



PAMAHALAANG BAYAN NG TAYTAY TANGGAPAN NG SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE 31ST REGULAR SESSION OF THE 11th
SANGGUNIANG BAYAN, TAYTAY, RIZAL, HELD ON FEBRUARY 21, 2020, 1:41 PM
AT THE SESSION HALL OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL**

PRESENT:

Hon. Michell B. Bermundo	-	Vice Mayor/Presiding Officer
Hon. Patrick John P. Alcantara	-	Councilor
Hon. Joanne Marie P. Calderon	-	"
Hon. Ceferino R. Resurreccion Jr.	-	"
Hon. Kyle Georic Y. Gacula	-	"
Hon. Ma. Elaine T. Leonardo	-	"
Hon. Philip Jeison J. Cruz	-	"
Hon. Frank Luster L. Santos	-	LnB President
Hon. Jannah Roa D.P. Dazo	-	SK Federation President

ABSENT:

Hon. Sophia Priscilla L. Cabral	-	Councilor
Hon. Ma. Jeca B. Villanueva	-	" (O.B.)

Authored by:	Coun. Kyle Georic Y. Gacula
Co-Authored & Sponsored by:	Coun. Ma. Elaine T. Leonardo
Co-Sponsored by:	Vice Mayor Michell B. Bermundo
	Coun. Sophia Priscilla L. Cabral
	Coun. Ma. Jeca B. Villanueva
	Coun. Patrick John P. Alcantara
	Coun. Joanne Marie P. Calderon
	Coun. Ceferino R. Resurreccion Jr.
	Coun. Philip Jeison J. Cruz
	LnB Pres. Frank Luster L. Santos
	SK Fed Pres. Jannah Roa D.P. Dazo

ORDINANCE NO. 20 series of 2020

AN ORDINANCE REQUIRING THE DEPLOYMENT OF PERSONNEL FROM THE DPWH CONTRACTOR TO ASSIST IN TRAFFIC MANAGEMENT FOR NATIONAL INFRASTRUCTURE AND HIGHWAY PROJECTS IN THE MUNICIPALITY

WHEREAS, Article X Section 2, imposes the national and constitutional policy of local autonomy;

WHEREAS, RA 7160 Section 16, grants local government units to exercise its police power for the general welfare of its people;

WHEREAS, the national government has instituted massive infrastructure projects across the Philippines;

WHEREAS, traffic in Metro Manila in the surrounding regions have impeded the daily lives of the residents of Taytay;

WHEREAS, the Municipality recognizes the national government as indispensable partners in the growth of the municipality;

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Taytay, in session duly assembled, that;

Section 1. Definition of Terms

1. National Infrastructure Project – refers to any project of the national government which is initiated, supervised, and/or funded by it. It includes but is not limited to road, highway, sewage, drainage, repairs.
2. National Infrastructure Project Areas – refers to the area immediately affected by a national infrastructure project.
3. Traffic Management Report – refers to a report of the municipal engineer submitted to the Sangguniang Bayan detailing his recommendations for traffic management in the national infrastructure project areas to be affected by any national infrastructure project.
4. Traffic Management Personnel – refers to natural persons in charge of ensuring the free flow of traffic.

Section 2. Coordination with the Municipal Government and the DPWH

1. No national infrastructure project in or within the municipality shall be given a favorable action by the Sangguniang Bayan and any such concerned agency without the required coordination and compliance with the provisions of this ordinance.
2. The Department of Public Works and Highways (DPWH) and any such other concerned national government agency under the said department or otherwise shall communicate with the municipal engineer any proposed national infrastructure project.
3. The Municipal Engineer shall forthwith submit a report to the Sangguniang Bayan, through the Secretary of the Sanggunian, the contents of which are defined in this ordinance and any such implementing rules and regulations as may be enacted by the concerned municipal office or agency.

Section 3. Traffic Management Report – the municipal engineer shall submit the report referred to in the next preceding section, which as a minimum, shall contain the following:

1. The nature of the national infrastructure project.
2. The time-frame of the said project.
3. The possible effects of the said project on traffic management in the national infrastructure project area.
4. His recommendations for traffic management in the area, which among others shall include the following:

- a. Recommendations of to any traffic scheme to be implemented.
- b. Recommendations as to the number of traffic management personnel required.
- c. All other initiatives to minimize the traffic impact of the project.

Section 4. Traffic Management Personnel Funding – no national infrastructure project shall be given a favorable action by the Sangguniang Bayan and any such concerned municipal agency without the proviso that traffic management personnel shall be assigned to national infrastructure project areas, for the duration of works to be constructed or otherwise done. Funding for said personnel shall be borne by the contractors so selected by the DPWH or the concerned government agency.

The number of personnel to be assigned shall conform to the maximum number as recommended by the municipal engineer in his report or to any such number which he and the concerned government agency shall agree on, which in the former's discretion is sufficient to insure adequate management of traffic in affected areas.

The traffic management personnel shall be under the direct supervision of the municipality through the municipal engineer. This provision shall not be interpreted in any way to create any employer-employee relationship between the municipality and the traffic management personnel.

The municipal government reserves the right to request that new traffic management personnel be assigned to the area for the following causes:

1. Insubordination
2. Inefficiency
3. Ineffectiveness
4. Any malfeasance, misfeasance and nonfeasance as defined in the Revised Penal Code, the Graft and Corrupt Practices Act, and other punishable acts according to the laws on public officers and the rules of the Civil Service Commission.

Section 5. Contractors Bond for Traffic Management

% Bracket:

1 to 5 Million	=	2%
5 to 10 Million	=	1%
10 Million above	=	.625%

The above indicated amount of equivalent percentage will be deposited to the Municipal Treasury as cash bond and will be refunded upon presentation of Certificate of Completion from the Municipal Government. Non-compliance to the provision will automatically forfeits the cash bond.

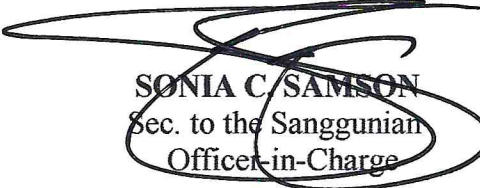
Section 6. Repealing Clause – All ordinance and resolutions, or parts thereof inconsistent with the provisions hereof shall be repealed of modified accordingly.

Section 7. Separability Clause – If for any reason any provision/s of this ordinance shall be found unconstitutional by competent authority, the other provision/s not so declared to be unconstitutional shall remain valid.

Section 8. Effectivity – This Ordinance shall take effect fifteen (15) days after posting in conspicuous places in the Municipality.

ENACTED, this 21st day of February, 2020 at the Sangguniang Bayan Session Hall, Municipal Building, Taytay, Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay on second reading on February 11, 2020 and was passed on third and final reading on February 21, 2020 during the 31st Regular Session held on the 21st day of February, 2020.


SONIA C. SAMSON
Sec. to the Sanggunian
Officer-in-Charge

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HER HONOR


HON. MICHELLE B. BERMUNDO
Municipal Vice Mayor/Presiding Officer

APPROVED BY HIS HONOR
THE MUNICIPAL MAYOR


HON. GEORGE RICARDO R. GACULA II
Municipal Mayor