



Sangguniang Panglungsod

REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

RESOLUTION NO. 01-311

A RESOLUTION AUTHORIZING MAYOR JAIME R. FRESNEDI TO ENTER INTO A CONTRACT OF LEASE, CONSTRUCTION AND OPERATION OF THE ALABANG JEEPNEY TERMINAL (CITY TERMINAL) IN ALABANG, MUNTINLUPA CITY, WITH THE JOINT VENTURE OF AYESEL CONSTRUCTION AND DEVELOPMENT CORPORATION, ROYALTY ALABANG FOODS, INC. AND MONARCH FOODS, INC..

- Sponsored by:
- Hon. Dante S. Almario*
 - Hon. Atty. Patricio L. Boncayao, Jr.*
 - Hon. Aldrin L. San Pedro*
 - Hon. Atty. Raul R. Corro*
 - Hon. Bal Niefes*
 - Hon. Nicanor L. Echavez, MD*
 - Hon. Victor L. Ulanday*
 - Hon. Elmer S. Espeleta*
 - Hon. Reynaldo A. Abas, Jr.*
 - Hon. Lucio B. Constantino*
 - Hon. Mario E. Bulay, Jr.*
 - Hon. Artemio A. Simundac*
 - Hon. Allan Rey A. Camilon*

WHEREAS, pursuant to R.A No. 7926, an "Act converting the Municipality of Muntinlupa into a Highly Urbanized City to be known as the City of Muntinlupa", otherwise known as the "Charter of the City of Muntinlupa", the city may exercise as part of its general powers to take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interest of the City, and exercise all the powers as are granted to corporations and/or hereinafter conferred, generate, and maximize the use of resources for the development plans, programs, objectives and priorities of the City with particular attention to agro-industrial development and city-wide growth and progress;

WHEREAS, the LESSOR acquired from the National Government, pursuant to Proclamation No. 1240, dated 23 June 1998, parcels of land, with an aggregate area of 9.6 hectares has reserved for public purpose and use, such as sites for civic, hospital, public market, public plaza and public high school, for the use under the control and administration of the City of Muntinlupa;

WHEREAS, for so long a time before the aforesaid proclamation until now the City has been using the area subject as Alabang Jeepney Terminal;

WHEREAS, the subject area for lease cannot now, during or beyond the duration of the lease period be used for any other purpose other than its present use as a City Terminal for jeepneys because there is no other place most suitable and appropriate except the said area;

[Handwritten signatures of Mayor Jaime R. Fresnedi and other council members]



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WHEREAS, per report of the Treasurer's Office and the Tax and License Office, and during the public hearing, the present monthly income from the terminal is about P200,000.00 per month, plus P62,000.00 from eateries and other small businesses around the area or a total of P262,000.00 monthly;

WHEREAS, in the operation of the terminal, the city is spending P88,450.25 for salaries of personnel, P10,000.00 for electricity, and cost of printing of tickets monthly;

WHEREAS, in order to unburden the City of expenses of the City in the terminal, to ensure the continuity of the fund for scholars and police trust fund, to generate higher income, to clear the area from makeshift stalls and structures and to improve its facilities, the City deems it reasonable to enter into a Contract of Lease, Construction and Operation of the Alabang Jeepney Terminal;

WHEREAS, in a bidding conducted on May 4, 2000, the Joint Venture of Ayesel Construction and Development Corporation, Royalty Alabang Foods, In. and Monarch Foods, Inc., won with a bid of P25,000.00 per day as rental or a total of P750,000.00 a month over an area of 18,750 square meters, more or less;

WHEREAS, after a thorough review of the project subject of the lease, the City finds it necessary to reduce the area from 18,750 square metes to 10,292.51 square meters, because there is an area for government use which should be excluded and a portion of the terminal which was the subject of the bidding on February 14, 1990 where the Masagana Superstore, Inc., won was included in the 18,750 square meters subject of the lease bidded on May 4, 2000;

WHEREAS, the portion denominated as Phase II in the Development Plan is conditionally included in the award pending final determination of the status of the said area. It is understood that the **LESSEE** will not utilize or introduce improvement thereon. In the event that it is finally determined that the area denominated as Phase II turns out to be excluded in the area the same shall be automatically deducted from the total area awarded and there shall be a proportionate reduction of the monthly rental;

WHEREAS, the City Government requested the Joint Venture of Ayesel Construction and Development Corporation, Royalty Alabang Foods, Inc. and Monarch Foods Ins., to reduce the area from 18,750 square meters to 10,292.51 square meters and the joint venture corporations agreed, provided there should be reduction in the rental;

WHEREAS, in the further negotiation between the City Government and the joint venture corporations, both parties agreed to fix the reasonable monthly rental to P411,700.40 which is P40.00 per square meter to be paid within the first five (5) days of each month;

[Handwritten signatures of officials]



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WHEREAS, the Contract of Lease, Construction and Operation shall be fifteen (15) years and maybe extended for a period of five (5) years with an increase of 10% in the monthly rental every two (2) years;

WHEREAS, aside from the monthly rental of P411,700.40, the City will have additional income in the form of business tax, mayors permit fee, garbage fee, sanitary permit fee, building inspection fee and real estate tax, which may amount to millions of pesos per year;

WHEREAS, at the end of the lease contract, all permanent improvements introduced by the joint venture corporations shall become properties of the City.


WHEREAS, to improve the traffic management in the area, there is a need to upgrade and improve the existing Alabang Jeepney Terminal;

WHEREAS, the said Contract of Lease will be subject to the approval of the City Council.


RESOLVE, THEREFORE, AS IT IS HEREBY RESOLVED, to authorize City Mayor Jaime R. Fresnedi to enter into a Contract of Lease, Construction and Operation of the Alabang Jeepney Terminal (City Termina) in Alabang, Muntinlupa City, with the Joint Venture of Aysel Construction and Development Corporation, Royalty Alabang Foods, Inc. and Monarch Foods, Inc.

APPROVED by the *Sangguniang Panlungsod of Muntinlupa* this **07 February 2001** on its **113th** Regular Session.

CONCURRED:

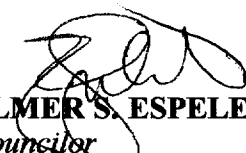

ALDRIN L. SAN PEDRO
Councilor

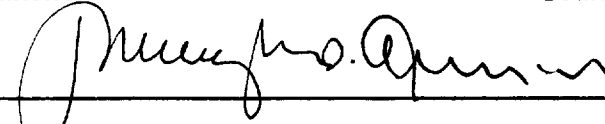

VICTOR L. ULANDAY
Councilor


Atty. RAUL R. CORRO
Councilor


DANTE S. ALMARIO
Councilor


Atty. PATRICIO L. BONCAYAO, JR.
Councilor


ELMER S. ESPELETA
Councilor



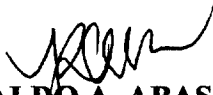


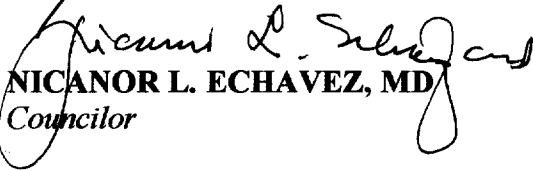
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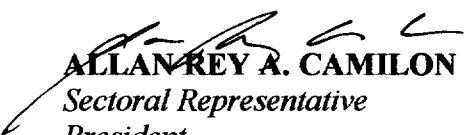

BAL NIEFES
Councilor



REYNALDO A. ABAS, JR.
Councilor


NICANOR L. ECHAVEZ, MD
Councilor


LUCIO B. CONSTANTINO
Councilor

MARIO E. BULAY, JR.
Councilor


ALLAN REY A. CAMILON
Sectoral Representative
President
Federation of Sangguniang Kabataan


ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captains

ABSENT:

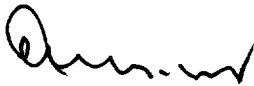
Atty. JO JASON T. ALCARAZ
Councilor

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




CECILIA C. LAZARTE
Sanggunian Secretary

ATTESTED:


VICENTE Y. CHUA
City Vice Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: _____

