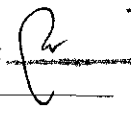


FIFTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

OFFICE OF THE SECRETARY

10 SEP 14 P3:42

SENATE  
P. S. R. No. **184**

RECEIVED BY: 

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Introduced by Senator Miriam Defensor Santiago

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RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,  
IN AID OF LEGISLATION, ON THE FISCAL IMPRUDENCE AND VIOLATIONS  
OF THE GOVERNMENT PROCUREMENT LAW COMMITTED BY SOME  
OFFICIALS OF THE METRO MANILA DEVELOPMENT AUTHORITY  
ACCORDING TO FINDINGS BY THE COMMISSION ON AUDIT

WHEREAS, the Constitution, Article 2, Section 27: "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption";

WHEREAS, the *Manila Bulletin* posted a news article last 2 September 2010 about a report from the Commission on Audit (CoA) stating that the government wasted some P3.6 million because 10 loading and unloading bays along Commonwealth Avenue in Quezon City constructed by the Metro Manila Development Authority (MMDA) have not been utilized;

WHEREAS, according to the CoA, each of the loading and unloading bays cost government P327,557.99 and were constructed from 2006 to 2009 upon the orders of then MMDA Chairman Bayani Fernando;

WHEREAS, the news report said that motorists have previously criticized the structures for causing bottlenecks along the main QC thoroughfare;

WHEREAS, the CoA identified the unused loading and unloading bays as those in Philcoa, northbound, Ayala Techno Hub, northbound and southbound; Diliman Preparatory, northbound and southbound; Ever-Gotesco, northbound and southbound; St. Peter. Church, northbound and southbound, and Sandiganbayan, northbound;

WHEREAS, CoA officials added that according to the MMDA's 2009 annual audit report, some MMDA officials resorted to the reimbursement of P61.6 million in procuring supplies and materials for the said year, a method deemed by state auditors as against sound accounting practices and a deviation from the provisions of the Government Procurement Law because the purchases could not be considered "emergencies";

WHEREAS, those MMDA officials who were identified in the report using reimbursement process in purchasing their supplies were Asst. General Manager Edemison Fainsan, P25.6 million; Angelito Vergel de Dios, P12.6 million; Rodrigo Tuazon, P11.3 million; Baltazar Meigar, P8.7 million; Robert P. Esquivel, P6.2 million;

Ramon Santiago, P135,757; Emmanuel Castro, P185,230; and Undersecretary Cesar Lacuna, P51,600;

WHEREAS, if MMDA officials have indeed committed violations against the Government Procurement Law and common fiscal prudence, such must be investigated by the Senate to see if these finance-related practices were commonplace within the agency;

WHEREAS, an investigation on this issue may result in the recommendation to the Ombudsman of punitive measures, administrative or even criminal, for the erring MMDA officials who violated the Government Procurement Law;

WHEREAS, those behind the ill-planned and costly construction of loading and unloading bays in Quezon City should also be investigated for their capacity and competence as MMDA officials and should be scrutinized for their possible involvement in graft and corruption for the project;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the Senate committees on public works, and accountability of public officers and investigations to conduct an inquiry in aid of legislation, on the fiscal imprudence and violations of the Government Procurement Law committed by some officials of the Metro Manila Development Authority according to findings by the Commission on Audit.

Adopted,

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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