



SENATE

P. S. RES. NO. 889

'18 SEP 12 A8:59

Introduced by Senator Antonio "Sonny" F. Trillanes IV

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON CIVIL SERVICE, GOVERNMENT REORGANIZATION AND PROFESSIONAL REGULATION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON POSSIBLE CONFLICT OF INTEREST ARISING FROM GOVERNMENT CONTRACTS OBTAINED BY KIN OF GOVERNMENT EMPLOYEES AND/OR OFFICIALS, WITH THE END IN VIEW OF COMING UP WITH POSSIBLE REMEDIAL LEGISLATION TO PREVENT THE OCCURRENCE OR RECURRENCE OF SUCH SITUATIONS IN THE FUTURE

WHEREAS, Article VII, Section 13 of the 1987 Constitution states that:

"The President, Vice President, Vice President, the Members of the Cabinet, and their deputies or assistants shall not, unless otherwise provided in this Constitution, hold any other office or employment during their tenure. They shall not, during said tenure, directly or indirectly, practice any other profession, participate in any business, or be financially interested in any contract with, or in any franchise, or special privilege granted by the Government or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations or their subsidiaries. They shall strictly avoid conflict of interest in the conduct of their office."

WHEREAS, Section 9 of Republic Act No. 6713 states that, "a public official or employee shall avoid conflicts of interest at all times". Further, Section 3.i. of the same law defines conflict of interest as one that "arises when a public official or employee is a member of a board, an officer or a substantial stockholder of a private corporation or owner or has a substantial interest in a business, and the interest of such corporation or business, or his rights or duties herein, may be opposed to or affected by the faithful performance of his official duty";

WHEREAS, a report by the Philippine Center for Investigative Journalism (PCIJ) states that Davao Region was given the most public-works funds by the Department of Public Works and Highways in 2017;¹

WHEREAS, the report further stated that the top contractors in the same region are CLTG Builders and Alfrego Builders and Supplies – purportedly owned by the father and step-brother of Special Assistant to the President Christopher Lawrence Tesoro "Bong" Go;²

¹ Mangahas, M. and Ilagan, K. (06 September 2018). 'BUILD, BUILD, BUILD' HITS CHOKEPOINT Firms of Bong Go kin, top contractors: Many JVs, delayed projects in Davao. Retrieved from <http://pcij.org/stories/firms-of-bong-go-kin-top-contractors-many-jvs-delayed-projects-in-davao/>

² Ibid.

WHEREAS, CLTG Builders won a total of Php 1.85 billion worth of infrastructure projects for Davao Region from 2007 to 2017, and another Php 2.7 billion in joint ventures with four contractors including Alfrego Builders and Supplies in 2017 alone;³

WHEREAS, CLTG Builders caught the attention of PCIJ's research because it failed to complete all of its joint-venture projects within the original deadline. CLTG also has a B license which means that it could not carry out a big-ticket project without having a partner;⁴

WHEREAS, coincidentally, CLTG is also the initials of Special Assistant to the President Christopher Lawrence Tesoro "Bong" Go;

WHEREAS, government officials and employees are held with higher set of standards. They are expected at all times to put the interest of the public above their own. Hence, there is an urgent need to look into this matter as conflict of interest or undue influence exerted by government officials and employees in the conduct of government transactions threatens the quality of service the public is receiving;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Senate of the Philippines, to direct the Senate Committee on Civil Service, Government Reorganization and Professional Regulation to conduct an inquiry, in aid of legislation, on possible conflict of interest arising from government contracts obtained by kin of government employees and/or officials with the end in view of coming up with possible remedial legislation to prevent the occurrence or recurrence of such situations in the future

Adopted,


ANTONIO "SONNY" F. TRILLANES IV
Senator

³ Mangahas, M. and Ilagan, K. (06 September 2018). 'BUILD, BUILD, BUILD' HITS CHOKEPOINT
Firms of Bong Go kin, top contractors: Many JVs, delayed projects in Davao. Retrieved from <http://pcij.org/stories/firms-of-bong-go-kin-top-contractors-many-jvs-delayed-projects-in-davao/>

⁴ Ibid.