



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

RESOLUTION NO. 05-107

A RESOLUTION AMENDING THE SEVENTH (7th) AND EIGHTH (8th) WHEREAS CLAUSES OF RESOLUTION NO. 05-094 "A RESOLUTION AUTHORIZING CITY MAYOR JAIME R. FRESNEDI TO ENTER INTO A CONTRACT OF LEASE WITH PHILIPPINE POSTAL CORPORATION REGIONAL OFFICE-NCR AS REPRESENTED BY ITS REGIONAL DIRECTOR MS. MAURA M. BAGHARI-REGIS, FOR THE USE OF A FOUR HUNDRED (400) SQUARE METER AREA AT THE MEZZANINE FLOOR OF THE MUNTINLUPA PUBLIC MARKET IN ALABANG".

- Sponsored by :
- Hon. Marissa Cole-Rongavilla
 - Hon. Allan Rey A. Camilon
 - Hon. Melchor R. Teves
 - Hon. Artemio A. Simundac
 - Hon. Ma. Luisa Babaran-Echavez, M.D.
 - Hon. Allen F. Ampaya
 - Hon. Elmer S. Espeleta
 - Hon. Francis Ian T. Bagatsing
 - Hon. Lucio B. Constantino
 - Hon. Engr. Mamerto T. Sevilla, Jr.
 - Hon. Mario E. Bulay, Jr.
 - Hon. Christian Glenn D. Lorica

WHEREAS, the 7th and 8th *Whereas Clauses* of Resolution No. 05-094 provides that:

"(7th) *WHEREAS, Philippine Postal Corporation Office of the Regional Director-NCR has offered to the City Government of Muntinlupa Forty Thousand Pesos (P40,000.00) monthly for the first year and a five percent (5%) annual increase in the monthly rental for the succeeding years computed as follows;*

2005 to 2006	- P40,200.00;
2006 to 2007	- P42,000.00;
2007 to 2008	- P44,100.00;
2008 to 2009	- P46,305.00;
2009 to 2010	- P48,620.25;

(8th) *WHEREAS, Philippine Postal Corporation Office of the Regional Director-NCR shall pay the amount of Two Hundred Forty Thousand Pesos (P240,000.00) representing six (6) months deposit, which is refundable at the end of the term of the contract and another Two Hundred Forty Thousand Pesos (P240,000.00) as advance rental for six (6) months, or a total of Four Hundred Eighty Thousand Pesos (P480,000.00) upon signing of the Lease Contract;*



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 2
Resolution No. 05-107

WHEREAS, a letter of appeal dated May 5, 2005 was sent by **Philippine Postal Corporation-NCR Regional Director, Maura M. Baghari-Regis** to City Mayor Atty. Jaime R. Fresnedi thru Chairperson of the Committee on Ways and Means requesting in particular the modification of the above-cited Whereas Clauses of Resolution No. 05-094 from a six (6) month deposit and a six (6) month advance payment and a flat rate in the rental fee of Forty Thousand Pesos (P40,000.00) per month for 5 years without increase upon signing of a contract or Memorandum of Agreement to just three months deposit, citing as reason the financial crisis they are experiencing and the projected capital outlay for the construction of the New Central Post Office at the Alabang Public Market;

WHEREAS, Philpost also invoked the Commission on Audit's (COA) Rule on Chapter 7, Section 366 (b) of the Government Accounting and Auditing Manual which provides that "**As a general rule, contracts of lease should be co-extensive with the period for which the appropriation is provided, with a prohibition to pay rentals in advance**";

WHEREAS, while the Philpost is having problem in coping with the tough competition from their private counterparts like FedEx, their priority is still the mandate to serve the public, especially the people of Muntinlupa;

WHEREAS, based on the arguments presented by Philpost and since the COA Rule is silent on the period covered by the deposit, the Sangguniang Panlungsod hereby amends the 7th and 8th **Whereas Clauses of Resolution No. 05-094** and hereby grants Philpost a **three (3) month deposit of Forty Thousand Pesos (P40,000.00) per month** or a total of **One Hundred Twenty Thousand Pesos (P120,000.00)** and a rental fee of **Forty Thousand Pesos (P40,000.00) per month** without any escalation during the **first (1st) five (5) years'** effectivity of the Memorandum of Agreement (MOA) or Lease Contract;

WHEREAS, the lessee is prohibited from sub-leasing the property within the terms of the contract;

RESOLVED, THEREFORE, AS IT IS HEREBY RESOLVED, by the Sangguniang Panlungsod amending the 7th and 8th **Whereas Clauses of Resolution No. 05-094** "A Resolution authorizing **City Mayor Atty. Jaime R. Fresnedi** to enter into **Contract of Lease** with **Philippine Postal Corporation Office of the Regional Director-NCR** as represented by its **Regional Director, Ms Maura Baghari-Regis**, for lease of the **Four Hundred Square Meter (400) area** at the Mezzanine Floor of the Muntinlupa Public Market at Alabang".



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 3
Resolution No. 05-10 7

APPROVED, by the *Fourth (4th) Sangguniang Panlungsod of Muntinlupa* this 23rd day of June 2005, on its 40th Regular Session.

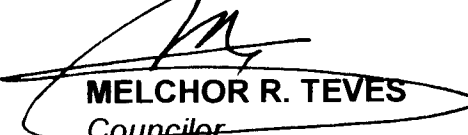
CONCURRED:


ALLAN REY A. CAMILON
Councilor



ELMER S. ESPELETA
Councilor


MA. LUISA BABARAN-ECHAVEZ, M.D.
Councilor

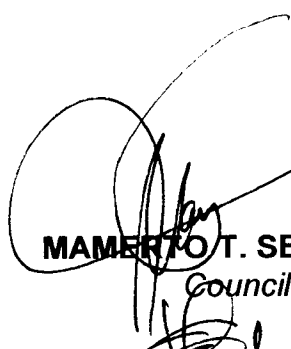

FRANCIS IAN T. BAGATSING
Councilor


MELCHOR R. TEVES
Councilor

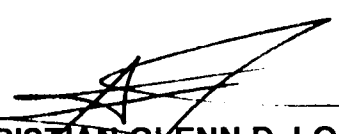

MARISSA COLE-RONGAVILLA
Councilor



ALLEN E. AMPAYA
Councilor


LUCIO B. CONSTANTINO
Councilor


MAMERTO T. SEVILLA, JR.
Councilor


MARIO E. BULAY, JR.
Councilor


CHRISTIAN GLENN D. LORICA
Sectoral Representative
President, Federation of
Sangguniang Kabataan


ARTEMIO A. SIMUNDAC
Sectoral Representative
President, Association of
Barangay Captains

ABSENT:

BAL NIEFES
Councilor

RENE CARL S. CAYETANO
Councilor



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 4
Resolution No. 05-107

KEVIN B. DELGADO
Councilor

JOSELITO V. AREVALO
Councilor

ATTY. ICASIANO M. DELA REA
Councilor

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

CECILIA C. LAZARTE
Secretary
Sangguniang Panlungsod

ATTESTED:

ATTY. RAUL R. CORRO
Acting Vice Mayor/Presiding Officer

APPROVED:

ALDRIN L. SAN PEDRO
Acting Mayor
Date: _____

PBS, JR.