



**PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA**



**Sangguniang Panglungsod**

**RESOLUTION NO. 07-055**

**A RESOLUTION AUTHORIZING THE CITY MAYOR HON. ALDRIN L. SAN PEDRO TO CAUSE THE CONSTRUCTION OF PEDESTRIAN WALKWAY OVERPASS PROJECT AT ALABANG AND TO ENTER INTO CONTRACT TO ANY QUALIFIED CONTRACTOR UNDER SUCH TERMS AND CONDITIONS MOST ADVANTAGEOUS TO THE CITY OF MUNTINLUPA IN ACCORDANCE WITH LAW AND SUBJECT TO REVIEW AND CONFIRMATION OF THE SANGGUNIANG PANLUNGSOD.**

**Sponsored by:** *Hon. Coun. Atty. Icasiano M. dela Rea  
Hon. Coun. Allan Rey A. Camilon  
Hon. Coun. Melchor R. Teves  
Hon. Coun. Marita Deang-Calalang, DMD  
Hon. Coun. Francis Ian T. Bagatsing  
Hon. Coun. Joselito V. Arevalo  
Hon. Coun. Mamerto T. Sevilla, Jr.  
Hon. Coun. Vergel C. Ulanday  
Hon. Coun. Robert A. Abas  
Hon. Coun. Atty. Rey E. Bulay*

**WHEREAS**, Article 99, 5(v) of Rules and Regulations Implementing the Local Government Code of 1991, provides that, *"the Sangguniang Panlungsod shall approved ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided in Rule V of these Rules and in addition to said services and facilities, shall regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places and approved the construction, improvement, repair, and maintenance of the same, xxx."*

**WHEREAS**, the Alabang area specifically the underneath viaduct serve as the pedestrian to people and motor vehicles;

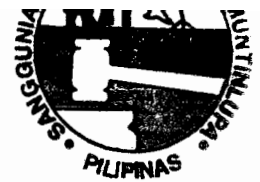
**WHEREAS**, sometimes the situation is worse due to many ambulant vendors catering to many pedestrians crossing that vital intersection;

**WHEREAS**, on November 17, 2007 on a query on the legality of the award in favor of N.C. Tavu & Associates, Corporation made by the Hon. City Mayor Aldrin L. San Pedro, the City Attorney, Atty. Micheal Racelis, rendered his legal opinion that N.C TAVVU & Associates, should not be allowed to continue and or be stopped the construction of Muntinlupa Skywalk Project, because it lacks minimum financial requirements, that its not a contractor classified as AAA, it has no proof its equity showing its financial capability to undertake the project, no Environmental Compliance Certificate, (ECC) etc.;

**WHEREAS**, on public hearings conducted by the Committee on Rules Ethics and Privileges on November 28, 29 and December 5, 2007, relative to said legal opinion and Ordinance No. 06-270, among its findings were as follows:



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\*\*\*\*\*  
**Sponsored by:   Hon. Coun. Atty. Icasiano M. dela Rea  
                          Hon. Coun. Allan Rey A. Camilon  
                          Hon. Coun. Melchor R. Teves  
                          Hon. Coun. Marita Deang-Calalang, DMD  
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**WHEREAS**, the Alabang area specifically the underneath viaduct serve as the pedestrian to people and motor vehicles;

**WHEREAS**, sometimes the situation is worse due to many ambulant vendors catering to many pedestrians crossing that vital intersection;

**WHEREAS**, on November 17, 2007 on a query on the legality of the award in favor of N.C. Tavu & Associates, Corporation made by the Hon. City Mayor Aldrin L. San Pedro, the City Attorney, Atty. Micheal Racelis, rendered his legal opinion that N.C TAVVU & Associates, should not be allowed to continue and or be stopped the construction of Muntinlupa Skywalk Project, because it lacks minimum financial requirements, that its not a contractor classified as AAA, it has no proof its equity showing its financial capability to undertake the project, no Environmental Compliance Certificate, (ECC) etc.;

**WHEREAS**, on public hearings conducted by the Committee on Rules Ethics and Privileges on November 28, 29 and December 5, 2007, relative to said legal opinion and Ordinance No. 06-270, among its findings were as follows:



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- a) *The contract denominated as Build-Operate-Transfer (BOT) Agreement for Muntinlupa Skywalk Project between City Government of Muntinlupa and N.C. Tavu & Associates, Corporation, does not contain any provision on the time table when the project shall exactly commence and or when its construction shall start/begin and when is the exact date of its completion;*
- b) *There is no penalty provision for delay or negligence which is inimical to the interest of the city government and the public as well;*
- c) *There is nothing in the contract stating on fair profits or return of investment of the proponent.*

WHEREAS, the City Government is aware of the importance of the Alabang Junction not only to its constituents but also to neighboring cities and municipalities, and therefore there is necessity to authorize the City Mayor to prepare/facilitate the immediate construction of the **Pedestrian Walkway-Overpass Project**;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 5<sup>th</sup> Sangguniang Panlungsod of Muntinlupa to authorize the City Mayor Hon. Aldrin L. San Pedro to cause the construction of **Alabang Pedestrian Walkway-Overpass Project** and to enter into contract to any qualified contractor under such terms and conditions most advantageous to the City of Muntinlupa in accordance with law and subject to review and confirmation of the Sangguniang Panlungsod.

APPROVED, by the 5<sup>th</sup> Sangguniang Panlungsod of Muntinlupa this 7<sup>th</sup> day of December 2007, on its 6<sup>th</sup> Special Session.

DISTRICT 1:

COUN. ALLAN REY A. CAMILON  
Member

COUN. MELCHOR R. TEVES  
Member

COUN. ATTY. ICASIANO M. DELA REA  
Member



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CONCURRED:

  
COUN. MARITA DEANG-CALALANG, DMD  
Member

DISTRICT 2:

  
COUN. FRANCIS IAN T. BAGATSING  
Member

  
COUN. JOSELITO V. AREVALO  
Member

  
COUN. MAMERTO T. SEVILLA, JR.  
Member

  
COUN. VERGEL C. ULANDAY  
Member

  
COUN. ROBERT A. ABAS  
Member

COUN. ATTY. REY E. BULAY  
Member

NO:

COUN. ALLEN F. AMPAYA  
Member

ABSTAIN:

COUN. MA. LUISA BABARAN-ECHAVEZ, MD  
Member

COUN. ERMIE S. ESPELETA  
Member

COUN. MANUEL P. SOLOMON  
Sectoral Representative  
President  
Association of Barangay Captains

ABSENT:

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD  
Member

COUN. LUVI P. CONSTANTINO  
Member

COUN. ENGR. MARISSA COLE-RONGAVILLA  
Member






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

  
**LEONORA M. MARCELO**  
Legislative Staff Officer

**ATTESTED:**

  
**ARTEMIO A. SIMUNDAC**  
City Vice-Mayor/Presiding Officer

**APPROVED:**

  
**ALDRIN L. SAN PEDRO**  
City Mayor  
Date: \_\_\_\_\_

  
Norie/

