

Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

PO2001-186

19th Regular Session

ORDINANCE NO. SP-**1103**, S-2001

AN ORDINANCE CREATING AN EVALUATION COMMITTEE TO REVIEW AND EVALUATE THE PERFORMANCE OF WASTE DISPOSAL CONTRACTORS OPERATING IN THE CITY FOR PURPOSES OF APPROVAL AND RENEWAL OF THEIR RESPECTIVE CONTRACTS.

Introduced by Councilor FRANZ S. PUMAREN
Co-Introduced by Councilors Wencerom Benedict C.
Lagumbay, Janet M. Malaya and Vincent P. Crisologo.

WHEREAS, Section 458, Subsection 5 (xiii) of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that the City Council may approve ordinances to ensure an efficient and effective delivery of basic services and, in addition, provide an efficient and effective system of solid waste and garbage collection and disposal, prohibit littering and the placing and throwing of garbage, refuse and other filth and wastes;

WHEREAS, the issue of proper waste disposal is a pressing matter which urgently needs to be improved and addressed;

WHEREAS, the City government is empowered by law to enter into contracts of services essential for and incidental to its existence such as, but not limited to, the services of garbage collectors within their respective jurisdiction;

WHEREAS, there is no ordinance or official mandate specifically regulating the entry to and due execution of such contracts by the City government or its proper agency or instrumentality.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. SHORT TITLE - This Ordinance shall be known as "AN ORDINANCE CREATING THE EVALUATION COMMITTEE OF WASTE DISPOSAL CONTRACTORS OPERATING IN THE CITY."

SECTION 2. DEFINITION OF TERMS - For purposes of this Ordinance, the following terms shall mean:





a) Waste Disposal Contractor - refers to a person whether natural or artificial, who has entered into a contract of services with the City government, through the appropriate agency, for the operation of garbage collection trucks.

b) Evaluate - to examine and judge concerning the worth, quality, significance, amount, degree or condition of something.

SECTION 3. EVALUATION COMMITTEE - Creation and Composition -
There shall be created an Evaluation Committee which shall be primarily responsible for the conduct of evaluating the performance of waste disposal contractors for purposes of approval, review, renewal, revocation or cancellation of their contracts and subsequently recommend the release of fund properly appropriated on a quarterly basis.

The Committee shall be composed of the following:

- 1) The Majority Floor Leader of the City Council - Chairman;
- 2) Executive Director of Task Force Clean and Green - Co-Chairman;
- 3) Chairman of the Committee on Environment and Ecology - member
- 4) Chairman of the Committee on Health and Social Services - member;
- 5) The Minority Floor Leader of the City Council - member;
- 6) A representative from the Minority Group of the City Council to be chosen among the members of the minority - member.

SECTION 4. FUNCTIONS OF THE COMMITTEE - The Evaluation Committee created under Section 3 hereof, shall have the following powers and functions:

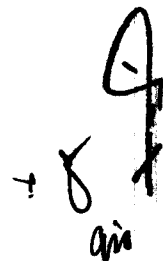
a) Review, evaluate or recommend the approval, renewal, revocation or cancellation of contracts entered into or to be entered into by the City government relative to waste disposal.

b) Determine in accordance with the criteria set by the Metropolitan Manila Development Authority (MMDA) the performance of Waste Disposal Contractors operating in the city;

c) Serve as the advisory committee to the Sangguniang Panlungsod in the conduct of Waste Disposal Contractors;







- d) Formulate guidelines as may be deemed appropriate and for strict compliance by the contractors;
- e) Recommend the release of funds appropriated on a quarterly basis.
- f) Perform other functions as may be warranted.

SECTION 5. AGENDA AND MEETINGS - The Evaluation Committee created shall meet subject to the following rules:

- 1) The meeting shall be held every first Wednesday of every 5th month at the Quezon City Hall complex or at any place as may be designated by the Committee, but always within the jurisdiction of the city;
- 2) The meeting shall be attended to by all the members of the committee and shall conduct business when constituting a quorum;
- 3) The minutes of the meeting and any decision or recommendation therein shall be recorded, posted at conspicuous places in the city.

SECTION 6. NEW CONTRACTORS - It shall be necessary for all contractors desiring to enter into a contract of service with the City government for the operation of garbage collection trucks to submit the following requirements to the Evaluation Committee created under Section 3 hereof:

- (a) Certificate of Registration from the Securities and Exchange Commission;
- (b) Work program and financial plan; and
- (c) Health and sanitary permit issued by the appropriate Quezon City government agency.

SECTION 7. RENEWAL OF CONTRACT - Within 60 days prior to the expiration of their contract with the Quezon City government, the contractor must submit to the Evaluation Committee, an application for the renewal of their contract. They shall likewise submit three (3) sets of the following documents:





- (a) Justification of renewal;
- (b) Comprehensive and validated technical report on the outcome of their contract including their environmental safety standard measures; and
- (c) Work program and financial plan.

SECTION 8. NOTICE OF APPLICATION/RENEWAL - The applicant shall, upon filing of a new application/renewal, cause the posting of a summary of its application for 30 days in any three conspicuous places within the city. The summary of application shall contain the following information:

- (a) The name and complete address of the applicant;
- (b) Duration of the permit/contract; and
- (c) Nature and extent of the work undertaken.

Parties opposing the renewal of the services of the waste disposal contractors should file a written opposition with the evaluation committee. Such opposition must be filed within the 30-day period prescribed for the posting of the Notice of Application/Renewal.

SECTION 9. The City Council shall review the recommendations and disposition of the Evaluation Committee. After they have complied with the terms and conditions of the contract and those requirements referred to in Section 7 hereof, the City Council shall recommend its approval and authorize the City Mayor to enter into an agreement with the approved contractor.

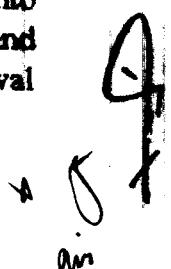
SECTION 10. In the event that the contract has not been renewed/disapproved, the City Mayor may call upon private contractors for a public bidding.

SECTION 11. The Office of the City Secretary shall transmit to the City Mayor the approved recommendation of the City Council together with the contract for his signature.

SECTION 12. The City Mayor shall then order the City Treasurer's Office for the release of the funds allocated for the purpose.

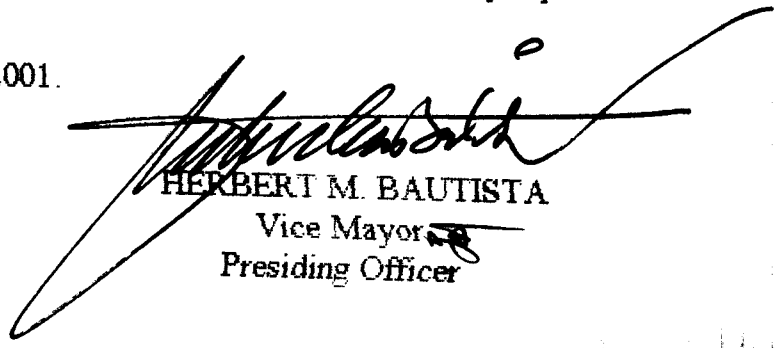
SECTION 13. No contract for garbage collection shall be entered into without having been first favorably considered by the Evaluation Committee and favorably acted upon by the City Council. The evaluation and subsequent renewal of the above mentioned contracts shall be made on a quarterly basis.




SECTION 14. This ordinance shall take effect immediately upon its approval.

ADOPTED: December 18, 2001.



HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:




EUGENIO V. JURILLA
City Council Secretary

APPROVED: _____

FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on December 18, 2001, was finally PASSED by the City Council on January 22, 2002.



EUGENIO V. JURILLA
City Council Secretary

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