

**[VALENZUELA CITY ORDINANCE NO. 155 SERIES
OF 2014, September 22, 2014]**

SANGGUNIANG PANLUNGSOD

**** Excerpts from the minutes of the 53rd Regular Session of the
6th City Council of Valenzuela held on September 22, 2014 at
2:48 P.M. at the City Council's Session Hall, 3rd Floor, Legislative
Building, Valenzuela City Hall, Karuhatan, Valenzuela City, Metro
Manila**

**AN ORDINANCE IMPOSING A NOW REFUNDABLE TENDER
DOCUMENTS FEES AND OTHER FEES TO ALL BIDDERS AND
PRIVATE PARTNER PROPONENTS OF JOINT VENTURE PROJECTS
IN VALENZUELA CITY.**

**Authored by: Councilor MARLON PAULO C. ALEJANDRINO,
Councilor ANTONIO R. ESPIRITU, Councilor ROVIN ANDREW M. FELICIANO,
Councilor CORAZON A. CORTEZ, Councilor JENNIFER PINGREE-ESPLANA,
Councilor LORENA NATIVIDAD-BORJA, Councilor LAILANIE P. NOLASCO,
Councilor KIMBERLY ANN D.V. GALANG, Councilor CRISSHA M. PINEDA,
Councilor KRISTIAN ROME T. SY and Councilor RAMON L. ENCARNACION**

WHEREAS, Section 458 (a) (3) of the Local Government Code of 1991 provides that the Sangguniang Panlungsod, as the legislative body of the City, shall enact ordinances and approve resolutions for the general welfare of the city and its inhabitants pursuant to Section 16 thereof and shall:

"(i) Fix and impose reasonable fees and charges for all services rendered by the city government to private persons or entities;"

WHEREAS, on 14 July, 2014, Ordinance No. 140, Series of 2014, entitled "**An ordinance Governing Joint Ventures between Valenzuela City and Private Sector Partners, Providing for the Procedures for Identifying Joint Venture Projects and Selecting Joint Venture Partners, Instituting Accountability Mechanism and for other purposes.**" was enacted governing all joint venture projects which the City Government of Valenzuela will enter into with private individual, corporation and/or sector;

WHEREAS, the City Government of Valenzuela, created the 3S Plus System - the Anti - Graft and Corruption Program of the City, along its continual effort of establishing Quality Management Systems particularly in the critical investment and business permits process, there is a need to strengthen the City's building construction regulation, implementation and enforcement as mandated under the

National Building Code of the Philippines (P.D. 1096);

WHEREAS, to recover all costs of materials and supplies in the preparation of documents, feasibility and/or project study and plans for the different joint venture projects of the City Government of Valenzuela as well as to defray the expenses thereof, it is necessary to enact an Ordinance which shall prescribe the tender documents fees and other fees to all bidders and private partner proponents.

NOW THEREFORE, be it **ORDAINED** as it is hereby **ORDAINED** by the Sangguniang Panlungsod of Valenzuela in session duly assembled the following:

SECTION 1. TITLE - This shall be known as the **"JV ORDINANCE FEES."**

SECTION 2. DEFINITION OF TERMS - The Definition of Terms under Section 6 of Ordinance No. 140, Series of 2014, otherwise known as the Joint Venture Ordinance, is hereby adopted.

SECTION 3. SCOPE OF APPLICATION - The following non-refundable fees are hereby imposed, to be collected by the City Treasurer's Office from all proponents and/or bidders of Joint Venture Projects of the City Government of Valenzuela, to wit:

3.1 TENDER DOCUMENTS FEES. 0.5 OF 1% of the Total Project Cost.

AMOUNT OF JOINT VENTURE PROJECT	TENDER DOCUMENT FEES
Php 500,000.00 and below	Php 1,500.00
Php 500,000.00 to Php1,000,000.00 and for every increase of Php500,000.00 an additional Php1,000.00	Php 3,000.00

3.2 MOTION FOR RECONSIDERATION FEE - 0.25 of 1% of the Total Project Cost.

3.3 APPEAL FEE - 0.5 OF 1 % OF THE Total Project Cost.

3.4 ADMINISTRATIVE FEE - Document requested by any bidder and/or proponent for certification or photocopying shall be charged an amount of Php100.00 per page.

3.5 PUBLICATION FEE - The cost of any publication required by the Joint Venture Ordinance and other expenses thereof shall be shouldered proportionally by all bidders and/or proponents.

SECTION 4. INTEGRATION CLAUSE - The Joint Venture Agreement ("JVA") between the City Government of Valenzuela and the winning proponent and/or bidder may contain an integration clause.

For the purposes of this Ordinance, an integration clause may provide that all expenses and costs incurred in connection with the project may be for the account