



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod



CGBCR-SPBac-03-F02.01
05/20/2024



DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

HON. LEVY M. TELA
City Councilor

DISTRICT II

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HON. SIMPLICIO G. DOMINGUEZ
City Councilor

HON. RANDY C. FRANCISCO
Liga ng mga Barangay Vice-President

HON. PALM ANGEL S. BUNCIO
SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Noted by:

HON. STRIKE B. REVILLA
City Mayor

CITY RESOLUTION NO. 2024-564
Series of 2024

A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. STRIKE B. REVILLA, TO SIGN A MEMORANDUM OF AGREEMENT FOR AND ON BEHALF OF THE LOCAL GOVERNMENT OF THE CITY OF BACOR, CAVITE WITH GRAND APEX CONSTRUCTION INC. REGARDING THE PURCHASE AND DEVELOPMENT OF A 24,032-SQUARE METER PARCEL OF LAND WITH IMPROVEMENTS REGISTERED UNDER THE NAME OF PHILIPPINE BILLION REAL ESTATE DEVELOPMENT CORPORATION SITUATED IN BARANGAY NIOG COVERED BY TCT NO. 057-2018027764 AND A 19,792-SQUARE METER LOT COVERED BY TCT NO. T-13252795.

Sponsored by:

Hon. Alde Joselito F. Pagulayan

Co-sponsored:

Hon. Roberto L. Advincula, Hon. Palm Angel S. Buncio, Hon. Simplicio G. Dominguez, Hon. Catherine S. Evaristo, Hon. Reynaldo M. Fabian, Hon. Randy C. Francisco, Hon. Adrielito G. Gawaran, Hon. Alejandro F. Gutierrez, Hon. Rogelio M. Nolasco, Hon. Reynaldo Palabrica, Hon. Michael E. Solis and Hon. Levy M. Tela

WHEREAS, Section 4 of Republic Act No. 101060 (the "Charter of the City of Bacoor") gave the local government of the City of Bacoor, Cavite the right to exercise all the powers of a corporation which includes the power to take, purchase, receive, hold, lease, convey and dispose of real and personal property for the general interests of the City.

WHEREAS, Section 11(4) of RA 10160 empowered the Sangguniang Panlungsod to regulate activities relative to the use of land, buildings and structures within the City in order to promote the general welfare.

WHEREAS, on 2 August 2024, Atty. Aimee Torrefranca-Neri, the City Administrator, formally requested the City Council to review a draft Memorandum of Agreement (MOA) between the City Government and Grand Apex Construction Inc. (GACI) for the purpose of securing a City Resolution authorizing the City Mayor, Hon. Strike B. Revilla, to sign the same on behalf of the City Government.



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Sangguniang Panlungsod Secretary

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City Vice Mayor

Noted by:
HON. STRIKE B. REVILLA
City Mayor

WHEREAS, a review of the provisions of the said MOA conducted by various standing committees of the Sangguniang Panlungsod revealed that:

(1) the City Government intends to purchase a 24,032-square meter lot with various improvements covered by TCT No. 057-2018027764 situated at Barangay Niog registered under the name of Philippine Billion Real Estate Development Corporation (PBREDC) with a purchase price (before taxes) of **One Billion Nine Hundred Million Pesos (Php 1,900,000,000.00)**;

(2) GACI has agreed to advance the said amount in favor of the City Government subject to reimbursement by the latter in the following manner:

- Initial payment of Php 75,000,000.00 upon signing of the MOA by the City Mayor and by the authorized representative of GACI named Zhilong Lei; and
- Payment of the remaining balance of Php 1,825,000.00 upon the release of the loan proceeds to be contracted by the City Government in relation to the development of the lot owned by PBREDC.

(3) The City Government obligates itself to form a joint venture or partnership with GACI in relation to the development of the lot owned by PBREDC; and

(4) The City Government obligates itself to form a joint venture or partnership with GACI to undertake the development of the property situated in Barangay (formerly Barrio) Salinas, Bacoor City, Cavite with an area of 19,792 square meters, more or less, covered by TCT No. T-1352795.

WHEREAS, further review of the MOA revealed that GACI, upon signing of the MOA, agrees to advance the amount of Php 1,900,000,000.00 and pay the same to PBREDC representing full payment by the City Government for the purchase of the lot owned by PBREDC. Furthermore, GACI obligates itself under the MOA to be the joint venture partner of the City Government in the development of the 24,032-square meter lot with improvements owned by PBREDC covered by TCT No. 057-2018027764 once it has



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SK Federation President

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ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Noted by:

HON. STRIKE B. REVILLA
City Mayor

been purchased and in the development of the 19,792-square meter lot situated in Barangay Salinas, Bacoor City, Cavite covered by TCT No. T-1352795.

WHEREAS, during the committee hearing called by the Committee on Housing and Land Utilization and Urban Development held on 9 August 2024, Atty. Neri manifested that the 24,032-square meter lot owned by PBREDC has many improvements such as fully furnished, medium-rise buildings with complete amenities that be can converted at minimal cost in relation to the public housing, urban development, and job creation programs of the City Government.

WHEREAS, a copy of the said MOA is attached hereto as **Annex "A"** and shall form an integral part of this Resolution.

WHEREAS, during the same hearing, Atty. Kim Nyca Lofranco, the City Legal Officer, assured the members of the City Council in attendance that the provisions of the MOA are in accordance with law and that its various terms and conditions are not disadvantageous to the City Government.

WHEREAS, the members of the Sangguniang Panlungsod deliberated on the afore-mentioned request of Atty. Neri regarding the approval of a resolution authorizing the City Mayor to sign the MOA with GACI and they unanimously decided that approving the said request pursuant to Section 8 (b) (vi) of RA 10160 will redound to the best interest of the City of Bacoor and of its residents.

NOW THEREFORE, upon motion of Hon. Alde Joselito F. Pagulayan, unanimously seconded by the rest of the body, **BE IT RESOLVED AS IT HEREBY RESOLVED** by the 5th Sangguniang Panlungsod to authorize the City Mayor, Hon. Strike B. Revilla, to sign the Memorandum of Agreement with Grand Apex Construction Inc. regarding the purchase and development of a 24,032-square meter parcel of land with improvements registered under the name of Philippine Billion Real Estate Development Corporation situated in Barangay Niog covered by TCT No. 057-2018027764 and a 19,792-square meter lot covered by TCT No. T-13252795 situated at Barangay Salinas, Bacoor City, Cavite.

RESOLVED LASTLY, to furnish the City Mayor, GACI, PBREDC, the University of the Philippines-Office of the National Administrative Registrar (UP-ONAR), and other with copies of this Resolution.

APPROVED this 13th day of August 2024 at the City of Bacoor, Cavite.



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HON. RANDY C. FRANCISCO
Liga ng mga Barangay Vice-President

HON. PALM ANGEL S. BUNCIO
SK Federation President

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Voted by:

HON. STRIKE B. REVILLA
City Mayor

I hereby certify that the foregoing Resolution was duly approved in accordance with law by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Noted by:

HON. STRIKE B. REVILLA
City Mayor

HON. STRIKE B. REVILLA
CITY GOVERNMENT OF BACCOOR

First Party

ZHILONG LEI
GRAND APEX CONSTRUCTION, INC.

Second Party

Witness

Witness

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (the “**Agreement**”) is entered into this _____ (the “**Effective Date**”) in Bacoor City, Province of Cavite, by and between:

The **CITY GOVERNMENT OF BACCOOR**, a local government unit created and existing under the laws of the Republic of the Philippines , with principal office address at Bacoor Government Center, Bacoor Boulevard, Barangay Bayanan, Bacoor City, Province of Caavite, represented by its City Mayor, Hon. **STRIKE B. REVILLA**, pursuant to his authority conferred and embodied in City Resolution No. _____ Series of ____ approved on _____ of the City Council of Bacoor City, Cavite, hereinafter referred to as the “**FIRST PARTY**”;

and

The **GRAND APEX CONSTRUCTION, INC.**, a corporation duly organized and existing under the laws of the Republic of the Philippines, with principal office at 6th Floor LJK Bldg., Ortigas Ext., Brgy. San Isidro, Cainta, Rizal as represented by its authorized representative, **ZHILONG LEI**, hereinafter referred to as the “**SECOND PARTY**”.

The **FIRST PARTY** and the **SECOND PARTY** are hereinafter collectively referred to as the “**PARTIES**”.

WITNESSETH:

WHEREAS, the Local Government Code of 1991 establishes the power of the local government units to acquire and develop real property and to apply their resources and assets for productive, developmental, or welfare purposes to ensure their development into self-reliant communities;

WHEREAS, the Local Government Code of 1991 mandates local government units with the responsibility to provide basic services and facilities to include program and projects for low cost housing and mass dwellings;

WHEREAS, the **FIRST PARTY**, in pursuit of its mandate, intends to acquire and develop the property of the **Philippine Billion Real Estate**

HON. STRIKE B. REVILLA
CITY GOVERNMENT OF BACORR
First Party

Development Corporation (the “PBREDC”) covered by Transfer Certificate of Title (TCT) No. 057-2018027764 with an area of Twenty-Four Thousand Thirty-Two Square Meters (24,032sqm) more or less, situated in Bacoor City (the “Subject Property”).

WHEREAS, the SECOND PARTY has agreed to advance the Net Purchase Price of One Billion Nine Hundred Million Pesos (Php 1,900,000,000.00) to PBREDC as full payment for the Subject Property;

NOW, THEREFORE, in consideration of the foregoing premises and the mutual covenants hereinafter contained, the parties agree as follows:

ZHILONG LEI
GRAND APEX CONSTRUCTION, INC.
Second Party

1. RESPONSIBILITIES OF THE PARTIES

1.1. The FIRST PARTY shall:

1.1.1. Purchase the Subject Property from PBREDC, with SECOND PARTY advancing the net purchase price to PBREDC.

1.1.2. Develop the Subject Property for housing, government, and other economic uses in accordance with applicable laws, ordinances, and regulations.

1.1.3. Reimburse SECOND PARTY the Net Purchase Price of One Billion Nine Hundred Million Pesos (Php 1,900,000,000.00), without any interest whatsoever, in the following manner:

- a. Initial payment of Seventy-Five Million Pesos (Php 75,000,000.00) upon signing of this Agreement; and
- b. Remaining balance in the amount of One Billion Eight Hundred Twenty-Five Million Pesos (Php 1,825,000,000.00) upon the release of the loan proceeds from _____, to which FIRST PARTY obtained a loan to finance the purchase of the Subject Property.

All payments from FIRST PARTY, from the downpayment to the final balance, shall be made by checks payable to SECOND PARTY.

Witness

Witness

HON. STRIKE B. REVILLA
CITY GOVERNMENT OF BACOR

First Party

1.1.4. Commit to form a joint venture or partnership with **SECOND PARTY** to undertake the development of the Subject Property.

1.1.5. Commit to form a joint venture or partnership with **SECOND PARTY** to undertake the development of the property situated in Barrio of Salinas, City of Bacoor, Province of Cavite covered by **TCT No. T-1352795**, with an area of **Nineteen Thousand Seven Hundred and Ninety Two Square Meters (19,792sqm)** more or less.

1.2. The **SECOND PARTY** shall:

1.2.1. Upon signing of this Agreement, advance and pay PBREDC the **Net Purchase Price of One Billion Nine Hundred Million Pesos (Php 1,900,000,000.00)**, representing full payment by **FIRST PARTY** of the Subject Property to PBREDC.

1.2.2. Obligate itself, as the joint venture partner of **FIRST PARTY**, to develop the properties mentioned in Sections 1.1.4 and 1.1.5.

2. JOINT VENTURE AGREEMENT

2.1. The terms and conditions of the partnership by the **PARTIES** shall be embodied in a separate agreement as governed by the relevant laws, ordinances, and regulations.

3. AMENDMENTS

3.1. This Agreement may be amended only by a written instrument signed by the **PARTIES**.

4. SEVERABILITY

4.1. If any provision of this Agreement is held to be invalid or unenforceable, such provision shall be struck and the remaining provisions shall remain in full force and effect.

(Signature and acknowledgment pages follow)

ZHILONG LEI
GRAND APEX CONSTRUCTION, INC.

Second Party

Witness

Witness

IN WITNESS WHEREOF, the parties have hereunto signed their signatures this _____, in the City of _____, Philippines.

**CITY GOVERNMENT OF
BACOR**
First Party
By:

**GRAND APEX CONSTRUCTION,
INC.**
Second Party
By:

HON. STRIKE B. REVILLA
City Mayor

ZHILONG LEI
Authorized Representative

SIGNED IN THE PRESENCE OF:

Witness

Witness

HON. STRIKE B. REVILLA
CITY GOVERNMENT OF BACOOOR
First Party

ZHILONG LEI
GRAND APEX CONSTRUCTION, INC.
Second Party

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
_____) S.S.

BEFORE ME this _____ in _____,
_____, personally appeared the following persons, who are
identified by me through competent evidence of identity:

Name	Competent Evidence of Identity	Validity Details
CITY GOVERNMENT OF BACOOOR By: STRIKE B. REVILLA		
GRAND APEX CONSTRUCTION, INC. By: ZHILONG LEI		

known to me and to me made known to be the same persons who executed the
foregoing instrument and acknowledged to me that the same is their own free
voluntary act and deed.

This Agreement consisting of five (5) pages including the page on which this
Acknowledgement is written has been signed on the left margin of each and every
page thereof by the parties and their witnesses and sealed with my notarial seal.

WITNESS MY HAND AND NOTARIAL SEAL on the date and place first
above written.

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of _____.

Witness

Witness