



REPUBLIKA NG PILIPINAS  
PAMAHALAAN LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473  
Email address: sangguniangpanlungsod2k19@gmail.com



RESOLUTION NO. 2020-417

A RESOLUTION RATIFYING THE MAINTENANCE AGREEMENTS ENTERED INTO IN 2016, 2017, 2018 AND 2019 BETWEEN THE CITY GOVERNMENT OF MUNTINLUPA AND HITACHI ELEVATORS/ESCALATORS INDUSTRIAL CORPORATION-PHILIPPINES, FOR THE PERIODIC MAINTENANCE AND INSPECTION OF HITACHI ELEVATORS LOCATED IN OSPITAL NG MUNTINLUPA (OSMUN), WITH A MONTHLY SERVICE FEE AMOUNTING TO TWELVE THOUSAND PESOS (PHP12,000.00) INCLUSIVE OF VAT

Sponsored by: Hon. Coun. Allan Rey A. Camilon  
Hon. Coun. Atty. Raul R. Corro  
Hon. Coun. Alexson V. Diaz  
Hon. Coun. Paty Katy C. Boncayao  
Hon. Coun. Louisito A. Arciaga  
Hon. Coun. Ting Niefes  
Hon. Coun. Stephanie G. Teves  
Hon. Coun. Ivey Rhia A. Tadea  
Hon. Coun. Engr. Marissa C. Rongavilla  
Hon. Coun. Francis Ian T. Bagatsing  
Hon. Coun. Mark Lester M. Baes  
Hon. Coun. Ma. Dhesiree G. Arevalo  
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.  
Hon. Coun. Engr. Arlene D. Hilapo  
Hon. Coun. Cornelio M. Martinez  
Hon. Coun. Walter A. Arcilla  
Hon. Coun. Kenichi D. Takagi, Jr.

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**WHEREAS**, Section 16 of Republic Act (R.A.) No. 7160, otherwise known as the Local Government Code of 1991 (LGC), provides that every local government unit (LGU) shall exercise powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

**WHEREAS**, Article 86(b)(1)(vi) of the Rules and Regulations Implementing the LGC (LGC-IRR), provides that "(b) For efficient, effective, and economical governance the purpose of which is the general welfare of the city and its inhabitants pursuant to Section 16 of the Code, the City Mayor shall: (1) Exercise general supervision and control over all programs, projects, services, and activities of the City, and in this connection, shall: Xxx (vi) Represent the City in all its business transactions and sign in its behalf all bonds, contracts, and obligations, and such other documents upon authority of the Sangguniang Panlungsod or pursuant to law or ordinance.";

**WHEREAS**, Rule IX, Article 47(a) of the LGC-IRR provides that "Unless otherwise provided in the Code, no contract may be entered into the Local Chief Executive in behalf of a Local Government without prior authorization by the Sanggunian;"





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**WHEREAS**, Article II, Section 4(d) and (e) of R.A. No. 7926, also known as the Charter of the City of Muntinlupa (Charter), empowers the City, as a political body corporate, to *acquire and convey real or personal property, and to enter into contracts*;

**WHEREAS**, on 06 October 2008, the then City Council issued Resolution No. 08-206, also known as, "*A Resolution Authorizing the Hon. City Mayor Aldrin L. San Pedro in Behalf of the Ospital ng Muntinlupa to Execute and Sign the Maintenance Agreement with Hitachi Elevators/Escalators Industrial Corporation-Philippines (Hitachi), Represented by Engr. Eduardo Alob, for the Maintenance and Inspection Services of the Elevators of the Ospital ng Muntinlupa (OSMUN);*"

**WHEREAS**, on 20 February 2008, pursuant to the City Resolution No. 08-206, the City Government of Muntinlupa (CGM) and Hitachi Elevators/Escalators Industrial Corporation-Philippines (Hitachi) entered into a Maintenance Agreement for the periodic maintenance and inspection of Hitachi Elevators located in OSMUN (Maintenance Agreement), with a monthly service fee amounting to Nine Thousand Pesos (PhP9,000.00) inclusive of VAT;

**WHEREAS**, Paragraph A, No. 1 on Page 2 of the Maintenance Agreement entered into on 20 February 2008 provides for an automatic renewal clause, to wit: "*this Agreement is mutually considered renewed every year thereafter unless written notice of termination or cancellation is served by either party to the other at least thirty (30) days in advance;*"

**WHEREAS**, on 2016 the CGM and HI-ELES entered into another Maintenance Agreement with a monthly service fee amounting to **Twelve Thousand Pesos (PhP12,000.00) inclusive of VAT**;

**WHEREAS**, Paragraph A, No. 1 on Page 1 of the Maintenance Agreement entered into in 10 April 2018, provides for an automatic renewal clause, to wit: "***this Agreement is subject to automatic renewal every year thereafter unless written notice of termination or cancellation is served by either party to the other at least thirty (30) days prior to the end of the initial term and that the customer agrees to give the contractor thirty (30) days prior notice in case of transfer sale or conveyance of the ownership, possession, or administration of the building and premises where the Equipment, subject matter of this Agreement is installed;***"

**WHEREAS**, due to the absence of any written notice of termination or cancellation from both parties, the Maintenance Agreement entered into by CGM and HI-ELES on **10 April 2018** covering the period of **01 April 2018 to 31 March 2019** was automatically renewed from the lapse of the initial term to effectively cover the period of **01 April 2019 to 31 March 2020**;





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NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY RESOLVED, by the 9<sup>th</sup> Sangguniang Panlungsod of Muntinlupa, to **ratify** the **Maintenance Agreements** entered into in **2016, 2017, 2018 and 2019** by the City Government of Muntinlupa (CGM) and Hitachi Elevators/Escalators Industrial Corporation-Philippines (Hitachi), *for the periodic maintenance and inspection of Hitachi Elevators located in the Ospital ng Muntinlupa, with a monthly service fee amounting to Twelve Thousand Pesos (PhP12,000.00) inclusive of VAT.*

FURTHER RESOLVED, that the City Budget and Management Department and the City Accounting Office are hereby authorized to process all the unpaid accounts due to Hitachi Elevators/Escalators Industrial Corporation-Philippines subject to the usual accounting and auditing rules and regulations.

ADOPTED, by the 9<sup>th</sup> Sangguniang Panlungsod of Muntinlupa this 30<sup>th</sup> day of December, 2020 on its 11<sup>th</sup> Special Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO  
Member

COUN. ALEXSON V. DIAZ  
Member

(ABSENT)  
COUN. PATY KATY C. BONCAYAO  
Member

COUN. LOUISITO A. ARCIAGA  
Member

COUN. ALLAN REY A. CAMILON  
Member

COUN. TING NIEFES  
Member

(ABSENT)  
COUN. STEPHANIE G. TEVES  
Member

COUN. IVEE RHIA A. TADEFA  
Member

DISTRICT 2:

(ABSENT)  
COUN. ENGR. MARISSA C. RONGAVILLA  
Member

COUN. FRANCIS IAN T. BAGATSING  
Member

(ABSENT)  
COUN. MARK LESTER M. BAES  
Member





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(MATERNITY LEAVE)

COUN. MA. DRESIREE G. AREVALO

Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.

Member

COUN. ENGR. ARLENE D. HILAPO

Member

COUN. CORNELIO M. MARTINEZ

Member

(ABSENT)

COUN. WALTER A. ARCILLA

President

Sectoral Representative

Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.

President

Sectoral Representative

Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.

CECILIA C. LAZARTE

Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC

City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI

City Mayor

Date: 05 JAN 2021

Norie/9<sup>th</sup> SP