



Republic of the Philippines  
**CITY COUNCIL**  
Quezon City  
15<sup>th</sup> City Council

PR2003-456

83<sup>rd</sup> Regular Session

RESOLUTION NO. SP-**2320**, S-2003

A RESOLUTION AUTHORIZING THE CITY GOVERNMENT TO EXTEND THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY AND UNIVAC DEVELOPMENT, INC. (UDI) COVERING THE ASPHALT BATCHING PLANT IN NOVALICHES, QUEZON CITY, AND AUTHORIZING THE HONORABLE CITY MAYOR TO NEGOTIATE THE TERMS AND CONDITIONS THEREOF AND TO SIGN THE INSTRUMENT TO EFFECT SAID EXTENSION.

Introduced by Councilors ANTONIO E. INTON, JR., MARY ANN L. SUSANO, DANTE M. DE GUZMAN, JORGE L. BANAL, ROMMEL R. ABESAMIS, RESTITUTO B. MALANGEN, RAMON P. MEDALLA, ERIC Z. MEDINA, VOLTAIRE GODOFREDO L. LIBAN III, AIKO MELENDEZ, DIORELLA MARIA SOTTO-DE LEON, JUNIE MARIE L. CASTELO and XYRUS L. LANOT.

Co-Introduced by Councilors Wilma Amoranto-Sarino, Vincent P. Crisologo, Elizabeth A. Delarmente, Bernadette Herrera-Dy, Julian M.L. Coseteng and Jesus Manuel C. Suntay.

WHEREAS, Resolution No. SP-93, S-1993 of the Quezon City Council authorizes the City Mayor to enter into a negotiated contract with UNIVAC Development Inc. (UDI) under a joint venture scheme for the construction and operation of the asphalt batching plant in San Bartolome, Novaliches. The City government entered into the contract on 19 May for a period of ten (10) years or until 17 June 2003;

WHEREAS, prior to the expiration of the said ten-year period, the Quezon City government has presented three options in dealing with the said batching plant, as follows: 1) City government to take over operation; 2) City government to sell plant at a price ranging from P5 million to P10 million; and 3) City government to renew/extend contract with UDI;

WHEREAS, other options were likewise considered as follows: 1) bid out the operation and maintenance of the plant under a management contract; 2) bid out a rehabilitate-operate-transfer (R-O-T) contract under the BOT Law; 3) bid out a lease/maintain contract;

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WHEREAS, pending consideration of the foregoing options, the period of the joint venture MOA lapsed on 17 June 2003;

WHEREAS, it is to the best interest of the City government that in the meantime the plant should continue operating considering that there are asphalt supply requirements of the City government that it has to meet, and that its non-use will contribute to the physical deterioration thereof;

WHEREAS, considering that the Quezon City government does not have the skilled manpower and technical capability to assume immediately the operation of the plant, thus, it appears practical and efficient that the operation thereof be done through UDI considering its proven technical capability, experience and familiarity therewith;

WHEREAS, it appears necessary that the MOA with UDI be extended for one (1) year, that is, from 18 June 2003 to 17 June 2004, without prejudice to the option of the City government either to improve or amend certain provisions thereof as to the participation in the management of the joint venture, sharing in net revenues, determination of production costs, performance security and other terms and conditions.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED, to authorize, as it does hereby authorize, the City government to extend the subject Memorandum of Agreement (MOA) with UNIVAC Development Inc. (UDI), for a period of one (1) year, that is, from 18 June 2003 to 17 June 2004, covering the asphalt batching plant in Novaliches, Quezon City.

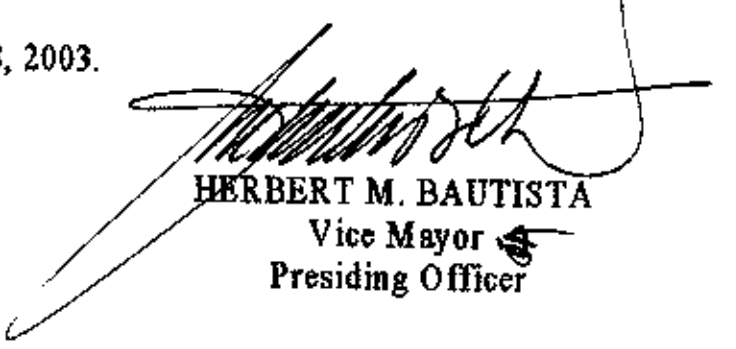
RESOLVED, FURTHER, to authorize the Honorable City Mayor to negotiate the terms and conditions of such extension thereof and to sign the instrument to effect said extension.

RESOLVED, FURTHERMORE, that before the City Mayor avail of any services from UNIVAC Development Inc. (UDI), as contained in the Memorandum of Agreement (MOA), which is to be extended, the Honorable City Mayor must first secure the ratification of the Memorandum of Agreement from the City Council.

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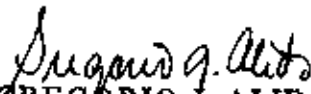
RESOLVED, FINALLY, that the Honorable City Mayor shall ensure that the terms and conditions in the MOA between the City government and UDI shall be most advantageous to the government in terms of sharing in net revenues, participation in the management of the joint venture and other stipulations.

ADOPTED: November 18, 2003.



HERBERT M. BAUTISTA  
Vice Mayor  
Presiding Officer


ATTESTED:



GREGORIO J. ALIDO  
City Govt. Asst. Dept. Head III

CERTIFICATION

This is to certify that this Resolution which was APPROVED on Second Reading on November 18, 2003, was CONFIRMED by the City Council on November 25, 2003.



GREGORIO J. ALIDO  
City Govt. Asst. Dept. Head III

