



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
19th City Council

PR19CC-137

15th Regular Session

RESOLUTION NO. SP- 5801, S-2013

A RESOLUTION AUTHORIZING THE CITY MAYOR, HONORABLE HERBERT M. BAUTISTA, TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH), METROPOLITAN MANILA DEVELOPMENT AUTHORITY (MMDA) AND PRIME HOLDINGS INC., FOR THE CONSTRUCTION OF A FOOTBRIDGE IN FRONT OF SM CITY FAIRVIEW CROSSING OVER REGALADO AVENUE TO THE MALL'S MAIN BUILDING.

Introduced by Councilor ANTHONY PETER D. CRISOLOGO.

Co-Introduced by Councilors Dorothy A. Delarmenta, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ramulfo Z. Ludovica, Ramon P. Medalla, Estrella C. Valmocina, Gian Carlo G. Sotto, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Vincent DG. Belmonte, Raquel S. Malañgen, Bayani V. Hipol, Godofredo T. Liban II, Andres Jose G. Yllana, Jr. Karl Edgar C. Castelo, Candy A. Medina, Rogelio "Roger" P. Juan, Donato C. Matias, Richard N. Yu.

WHEREAS, the Department of Public Works and Highway (DPWH) is the engineering and construction arm of the Government of the Philippines mandated to (a) plan and design government infrastructure facilities such as national roads, bridges, flood control, water resources projects and other public works, and (b) develop technology to ensure safety, efficiency and construction quality of all government infrastructure;

WHEREAS, MMDA was created under Republic Act No. 7924 and mandated to provide such services as development planning, transportation management, solid waste disposal and management; flood control and sewerage management; urban renewal, zoning, land use planning and shelter services; and health sanitation, urban protection and pollution control and public safety, throughout Metro Manila: *✓*

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WHEREAS, SM Prime Holdings, Inc. is the owner of SM City Fairview "SM" located at Quirino Highway corner Regalado Avenue, Quezon City Philippines;

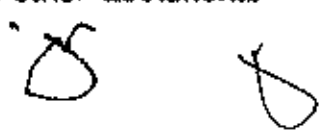
WHEREAS, SM is currently experiencing significant levels of daily foot traffic, consisting mostly of pedestrians and public transportation commuters who, while crossing Regalado Avenue to get to/from the Mall, may significantly put their lives at risk as well as contribute to the congestion of vehicular traffic along said thoroughfare;

WHEREAS, SM has determined that it will be in the best interest of its Mall patrons, the residents of Quezon City and surrounding communities, and the public in general, to initiate and finance the construction of one (1) pedestrian footbridge in front of the Mall, crossing over Regalado Avenue to Mall's Main Building;

WHEREAS, the Quezon City Government, DPWH and MMDA, (a) acknowledging the crucial need for the proposed Pedestrian Footbridge, and the positive impact it will have on the safety and convenience of those who cross Regalado Avenue to/from the Mall's Main Building, as well as the potential vehicular traffic congestion along said thoroughfare, and (b) recognizing the propriety of the SM's above-described objectives, have agreed to SM's financing the cost of, and constructing the Pedestrian Footbridge, subject to the approved design/plans and quality and safety standards imposed/promulgated by the Quezon City Government, DPWH and MMDA;

WHEREAS, Section 22 (c) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that "unless otherwise provided in this Code, no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the sanggunian concerned.xxx..."

WHEREAS, Section 455,b,(vi) of Republic Act No. 7160, likewise states that "the City Mayor shall represent the city in all its business transactions and sign in its behalf all bonds, contracts and obligations and such other documents upon authority of the sanggunian pambunlungsod.xxx..."




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NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to authorize, as it does hereby authorize the City Mayor, Honorable Herbert M. Bautista, to enter into a Memorandum of Agreement with the Department of Public Works and Highways, Metropolitan Manila Development Authority and SM Prime Holdings Inc., for the construction of a footbridge in front of SM City Fairview crossing Regalado Avenue to the Mall's Main Building.

ADOPTED: December 16, 2013.


DOROTHY A. DELARMENTE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

CERTIFICATION

This is to certify that this Resolution was APPROVED by the City Council on Second Reading on December 16, 2013 and was CONFIRMED on December 20, 2013.


Atty. JOHN THOMAS S. ALFEROS III
x City Gov't. Asst. Dept. Head III 