



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Eighteenth Congress
Second Regular Session

HOUSE BILL NO. 7181

Introduced by Representative Isidro T. Ungab

EXPLANATORY NOTE

This bill seeks to create the Metropolitan Davao Development Authority (MDDA).

Section 13, Article X of the 1987 Constitution provides:

“Section 13. Local government units may group themselves, consolidate or coordinate their efforts, services, and resources for purposes commonly beneficial to them in accordance with law.”

The Philippine Development Plan, 2017-2022 adopts the policy of “national dispersion through regional agglomeration” to revitalize large cities and eventually stir them to expand their physical areas for planning as well as their service areas for urban service delivery. The rapid urbanization of Davao City, and the increasing population of the cities of Panabo, Tagum and the Island Garden City of Samal in Davao del Norte and the City of Digos in Davao del Sur requires a complex system of urban infrastructure facilities and services to support the expanding residential, commercial, industrial and institutional activities.

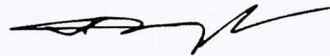
Due to their proximity with each other, these cities and the municipalities of Sta. Cruz in Davao del Sur and Carmen in Davao del Norte, are becoming spatially, functionally and economically interdependent with each other. As these local government units (LGUs) continue to grow, there is a pressing need for a metropolitan level management. In recognizing the economic and demographic trends, the Philippine Development Plan (PDP) 2017-2022, with its National Spatial

Strategy (NSS), has identified these cities and municipalities as comprising Metropolitan Davao.

The objectives of the PDP 2017-2022 include identifying the comparative strengths and functional roles of the different areas within Metro Davao with the end-goal of complementing and aligning the policies, programs and projects; identifying solutions to shared challenges including transport efficiency, provision of urban services, among others; and aiding national agencies, LGUs, and the private sector in planning and implementing development endeavors within Metro Davao and its influence areas.

This proposed measure intends to centralize and oversee the development efforts and initiatives which deal with the challenges and problems confronting Davao City and the nearby LGUs, by creating the Metropolitan Davao Development Authority (MDDA). The proposed MDDA will render services with wider coverage and impact. It will help rationalize the usage of infrastructures and thoroughfares, transport and traffic management including the institution of a single ticketing system. In a larger scale, this bill intends to build alternative roads that would bring tourists straight to their intended destinations. In this manner, traffic jams will be abated, carbon emission will be lessened and intended activities for individuals will be more manageable.

Hence, approval of this bill is earnestly requested.



HON. ISIDRO T. UNGAB
3rd District, Davao City

1 **SEC. 2. *Creation of the Metropolitan Davao Development Authority.*** –

2 The Metropolitan Davao Development Authority, hereinafter referred to as
3 MDDA, is hereby created to govern the affairs of Metropolitan Davao.

4 The MDDA shall perform planning, implementation, monitoring and
5 coordinative functions and shall exercise regulatory and supervisory authority over
6 the delivery of metropolitan-wide services within Metropolitan Davao. LGUs shall
7 retain its autonomy concerning purely local matters. The MDDA shall have
8 jurisdiction over the cities of Panabo, Tagum, and the Island Garden City of Samal
9 (IGACoS) in Davao del Norte; Digos in Davao del Sur and the highly urbanized
10 City of Davao and the municipalities of Carmen in Davao del Norte and Sta. Cruz
11 in Davao del Sur, all together to be known as Metropolitan Davao.

12 **SEC. 3. *Scope of MDDA Services.*** – The services under the jurisdiction of
13 the MDDA are those services that have metro-wide impact and transcend local
14 political boundaries or entail huge expenditures such that it would not be viable for
15 said services to be provided by the individual LGUs. These services include:

16 a) Development planning which includes preparing medium and long-
17 term development plans; developing, evaluating and packaging of projects;
18 investments programming; and coordinating and monitoring plans, programs and
19 project implementation;

20 b) Transport and traffic management which include formulating,
21 coordinating, and monitoring policies, standards, programs and projects to
22 rationalize the existing transport operations, infrastructure requirements, the use of
23 thoroughfares, and promotion of safe and convenient movement of persons and

1 goods; providing a mass transport system and instituting a system to regulate road
2 users; administering and implementing all traffic enforcement operations, traffic
3 engineering services and traffic education programs, including instituting a single
4 ticketing system;

5 c) Solid waste disposal and management which include formulating and
6 implementing policies, standards, programs and projects for proper and sanitary
7 waste disposal. It shall likewise include establishing and operating a sanitary land
8 fill and related facilities and implementing other alternative programs intended to
9 reduce, reuse and recycle solid waste;

10 d) Flood control and sewerage management which include the
11 formulating and implementing policies, standards, programs and projects for an
12 integrated flood control, drainage and sewerage system;

13 e) Urban renewal, zoning, land use planning and shelter services which
14 include formulating, adopting, and implementing policies, standards, rules and
15 regulations, programs and projects to rationalize and optimize urban land use and
16 provide direction to urban growth and expansion, rehabilitating and developing
17 slum and blighted areas, developing shelter and housing facilities and providing
18 necessary social services thereof;

19 f) Health and sanitation, urban protection and pollution control which
20 include formulating and implementing policies, rules and regulations, standards,
21 programs and projects for promoting and safeguarding the health and sanitation to
22 enhance ecological balance and prevent, control and abate environmental
23 pollution; and

1 g) Public safety which includes formulating and implementing
2 programs, policies and procedures to achieve public safety, especially preparedness
3 for preventive or rescue operations during times of calamities and disasters such as
4 conflagrations, earthquakes, flood, and coordinating and mobilizing resources and
5 implementing contingency plans for the rehabilitation and relief operations in
6 coordination with national agencies concerned.

7 **SEC. 4. *Functions of the Metropolitan Davao Development Authority.* –**

8 The MDDA shall exercise the following functions:

9 1) Formulate plans aligned to the Davao Region Development Plan
10 (DRDP) and Philippine Development Plan 2017-2022;

11 2) Prepare and implement or manage metropolitan wide programs and
12 projects for the delivery of specific services under its jurisdiction, subject to the
13 approval of the Metropolitan Davao Development Council;

14 3) Monitor the implementation of metropolitan-wide programs and
15 projects and identify implementation issues and appropriate solutions to address
16 them;

17 4) Prescribe and collect service and regulatory fees, and impose and
18 collect fines and penalties; and

19 5) Perform other functions, subject to approval by the Metropolitan
20 Davao Development Council.

21 **SEC. 5. *Metropolitan Davao Development Council.* –** The governing board
22 and policy making body of Metropolitan Davao is the Metropolitan Davao
23 Development Council, herein referred to as the Council, composed of the

1 Chairperson of the Regional Development Council XI, governors of the provinces
2 of Davao del Norte and Davao del Sur, city mayors of Davao, Tagum, Digos,
3 IGACoS, Panabo, and the municipal mayors of Carmen and Sta. Cruz. The
4 chairperson and co-chairperson of the Council shall be elected from among its
5 members, to serve for a term of three (3) years.

6 The heads of the following Davao Regional Offices of national government
7 agencies shall attend all meetings of the Council as non-voting members:
8 Department of Public Works and Highways, Department of the Interior and Local
9 Government, Department of Environment and Natural Resources, Department of
10 Information and Communications Technology, Department of Energy, Department
11 of Tourism, Land Transportation Office, and Police Regional Office.

12 The chairperson shall be assisted by a general manager, an assistant general
13 manager for finance and administration, an assistant general manager for planning
14 and assistant general manager for operations, all of whom are appointed by the
15 President of the Philippines upon recommendation of majority of the Council,
16 subject to civil service laws, rules and regulations. They enjoy security of tenure
17 and may be removed for cause in accordance with law.

18 The assistant general manager for planning must have not less than five (5)
19 years extensive experience in development and planning or must hold a master's
20 degree in urban planning or similar disciplines.

21 The chairperson and members of the Council are entitled to allowance and
22 per diems in accordance with existing policies, rules and regulations on the matter.

1 **SEC. 6. *Functions of the Metropolitan Davao Development Council.*** –

2 The Council is the policy-making body of the MDDA and shall exercise the
3 following functions:

4 a) Approve plans, programs and projects, and issue rules and regulations
5 deemed necessary by the MDDA to carry out the purposes of this Act;

6 b) Increase the rate of allowances and per diems of the members of the
7 Council to be effective during the term of the succeeding Council. It shall fix the
8 compensation of the officers and personnel of the MDDA, and approve the annual
9 budget of MDDA for submission to the Department of Budget and Management
10 (DBM);

11 c) Recommend investment programming for its plans and programs, as
12 well as supervise the implementation of plans and programs which includes the
13 formulation and coordination of its related activities;

14 d) Promulgate rules and regulations and set policies and standards for
15 application governing the delivery of basic services, prescribe and collect service
16 and regulatory fees, and impose and collect fines and penalties;

17 e) Endorse the annual as well as the supplemental budgets of the
18 MDDA; and

19 f) Perform such other acts and assume such other functions as may be
20 necessary to carry out the provisions of this Act.

21 **SEC. 7. *Functions of the Chairperson.*** – The chairperson shall exercise the

22 following functions:

- 1 a) Appoint, subject to civil service laws, rules and regulations, all
2 subordinate officers and employees, who shall enjoy security of tenure and may be
3 removed only for cause in accordance with law. The chairperson is authorized to
4 engage the services of experts or consultants either on full time or part-time basis,
5 as may be required in the performance of the chairperson's functions and duties;
- 6 b) Execute the policies and measures approved by the Council and be
7 responsible for the efficient and effective day-to-day management of the operations
8 of the MDDA;
- 9 c) Prepare the annual budget for the operations of the MDDA for the
10 submission to the Council;
- 11 d) Submit for consideration of the Council such other duties and
12 measures as the chairperson may deem necessary to carry out the purposes and
13 provisions of this Act;
- 14 e) Subject to the guidelines and policies set by the Council, prepare the
15 staffing pattern and fix the number of subordinate officials and employees of the
16 MDDA and exercise the power to discipline subordinate officials and employees
17 under the provisions of law;
- 18 f) Prepare an annual report on the accomplishments of the MDDA at the
19 close of each calendar year for submission to the Council and to the President of
20 the Philippines; and
- 21 g) Perform such other duties as may be assigned to him by the President
22 of the Philippines or by the Council.

1 SEC. 8. *Functions of the General Manager.* – The general manager shall
2 exercise the following functions:

3 a) Assist the chairperson in the administration of the MDDA and
4 supervision of subordinate personnel;

5 b) Assist the chairperson in the supervision of the operation of the
6 various operating centers and units of MDDA;

7 c) Assist the chairperson in the review of plans and programs for the
8 MDDA and for the cities and municipalities in the preparation of the annual report
9 of activities and accomplishments of the MDDA; and

10 d) Perform such other duties and functions as may be lawfully delegated
11 or assigned by the chairperson from time to time.

12 SEC. 9. *Institutional Linkages of the MDDA.* – The MDDA shall, in
13 carrying out its functions, consult, coordinate and work closely with the LGUs, the
14 Regional Development Council XI and other national government agencies,
15 people’s organizations, non-government organizations, and the private sector
16 operating in Metropolitan Davao. The MDDA shall have a master plan that shall
17 serve as the framework for the local development plans of the component LGUs
18 and aligned with the Davao Regional Development Program (DRDP).

19 The MDDA shall submit the Council’s approved development plans and
20 investment programs to the Regional Development Council XI for integration in
21 the DRDP and public investment program. The implementation of the MDDA’s
22 plans, programs, and projects shall be undertaken by the LGUs, concerned national
23 government agencies, people’s organizations, non-government organizations,

1 private sector, and the MDDA itself where appropriate. For this purpose, the
2 MDDA may enter into contracts or memoranda of agreement with these bodies for
3 the delivery of the required services within Metropolitan Davao.

4 The MDDA shall, in coordination with the National Economic and
5 Development Authority and Department of Finance, interface with foreign
6 assistance agencies for purposes of obtaining financing support, grants and
7 donations in support of its programs and projects.

8 **SEC. 10. *Sources of Funds and the Operating Budget of MDDA.* –**

9 a) To carry out the purposes of this Act, the amount necessary for the
10 initial operation of the MDDA shall be included in the succeeding year's annual
11 General Appropriations Act (GAA). Thereafter, the annual expenditures including
12 capital outlays of the MDDA shall be included in the annual General
13 Appropriations Act (GAA).

14 b) The MDDA is likewise empowered to levy fines and impose fees and
15 charges for various services rendered.

16 c) Five percent (5%) of the total annual gross revenue of the preceding
17 year, net of the internal revenue allotment, of each LGU mentioned in Section 2 of
18 this Act, shall accrue and become payable monthly to the MDDA by the said
19 LGUs. In case of failure to remit the said fixed contribution, the DBM shall cause
20 the disbursement of the same to MDDA chargeable against the internal revenue
21 allotment of the city or municipality concerned, the provisions of Section 286 of
22 Republic Act No. 7160, as amended, otherwise known as the "*Local Government*
23 *Code of 1991,*" to the contrary notwithstanding.

1 SEC. 11. ***Transitory Provisions.*** – To prevent disruption in the delivery of
2 basic services pending the full implementation of the MDDA’s organizational
3 structure and staffing pattern, all officials and employees of the cities and
4 municipalities shall continue to exercise their duties and functions and receive their
5 salaries and allowances until they shall have been given notice of change of duties
6 and functions, and of being transferred to another office or position.

7 The civil service laws, rules and regulations pertinent to the displacement of
8 personnel affected by this Act shall be strictly enforced. The National Government
9 shall provide such amounts as may be necessary to pay the benefits accruing to
10 displaced employees at the rate of one and one-fourth (1 ¼) month’s salary for
11 every year of service: *Provided*, That if qualified for retirement under existing
12 retirement laws, said employees may opt to receive the benefits thereunder.

13 SEC. 12. ***Separability Clause.*** – If any part or provision of this Act is held
14 unconstitutional or invalid, the other parts or provisions not affected shall remain
15 in full force and effect.

16 SEC. 13. ***Repealing Clause.*** – All laws, decrees, executive orders, rules and
17 regulations, parts or provisions thereof that are contrary to or inconsistent with the
18 provisions of this Act are repealed, amended, or modified accordingly.

19 SEC. 14. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
20 publication in the *Official Gazette* or in a newspaper of general circulation.

21 Approved,