

MUNICIPALITY OF MANILA  
2167

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT, EQUIPPING AND CONSTRUCTION OF A GARBAGE AND REFUSE DISPOSAL PLANT IN THE CITY OF MANILA; AND FOR OTHER PURPOSES.

Be it ordained by the Municipal Board of the City of Manila, that:

SECTION 1. Definition of terms. - When used in this ordinance and in subsequent ordinances having reference hereto, unless the context indicates otherwise -

- a. By "city" shall be meant the city government of Manila.
- b. By "mayor" shall be meant the Mayor of the City of Manila or his duly authorized representatives.
- c. By "engineer" shall be meant the City Engineer or his authorized representative or one designated by the Mayor.
- d. By "committee" shall be meant the Advisory Committee to be created by the Mayor.
- e. By "refuse" shall be meant garbage, rubbish, street sweeping, dead animals, paper in all its forms, scrap metals, rags, bottles and glass, rubber and other miscellaneous items that are discarded into the refuse receptacles.
- f. By "plant" shall be meant the refuse and garbage disposal plant which the city is desirous of having in order to solve its problem on refuse disposal.
- g. By "contractor" shall be meant the individual, firm, partnership, corporation, or association who shall undertake the construction, establishment and equipping of the plant.

SEC. 2. Availability of funds. - The amount of P15,000,000.00 or so much thereof as may be necessary, is hereby appropriated out of any unappropriated funds, balances of dormant projects and other savings existing in the City Treasury not otherwise appropriated, to be made available for the establishment, construction and equipping of a garbage and refuse disposal plant in the City of Manila.

SEC. 3. Authority to borrow or to contract on deferred payment basis. - In case funds, in its entirety or in part, shall not be available in the City Treasury for the purpose indicated in the next preceding section, the Mayor is hereby authorized, either to negotiate or to borrow from any reputable banking or lending institution the amount necessary for the project, or to enter into a contract with any suitable individual, firm, corporation, partnership or association, on a deferred payment basis, to be determined thru public bidding, for the construction, establishment and equipping of the plant, for the principal amount or any balance thereof, at the rate of not more than 8% per annum: PROVIDED, HOWEVER, That the Mayor is further authorized to release 33% of the total amount of the project as determined in a public bidding upon opening of the corresponding letter of credit, to the winning bidder: PROVIDED, FURTHER, That the city shall operate and

manage the plant on a self-liquidating basis. The Mayor, for this purpose, is also authorized to sell and/or dispose of the products of the plant and that the net proceeds to be realized out of the sale of the said products of the plant shall accrue to a sinking or a revolving fund to be applied exclusively to the annual installments for the repayment of the loan or payment of the installments on the deferred payment basis or for the maintenance and operation of the plant.

SEC. 4. Location of the plant. - The city shall immediately upon signing of the contract for the construction and equipping of the desired plant, provide for the plant site (near Balut Island in North Bay Boulevard area) of five (5) hectares which is reclaimed from the Manila Bay.

SEC. 5. When to construct and equip. - The contractor shall undertake, within 21 months from the date of the opening of the letter of credit, the construction and equipping of a garbage and refuse disposal plant for the City of Manila which shall have a capacity of not less than five hundred (500) tons of raw refuse per day.

SEC. 6. Advisory Committee. - The Mayor is hereby authorized to create an Advisory Committee which shall give or extend advice on the satisfactory operation and maintenance of the plant.

SEC. 7. Scope of work. - The work to be done as herein authorized shall include the following:

- a. Submission of adequate and complete working drawings, showing plants, sections, elevations, systematic diagram of flow process and necessary details to clearly describe the plant to be constructed.
- b. Furnishing of all labor, materials, machineries, and equipment needed for the construction and equipping of the plant.
- c. Employment of an adequate number of technical, skilled, and semi-skilled personnel necessary for the equipping of the plant.

SEC. 8. Schedule of equipment. - In addition to the filing of the confidential statement by the contractor prior to receiving the necessary specifications, the contractor shall indicate the country of origin and experience of the equipment to be used in his proposal. He shall list the type, size, make and condition of the machines and other equipment that will be used in setting up the garbage and refuse disposal plant: PROVIDED, HOWEVER, That the winning contractor or bidder shall be one who is also a qualified dealer and has experience in handling heavy equipment and/or machineries: PROVIDED, FURTHER, That the Mayor shall terminate the contract even after it shall have been awarded upon a showing that the contractor has none of the above qualifications.

In the event that the contract shall be terminated, the city shall confiscate the performance bond and award the contract to the other most advantageous bidder.

SEC. 9. Commencement, prosecution and completion of the construction work. - Within thirty (30) calendar days after the opening of the letter of credit, the contractor (winning bidder) shall commence the work. Failure to complete the construction, establishment and equipping of the plant within 21 calendar months

from the opening of the letter of credit shall render the contractor liable to the city for the payment of liquidated damages in the sum of one thousand pesos (P1,000.00) Philippine currency, for each calendar day of delay.

SEC. 10. A bidder's bond in the amount of P300,000.00 in the form of a cashier's check shall be required in addition to a performance bond in the amount of P300,000.00.

SEC. 11. This ordinance shall take effect upon its approval.

Enacted by the Municipal Board of the City of Manila at its regular session, today, November 2, 1965.

Approved by His Honor, the Mayor on *November 15, 1965.*

APPROVED:

*[Signature]*  
ANTONIO J. VILLEGAS  
Mayor  
City of Manila

*[Signature]*  
HERMINIO A. ASTORGA  
Vice Mayor and  
Presiding Officer, Municipal Board

ATTEST:

*[Signature]*  
SERAFIN P. MANALO  
Secretary to the Mayor

*[Signature]*  
MANUEL A. ROBLES  
Secretary, Municipal Board

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