

## [ Act No. 22, October 15, 1900 ]

### **AN ACT APPROPRIATING ONE MILLION DOLLARS IN MONEY OF THE UNITED STATES FOR IMPROVING THE PORT OF MANILA.**

*By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:*

SECTION 1. The sum of one million dollars in the money of the United States is hereby appropriated to be paid out of any money, in the insular Treasury, not otherwise appropriated, to be immediately available and to be expended by the Military Governor, through the Chief Engineer, United States Army, for the Division of the Philippine Islands, for continuing the improvements of the harbor of Manila, including the outer harbor and the Pasig River from the Bridge of Spain to the mouth, in general accordance with the project adopted and partly carried out by the Spanish Government, the plans and specifications for which are on file in the office of the Chief Engineer.

SEC. 2. The appropriation shall be first used to finish the break waters already partially built, and to dredge within them so that all shipping, of whatever draft, frequenting this port may be able to be under their protection, to clear and dredge the present canal connecting the projected harbor with the Pasig River; and to keep dredged the Pasig River below the Bridge of Spain, and the bar at the mouth of the river.

SEC. 3. After the work provided for in section two shall have proceeded so far that connection of the new port by a bridge with the business portion of Manila shall lie needed, the Chief Engineer, under the direction of the Military Governor, shall construct a suitable railroad, wagon, and passenger drawbridge across the Pasig River, near its mouth, so as to interfere as little as possible with navigation. The Chief Engineer shall acquire, either by purchase or by appropriation in the manner provided by law, the necessary land, not owned by the government of these Islands, for approaches and piers of the bridge. No purchase of lands herein directed shall be concluded until the title thereto shall be examined by the fiscal of the Supreme Court of the Philippine Islands and be declared good and sufficient, and the terms of the purchase shall be approved by the Military Governor.

SEC. 4. Such minor structures, permanent or temporary and such inside quay walls may be constructed or continued, where partially constructed, as will, as far as practicable, give relief to the present overcrowded condition of the port of Manila and which do not unduly interfere with, delay, or injure the final improvements contemplated by this Act.

SEC. 5. The work herein provided for shall, as far as practicable, be done and the necessary materials purchased by contract or contracts with private individuals or corporations. Bids for doing the same shall be advertised for and the contracts for doing the same shall be awarded to the lowest bidder or bidders except as hereinafter provided.

When the Chief Engineer shall decide that public exigency requires the immediate delivery of any article or performance of any service, the article or service required

may be procured by open purchase or hire at the places and in the manner in which articles are usually bought and sold or such services engaged between individuals, provided the price of such article or service does not in any single instance exceed five thousand dollars Mexican.

The Chief Engineer may advertise and contract for the doing of the work prescribed by this Act either as a whole or in parts, as he may deem most advantageous to the public interests.

In making such advertisements or contracts he shall observe the following general rules and regulations, viz.:

(a) Advertisements shall be made by him in some newspaper or newspapers of general circulation in the cities of New York, Chicago, and San Francisco in the United States, in Manila and in such other places as he may deem advantageous, for the period of thirty days, specifying therein the nature and character of the work to be let, stating that the plans and specifications for the same can be examined at the office of the Chief Engineer in Manila, and, in his discretion, at other designated points, soliciting bids for doing the same or so much as shall be specified in the advertisement and fixing the time or places when and where the bids shall be opened: *Provided*, That whenever the Chief Engineer shall advertise for a minor part of said work which will not involve a cost of more than fifty thousand dollars, he shall not be required to make such advertisements in the United States, if, in his judgment, so doing would be productive of unnecessary expense or delay.

(b) At the time and place or places fixed in the advertisement, all bids for doing the work or the part advertised to be done, shall be opened by the Chief Engineer, who shall award the contract for doing the same to the lowest responsible bidder, provided the Chief Engineer deems the bid reasonable.

(c) If the Chief Engineer considers the lowest responsible bid to be excessive, he is hereby authorized to reject the same and he may, in the same manner, again advertise, one or more times, for new bids and open the same and award the contract as in the first instance to the lowest responsible bidder, if in his judgment the same is reasonable and if not he shall reject the same, provided that after once advertising without obtaining a satisfactory bid, the Chief Engineer, if he considers it more, economical and advantageous to the public interests, shall report the fact to the Military Governor, who shall, if he considers further advertising undesirable, order the work to be done directly by the Chief Engineer under such rules as the Military Governor may establish for the purchase of materials, employment of labor and other details.

(d) The Chief Engineer shall furnish, on application, to any person desiring it, all information in regard to the nature and character of the work advertised to be let and shall permit the examination of the plans and specifications and in general shall furnish any person desirous to bid upon the work, such information as will enable him to bid understandingly.

(e) No person shall be informed directly or indirectly by the Chief Engineer or his subordinates, of the name of any bidder or one intending to bid or of any one to whom any information has been given.