Sangguniang Bayan Resolution No. 04-2007
Series of 2007

A RESOLUTION AUTHORIZING THE MUNICIPAL MAYOR TO EXERCISE EMERGENCY POWERS TO SOLVE THE WORSENING GARBAGE/SANITATION PROBLEM OF BACOOR, CAVITE.

WHEREAS, after the 14 May 2007 local elections, the garbage generated by the residents of Bacoor, Cavite has been left uncollected resulting in a growing number of garbage heaps in most of the major thoroughfares of the municipality;

WHEREAS, due to the non-collection of garbage, many areas of Bacoor, Cavite has been covered under a suffocating miasma of stench and disease-carrying flies that has not only affected the conduct of business but has also been endangering the general health and welfare of the public;

WHEREAS, if the said heaps of garbage are not collected immediately, the same will clog the municipality’s waterways and cause massive flooding with the onset of the monsoon rains this year which will be an even greater public health emergency;

WHEREAS, making the problem worse is the fact that the municipal government’s contract with Red Fox Trucking Corporation already expired on 15 June 2007;

WHEREAS, in view of the prevailing and steadily worsening public health and sanitation emergency mentioned above, the Certification dated 03 July 2007 issued by the Municipal Health Officer, and the pressing need to address the above-mentioned emergency immediately, the granting of special powers to the Municipal Mayor to address the above-mentioned emergency is in order;

NOW, THEREFORE:

BE IT RESOLVED by the Sangguniang Bayan, in session assembled that:

Section 1. Authority is hereby given to the Municipal Mayor to enter into any contract with any private juridical entity to address the public health and sanitation emergency mentioned above even without the benefit of a public bidding subject, however, to the following limitations:

1.1. Any contract entered into by the Municipal Mayor must be directly connected to the public health and sanitation emergency mentioned above such as the collection of garbage, the sweeping of roads and streets, the hiring of street sweepers, the de-clogging of waterways and drainage systems, and the like. Any contract not connected with the possible solutions to address the public health and sanitation emergency mentioned above shall be deemed null and void.

1.2. The period of any contract entered into by the Municipal Mayor by virtue of this Resolution should not exceed four (4) calendar months which period shall commence from the date of execution of the said contract. Upon expiration of the said contract, the same cannot be renewed without complying with the requirements specified under the Government Procurement Act and other related laws. The Office of the Municipal Mayor is hereby requested to furnish the Sanggunian Secretary with a certified true copy of any and all contract/s entered...
into by the Municipal Government by virtue of this Resolution within ten (10) business days after the execution of the same.

1.3. The Municipal Mayor shall only exercise the powers granted to him under this Resolution for a period of four (4) calendar months which period shall commence on the date of approval of this Resolution.

1.4. The Municipal Mayor shall only exercise the powers granted to him under this Resolution only to address the public health and sanitation problem mentioned above and for no other purpose.

Section 2. Authority is hereby given to the Municipal Mayor to utilize all resources available to him to inform the public of the municipal government's renewed and sustained efforts to address the perennial garbage problem of Bacoor, Cavite and to invite the public to submit possible solutions to permanently solve this problem.

Section 3. This Resolution shall take effect immediately upon approval.

Section 4. Copies of this Resolution shall be furnished to the Office of the Municipal Health Board, and the Office of the Municipal Health Officer for their guidance, information, and immediate implementation.

ADOPTED by the Sangguniang Bayan of Bacoor, Cavite at its special session today, 05 July 2007.

HON. ROLANDO S. REMULLA
SB Member

HON. HUBERT Y. GERVACIO
SB Member

HON. NORMITA D. CELESTINO
SB Member

HON. MIGUEL N. RAUTISTA
SB Member

HON. RICARDO F. UGALDE
MCC President

HON. AVELINO B. SOLIS
SB Member

HON. REYNALDO M. FABIAN
SB Member

HON. AVELINO S. DE CASTRO
SB Member

HON. BAYANI M. DE LEON
SB Member

HON. MARIENNE JOYCE G. CASTILLO
SK Federation Chairman

Attested by:

VICE- MAYOR ROSETTE M. FERNANDO
Presiding Officer

Certified by:

ATTY. KHALID A. ATIGA JR.
Acting Sanggunian Bayan Secretary

Approved by:

HON. STRIKE B. REVILLA
Municipal Mayor