avoid direct government investment in network infrastructure and operations that would crowd out private investments in commercially viable areas;

i) Provide the necessary infrastructure support to ICT projects, especially in far-flung areas;

j) Streamline the process for permits for cellular towers, cable laying, and network deployment;

k) Liberalize access to satellites for internet connectivity to help address digital infrastructure gap in the countryside; and

l) Prepare for 5G and higher generation technology to facilitate digital adoption across sectors.

Sec. 10. *Role of the Implementing Agencies Involved in the Development of Social Infrastructure Program.* – Implementing agencies involved in the development of the social infrastructure program shall perform the following responsibilities:

a) Construct or improve schools with facilities for online or distance learning, as well as blended learning, provide internet connectivity to all public schools, with the aim of creating Schools for the Future, and schools geared towards competitiveness in the Fourth Industrial Revolution, prioritizing therefore the construction of schools in geographically isolated and conflict-affected areas, and providing them with adequate classroom, water, sanitation, and health facilities;

b) Construct and develop modern health facilities that will complement the Universal Health Care Law and national preparedness for widespread community health emergencies, as well as climate-smart technologies and wellness facilities promoting preventive care against diseases. Pursue the development and expansion of the country's telehealth system to ensure equitable access to healthcare

services especially in underserved areas with limited physical access to healthcare professionals;

c) Construct and improve social housing projects and resettlement areas that adhere to climate change adaptation and disaster risk reduction standards to ensure human, environmental, and ecological safety, as well as access to livelihood opportunities and basic social services, which include communal solar-powered electricity, potable water and drainage, and water management systems. Identify danger and no-build zones to reduce casualties and damages in the event of natural disasters, such as typhoons and earthquakes;

d) Provide assistance to LGUs in complying with the requirements under the Ecological Solid Waste Management Act, such as materials recovery facilities, transfer stations, compost production, and waste-to-energy projects;

e) Promote proper waste management through public awareness programs and disseminate information on the environmental importance of waste minimization, separation, recycling, reuse, and repurposing;

f) Encourage public-private cooperation and strategic investments in cutting-edge technologies and facilities to generate economic value and create livelihoods from waste products, including sustainable production using recycled, reused, and repurposed materials;

g) Advocate the establishment of a national policy for sustainable waste management and roadmap for circular economy development to inform policy and infrastructure pipeline development;

h) Create an apex body with responsibility for implementing waste management and circular economy policies, plans, programs, and projects, including responsibility to perform the functions outlined in items (d) to (g) herein; and

i) Construct, improve and renovate prison infrastructure to decongest existing jails and provide humane accommodations, such as potable

water and proper sanitation facilities, complying with health standards for person deprived of liberty.

Sec. 11 *Role of the Implementing Agencies Involved in Agri-Fisheries Modernization and Food Logistics.* – Implementing agencies involved in agri-fisheries modernization and food logistics shall perform the following responsibilities:

a) Implement an integrated and long-term agri-fisheries modernization and food logistics infrastructure plan that will accelerate the development and competitiveness of the sector. Implement policies that promote traceability, efficiency, and conservation sufficient to manage resources and attract sustainable investment in the sector;
b) Construct modern agri-fisheries and food logistics infrastructure towards food security, agricultural resilience, agro-industrialization to achieve cost-efficiency and facilitate growth in exports;
c) Establish a network of roads, rail, ports and RORO, airports, irrigation, and warehouses based on the food supply and logistics chain;
d) Accelerate the construction of farm-to-market and access roads based on an overall road network plan;
e) Provide production and post-harvest facilities such as dryers and warehouses; regional fish ports with modern cold storage; slaughterhouses and other meat establishment facilities; hatcheries, green houses, agricultural tramlines and bio-safety facilities;
f) Provide irrigation infrastructure and services to increase farm productivity in rice, corn, sugarcane, and other high value crops;
g) Construct marketing facilities in strategic agri-fisheries areas such as trading posts, food terminals, auction markets, and fish landing sites, and provide adequate food health and safety infrastructure including laboratories and testing services in these marketing facilities;
h) Establish agri-fishery machinery centers and promote farm land levelling to accelerate farm mechanization and ensure economies of scale for farm clustering;

i) Integrate renewable energy goals and standards in agri-fisheries modernization and food logistics infrastructure; and

j) Update the irrigation master plan to set the direction for irrigation development and a framework for capital and operations and maintenance financing of irrigation.

Sec. 12. *Core National Infrastructure Projects.* – The 30-Year National Infrastructure Program shall give priority to the following initial list of core infrastructure projects identified by the agencies concerned as those already in their respective current programs: *Provided,* That these conform with the strategies and policies in Section 5 of this Act and the respective agencies observe the responsibilities assigned in Sections 6 to 11 of this Act:

A. Transport and Logistics Infrastructure

1. Road Transport

a) Inter-regional and regional roads and expressways in major road transport corridors of the country:

i. North Luzon Expressway to Ilocos Region
ii. North Luzon East Expressway to Cagayan Valley
iii. Central Luzon East-West Links: Aurora-Nueva Ecija-Tarlac, Tarlac-Zambales
iv. South Luzon Expressway to Bicol Region, along the Pan-Philippine Highway Corridor
v. Luzon Eastern Seaboard Highway, Sta. Ana, Cagayan-Atimonan, Quezon
vi. Dalton Pass East Alignment Alternative Road
vii. Laguna Lake Circumferential Expressway
viii. Cavite-Tagaytay-Batangas Expressway
ix. Luzon Iconic Bridge Projects for Socioeconomic Development
x. Panay Expressway, Iloilo-Roxas-Malay
xi. Negros Occidental Expressway, Silay-Kabankalan
xii. Samar-Leyte Expressway along the Pan-Philippine Highway Corridor

xiii. Mindanao North-South Expressway along the Pan-Philippine Highway Corridor, Surigao-Davao-General Santos-Cotabato-Pagadian-Zamboanga City

xiv. Northern Mindanao East-West Expressway, Butuan-Cagayan de Oro-Iligan-Pagadian

xv. Central Mindanao Expressway, Cagayan de Oro-Bukidnon-Davao City

xvi. Davao City Coastal Road and Davao City-Panabo Bypass Road

xvii. Road Network Development Project in Conflict-Affected Areas in Mindanao

xviii. Major inter-island bridges/links – Bataan-Cavite, Batangas-Mindoro, Sorsogon-Samar, Panay-Guimaras-Negros, 4th Cebu-Mactan, Cebu-Negros, Samal-Davao City

xix. Major RORO systems: Eastern, Central, and Western Networks

b) Metropolitan and urban road and expressway systems:

i. Metropolitan Manila Circumferential 5 South Link Expressway

ii. Metropolitan Manila Circumferential 6 Expressway

iii. Metropolitan Cebu Expressway

iv. Bohol Bypass Road

v. Metropolitan Davao Expressway

vi. Metropolitan Manila Logistics Network, particularly Bridges

2. Rail and Other Mass Transport

a) Long-haul rail systems:

i. Manila to Clark Airport and other parts of North Luzon

ii. Manila to Bicol Region

iii. Subic-Clark Railway

iv. Mindanao Rail Network, Tagum-Davao-Digos, with extensions to Butuan, Cagayan de Oro, General Santos, Iligan, Surigao and Zamboanga

b) Urban commuter rail systems:

i. Metro Manila Subway, San Jose del Monte-Quezon City-Makati-Taguig-Pasay-Parañaque-Las Piñas-Dasmariñas
ii. North-South Commuter Rail, Malolos-Calamba
iii. Light Rail Transit (LRT) 6, Bacoor-Dasmariñas
iv. Mass Rail Transit (MRT) 4, N. Domingo-Ortigas-Taytay
v. C5 MRT 10, Ninoy Aquino International Airport-Commonwealth Ave., Quezon City
vi. MRT-11, EDSA-Quirino San Jose del Monte
vii. Monorail from Guadalupe to Bonifacio Global City (BGC)
viii. Makati-BGC Skytrain
ix. Cebu Monorail Transit, Central and Airport Lines
x. Davao City Monorail

c) Urban bus transit systems and other projects:
i. Metro Manila Bus Rapid Transit (BRT) Line 1, Quezon Ave-España
ii. Metro Manila EDSA BRT
iii. EDSA and Makati BGC Greenways
iv. Intelligent Transport Systems for Mega Manila, Metro Cebu, Metro Davao, Angeles, Bacolod, Baguio, Cagayan De Oro, General Santos, Iloilo
v. Cebu BRT
vi. Davao Public Transport Modernization Project, including Intermodal Terminal
vii. Intermodal Terminals in Metro Manila – including Taguig Integrated Terminal Exchange and North Philippine Dry Port Container Rail Transport Service – Bocaue, Sta. Rosa, Baguio, Cebu City, Iloilo City, Bacolod, General Santos, Clark, Lucena

3. Ports
a) Batangas and Subic Ports to complement Manila Ports
b) Iloilo Port
c) Cebu Container Port
d) Davao Sasa Port

e) General Santos Port

f) Other National Ports

4. Airports

a) Mega Manila Airport System

i. Improved Ninoy Aquino International Airport

ii. Bulacan Airport

iii. Sangley Airport

b) Regional Airports:

i. Puerto Princesa

ii. Iloilo

iii. Kalibo

iv. Bacolod-Silay

v. New Bohol (Panglao)

vi. New Zamboanga

vii. Laguindingan

viii. Davao

ix. New Dumaguete (Bacong)

x. General Santos

xi. Bicol (New Legazpi International Airport)

xii. M'lang Central Mindanao

B. Energy Infrastructure

1. Generation

Required generating capacity as stated in the approved Philippine Energy Plan

2. Transmission

Completion of the interconnection of main grids and connection of off-grid, where feasible.

3. Distribution

100% national electrification coverage

C. Water Resources Infrastructure

1. Water Supply and Sanitation

a) Metro Manila

i. Kaliwa Dam, 600 million liters per day (MLD)
ii. Kanan/Agos River, 3,800 MLD
iii. Laguna Lake, 5,000 MLD
iv. New Wawa Dam, 400 MLD

b) Other Urban Areas: 100% Level III service coverage and centralized wastewater treatment facilities

c) Rural Areas: at least 90% Level I service coverage and communal wastewater treatment facilities

2. Irrigation

Total additional 1,400,000 hectares by 2050, including the following:

a) Ilocos Norte-Ilocos Sur-Abra Irrigation Project
b) Ilocos Sur Trans Basin Project
c) Chico River Irrigation Project, Cagayan and Kalinga
d) Tumauini River Multipurpose Project, Isabela
e) Balog-Balog Multi-Purpose Project, Tarlac
f) Jalaur River Multi-Purpose Project, Iloilo
g) Panay-River Basin Integrated Development Project
h) Bohol Northeast Basin Multipurpose Project
i) Malitubog-Maridagao Irrigation Project, North Cotabato and Maguindanao
j) Kabulnan-2 Multipurpose Irrigation and Power Project

3. Flood Control and Drainage

a) Metro Manila and Surrounding Areas Flood Control, including the following:
i. Pasig-Marikina River Channel Improvement
ii. Marikina Multipurpose Dam
iii. Parañaque Spillway
iv. Laguna Lakeshore Flood Protection
v. River Improvements of Other Rivers
vi. Urban Drainage Systems

b) Flood Control in Other Major River Basins:
i. Agno

ii. Abra
iii. Abulog-Apayao
iv. Cagayan
v. Pampanga
vi. Bicol
vii. Panay
viii. Jalaur
ix. Ilog-Hilabangan
x. Tagaloan
xi. Cagayan de Oro
xii. Mindanao (Rio Grande)
xiii. Buayan-Malungon
xiv. Davao
xv. Tagum-Libuganon
xvi. Agus

c) Other Major Urban Areas, including Cavite Industrial Area and Metro Cebu

D. ICT Infrastructure

1. National Broadband Network, with universal access and internet connectivity
2. ICT Capability Development and Management Program
3. Activation of nodes using the National Grid's spare fiber to cascade capacity to growth areas in Luzon, Visayas, and Mindanao
4. Cable landing stations with submarine cable to bring in more links to the international gateway

E. Social Infrastructure

1. School Buildings
   a) Additional K-12 public classrooms to cover 100% of children of school age
   b) Provision of digital infrastructure to all schools to support online or distance learning
2. Hospitals and Health Facilities

a) Expansion of capacities and upgrading of service capabilities of government hospitals and other facilities, in accordance with the Philippine Health Facility Development Plan of the Department of Health, to ensure functional Health Care Provider Networks as provided in the Universal Health Care Act

b) Virology Science and Technology Institute of the Philippines

3. Waste Management and Circular Economy Infrastructure

a) Waste collection, transportation, and disposal facilities and infrastructure

b) Waste sorting, aggregation, and transfer stations, including markets and waste banks

c) Recycling and sustainable production facilities

d) Waste-to-energy and waste incineration installations

4. Penitentiary Infrastructure

Prisons in major urban centers

F. Agri-Fisheries Modernization and Food Logistics Infrastructure

1. Irrigation and soil and water conservation facilities

a) National irrigation projects – as listed in Section 12 C.2. of this Act

b) Communal and small-scale irrigation projects

c) Soil and water conservation facilities including small water impounding and bio-engineering projects

2. Farm-to-market and access roads

3. Production facilities including greenhouses/screenhouses, hatcheries, and bio-safety facilities

4. Post-harvest facilities, including dryers and warehouses, regional fish ports with cold storage, slaughterhouses and other meat facilities, and post-harvest facilities

5. Agri-fishery marketing and distribution facilities

6. Renewable energy projects for agri-fisheries

As provided in Section 13 of this Act, the initial list of core national infrastructure projects in this Section shall be regularly updated by the NEDA, to reflect changes in development policies, in economic, physical and social, and social conditions, and in the status of the projects in the Program, among other factors.

Sec. 13. *Responsibility for Formulation, Updating and Monitoring of the Detailed 30-Year Program.* – Pursuant to the policies, strategies, and other provisions in this Act, the NEDA shall, in coordination with the concerned oversight and implementing agencies and in consultation with concerned stakeholders, be responsible for the formulation of the detailed 30-Year National Infrastructure Program, divided into Medium-Term Programs. This shall include the selection, prioritization, and phasing of the specific projects with their respective descriptions, scopes, cost estimates, priorities, funding requirements, schedules, financing and implementation modalities, and implementing agencies. The extent to which the projects in the Program meet the policies and strategies provided in Section 5 of this Act and the agency responsibilities in Sections 6 to 11 of this Act shall generally determine their priority, phasing, and schedule of implementation.

In coordination with the concerned agencies, the NEDA shall update the Program at the end of the period of each Medium-Term Philippine Development Plan, or as often as may be necessary, taking into account changes in development policies, in economic, physical and social conditions, and in the status of the projects in the Program, among other factors. This update may include addition or deletion of projects or changes in their scopes and schedules, on the basis of actual physical, social, and economic circumstances, with sufficient justifications, according to detailed guidelines to be defined by the NEDA.

In all updates of the Program, priority shall be given to the core infrastructure projects identified in this Act and in such updates.

The NEDA, in coordination with the concerned agencies, shall be responsible for the regular monitoring and evaluation of the Program, including the physical and

financial performance of implementing agencies and the socio-economic impact of program accomplishments.

Sec. 14. *Minimum Budget Allocation for Infrastructure.* - The NEDA and the Department of Budget and Management (DBM) shall ensure that the total annual budget allocation by the government for the Program is at least five percent (5%) of the Gross Domestic Product: *Provided,* That the constitutional mandate for the State to assign the highest budgetary priority to education is observed.

The budget allocation for the program shall be consistent with the long-term expenditure framework of the government within the budget ceilings set by the Development Budget Coordinating Committee (DBCC), as well as with realistic levels of private sector investments under PPP schemes. The NEDA and the DBM shall also establish the infrastructure budget allocation for each implementing agency, taking into account the priorities of the projects as well as the absorptive capacity and performance record of the agency in project implementation and budget utilization.

Sec. 15. *Project Financing and Implementation Modalities.* –The projects under the Program may be implemented by the concerned agencies under the following generic modalities in accordance with the criteria and agency responsibilities indicated:

a) Conventional Scheme – This is generally applicable to non-financially viable, but economically feasible, projects.
    1. Financing of design, construction, operation and maintenance, and right-of-way of the project is provided by the national government.
    2. Design is undertaken by the national government, by itself or through a private designer.
    3. Construction is undertaken by the national government, by itself or through a private construction contractor.
    4. Operation and maintenance are undertaken by the national government, by itself or through a private operations and maintenance contractor.

b) Design-Build-Scheme – This is generally applicable to non-financially viable, but economically feasible projects where alternative design-build technologies are feasible.

1. Financing of design, construction, operation and maintenance, and right-of-way of the project is undertaken by the national government.
2. Design is undertaken by the private design-build contractor.
3. Construction is undertaken by the private design-build contractor.
4. Operation and maintenance is undertaken by the national government, by itself or through a private operation and maintenance contractor.

c) Public-Private Partnership Scheme – This is generally applicable to financially viable and economically feasible projects, with cost recovery from user charges or with value for money to the government/public.

1. Financing of right-of-way and allowable subsidy for the project is undertaken by the national government. Financing of design, construction, and operation and maintenance is undertaken by the PPP concessionaire.
2. Design is undertaken by the PPP concessionaire.
3. Construction is undertaken by the PPP concessionaire.
4. Operation and maintenance are undertaken by the PPP concessionaire.

d) Hybrid PPP scheme – This is generally applicable to financially viable and economically feasible projects where Official Development Assistance (ODA) is an affordable and quick source of financing for project design and construction, while the PPP Concessionaire can efficiently undertake the operation and maintenance.

1. Financing of right-of-way and allowable subsidy is undertaken by the National Government. Financing of design and construction is undertaken by the national government with ODA.
2. Design is undertaken by the national government, by itself or through a private designer.

3. Construction is undertaken by the national government, by itself or through a private construction contractor.
4. Operation and maintenance is undertaken by the private PPP concessionaire.

e) National Government-Local Government Unit (LGU) Partnership – This is generally applicable to non-financially viable but economically feasible projects where LGUs can contribute to right-of-way and operation and maintenance.

1. Financing of design and construction is undertaken by the national government. Financing of right-of-way/operation and maintenance is undertaken by the LGU.
2. Design is undertaken by the national government, by itself or through a private designer.
3. Construction is undertaken by the national government, by itself or through a private construction contractor, or by the concerned LGU.
4. Operation and maintenance is undertaken by the LGU.

Sources of National Government and LGU financing may include revenues and loans and grants, including loans or grants from ODA sources.

In addition to these generic project financing and implementation modalities, the NEDA in coordination with the Department of Finance and other oversight and implementing agencies, may authorize other appropriate modalities and variants as deemed feasible for the specific circumstances and requirements of the projects at hand. These may include, among others, green financing, blended financing, and co-financing, for projects that meet minimum environmental, social, and governance standards with strong economic impact potentials. Financial instruments may include a national infrastructure bond and a green infrastructure bond that can attract commercial and sustainable investments.

Sec. 16. *Basis for Medium-Term Planning and Annual Programming and Budgeting.* – Pursuant to the priorities and standards of the program indicated herein,

the implementing agencies shall formulate their respective Medium-Term Infrastructure Programs which shall then be integrated into the overall National Medium-Term Infrastructure Programs and the Medium-Term Philippine Development Plan to be crafted by the NEDA.

On the basis of the Program, the implementing agencies shall prepare their respective three-to-six-year Medium-Term Expenditure Frameworks (MTEFs) and subsequently their Annual Infrastructure Budgets (AIBs), which shall then be integrated into the proposed annual National Expenditure Programs (NEPs) to be prepared by the DBM for submission to the Congress as the basis of the annual General Appropriations Acts (GAAs). The implementing agencies and the DBM shall see to it that the core projects in the 30-Year National Infrastructure Program are given priority in the MTEFs, AIBs and NEPs.

The MTEFs shall be guided by the yearly budget ceilings to be provided by the DBCC. The AIBs shall follow the cash-based budgeting system of the Government.

The core projects in the initial list under Section 12 of this Act, as well as those in the updates of the Program pursuant to Section 13 of this Act, shall be vetted and approved according to the detailed evaluation criteria set by the NEDA, to confirm their technical, economic, financial, social, and environmental feasibility and priority, before the projects are included in the Medium-Term and Annual Infrastructure Programs and Budgets as provided in Section 10 of this Act.

Based on the Program and the approved GAAs, the DBM shall issue the necessary Multi-Year Contracting Authority (MYCA) to cover the total cost of each project the implementation of which will span several years. The DBM shall classify projects with issued MYCAs as priority items in the Agency AIBs, and shall provide for the automatic inclusion of the required funds in succeeding NEPs to enable the continuous implementation of such multi-year projects up to their completion.

Sec. 17. *Use of Applicable Modern Technology for Project Implementation.* – To achieve efficiency and transparency, projects in this Program shall, where applicable, be procured through electronic online systems, cover to include the submission and evaluation of bids.

For effective management of the projects, implementing agencies shall use the Building Information Modeling (BIM) or similar applicable automated management tools that can visualize, simulate, track, and help optimize the performance of a particular infrastructure in five dimensions, namely, length, width, height, time, and cost, throughout the lifecycle of the project, from planning and design, through procurement and construction, to operation and maintenance.

Sec. 18. *Accountability for Formulation and Implementation of this Act.* – The concerned oversight and implementing agencies shall be held accountable, under existing laws including anti-graft and corrupt practices laws and auditing rules, and shall be expected to properly fulfill their respective responsibilities in the selection, prioritization, budgeting, financing, procurement, execution of and fund disbursements for these projects, and all related aspects of the Program, as provided in this Act.

Sec. 19. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, a Committee, composed of the following officials, shall promulgate the rules and regulations for the proper implementation of the provisions of the Act:

a) The Secretary of Socio-Economic Planning and Director General of the NEDA as Chairman.
b) All Members of the NEDA Infrastructure Committee as Members.

In the preparation of the aforesaid rules and regulations, the Committee shall consult with major stakeholders from the private sector, including business groups, LGUs, community organizations, and non-government organizations, among others.

Sec. 20. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

Sec. 21. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Sec. 22. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,