

ORDINANCE NO. 1134

... AUTHORIZING THE MAYOR OF MANILA TO ENTER INTO A CONTRACT WITH THE SUMMIT CONSTRUCTION CO., INC., ANY OTHER REPUTABLE DEVELOPER AND/OR CONSTRUCTION COMPANY TO DESIGN AND DEVELOP A CITY MEMORIAL PARK FOR THE USE OF THE RESIDENTS OF MANILA, ON A PRIVATE LOT NOT MORE THAN THIRTY (30) KILOMETERS FROM THE BOUNDARY OF MANILA, CONTAINING AN AREA OF NOT LESS THAN FIFTY (50) HECTARES WHICH IT OWNS FREE FROM ANY LIENS AND ENCUMBRANCES ON A "NO DOWN-PAYMENT, TURN-KEY" BASIS FOR NOT MORE THAN TWENTY-FIVE MILLION PESOS (P25,000,000.00) PAYABLE BY ANNUAL AMORTIZATIONS FOR TEN (10) YEARS WITH INTEREST AT NOT MORE THAN EIGHT PER CENTUM (8) PER ANNUM, AND FOR OTHER PURPOSES.

It is ordained by the Municipal Board of the City of Manila, that:

SECTION 1. The Mayor is hereby authorized to enter into a contract with the Summit Construction Co., Inc. or any other reputable developer and/or construction company to design and develop a city memorial park for the use of the residents of Manila, on a private lot not more than thirty (30) kilometers from the boundary of Manila, containing an area of not less than fifty (50) hectares which it owns free from any liens and encumbrances on a "no down-payment, turn-key" basis for not more than twenty-five million pesos (P25,000,000.00) payable by annual amortizations for ten (10) years with interest at not more than eight per centum (8) per annum, and for other purposes, including the following:

1. The Mayor will negotiate with the developer on the terms of the contract to cover the cost of the yearly amortization. The contract shall be a "no down-payment, turn-key" contract, and the cost shall be chargeable only against the funds of the city;

2. The contract will be made only upon signing of the contract by the developer, and the title of the property to the park shall be free from any liens and encumbrances.

3. The contract will strictly be on a "no down-payment, turn-key" basis. The developer shall advance the cost of the project, and the city will only be obligated after the project has been fully completed under the terms of the contract.

4. The developer shall submit to the City Engineer the plans and specifications for the project, and upon approval of such plans and specifications, the developer will proceed with the project;

5. All constructions and developments in the area will be under the supervision of the City Engineer and that the entire project shall be completed within five hundred forty (540) working days from the time the developer actually commenced construction thereon. Should the developer fail to complete and turn over the project, per plans and specifications within the period stipulated herein, a fine of five hundred pesos (P500.00) per day of delay, as liquidated damages shall be paid to the city;

6. The entire perimeter of the lot will be fenced by concrete hollow blocks, with a height of eight (8) meters from the ground;

7. The developer will provide a water system composed of deep wells complete with all equipment and deep well pumps powered by diesel engines with all accessories and pipe lines to service the entire area of capacities adequate to supply the requirements of the park zone;

8. The developer will construct two (2) concrete chapels, each with a sitting capacity of three hundred (300) persons to serve as funeral parlors, one for the members of the Catholic faith and the other to be multi-denominational;

9. The developer will also construct a modern two-storey administrative building with a total floor area of not less than two hundred fifty (250) square meters per floor;

10. The permit or consent to develop this cemetery shall be secured by the developer from the municipality concerned;

11. The City Appraiser, Committee, jointly with a member of the Municipal Council and a duly licensed independent reputable private appraiser and a duly licensed independent reputable private realtor will appraise the property together with the proposed improvements, the written report thereon to be submitted to the Mayor and will form part of the contract;

12. The developer will post a performance bond from a reputable surety acceptable to the Mayor in an amount of not less than one million pesos (P1,000,000.00) to insure its faithful compliance with the provisions of the contract;

13. Any and all contracts in connection with this project shall first be ratified by the Municipal Board.

14. The City Health Officer is likewise hereby authorized to promulgate the rules and regulations to govern the disposition and use of the lots in the memorial cemetery provided herein to bona-fide city residents, which rules and regulations shall be approved by the Municipal Council and the Mayor before they are placed into effect.