



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 93-068

AN ORDINANCE REGULATING THE IMPLEMENTATION OF ROAD CONCRETING PROJECTS IN THE CITY OF NAGA: -

Author: Hon. Rodolfo Fortuno

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. - SCOPE. - This ordinance shall apply to locally and nationally funded road concreting projects undertaken within the City of Naga.

SECTION 2. - SIGNBOARDS. - A Contractor shall erect signboards at both ends of the project site which shall contain the following information:

- a) project description, nature and extent of work
- b) Bidded project cost
- c) Name and address of contractor
- d) Date started and expected date of completion
- e) Cement Mixture
- f) Thickness, lane width and total project length
- g) Office to be contacted in case of complaints
(Project Monitoring and Evaluation Group, City Mayor's Office, Naga City)

SECTION 3. - TIME AND DURATION OF PLACEMENT. - The signboards shall be erected by the contractor on or before work commences on the project and shall remain on the project site until completion and acceptance of the project. It shall be the responsibility of the contractor to ensure that signboards are in their proper places until acceptance of the project.

SECTION 4. - STANDARD CEMENT MIXTURES. - Unless otherwise certified by the City Engineer's Office, the standard cement mixture for road pavements shall be one bag of cement for every two cubic feet of sand and four cubic feet of gravel (1-2-4).

SECTION 5. - USE OF PORTLAND CEMENT. -Portland cement shall be used on all roads concreting projects of the City Government. The use of Pozzolan cement may be allowed only during an extended period of acute shortage of Portland cement as certified by the Department of Trade and industry.

SECTION 6. - PRESENCE OF CITY GOVERNMENT REPRESENTATIVES. - No mixing or pouring of cement shall be made by road contractors without the presence of a duly authorized representative from the City's Engineer's Office or from the City Planning and Development Office.

SECTION 7. - QUALITY OF MATERIALS. - Contractors shall ensure that the materials used in road projects meet standard specifications. The City Government shall reject materials which do not meet such specifications.

SECTION 8. - ROADBLOCKS, CURING PERIOD. - (a) The contractor shall erect roadblocks at each end of the project to prevent traffic on newly paved sections. The contractor shall place a signboard on each road block warning the public that the road is closed to traffic until the concrete pavement has cured.

(b) The signboard shall be as follows:

This road is CLOSED to
Traffic until

(c) Unless otherwise stipulated by the City Engineer, the curing period for road pavements shall be 28 days.

SECTION 9. - ACCEPTANCE. - The Barangay Captain and the City Engineer shall not accept the project until the contractor has, among others, erected the roadblocks and placed the signboards as required under the preceding sections. Acceptance shall further be subject to the conditions of section 11.

SECTION 10. - RESPONSIBILITY OF BARANGAY COUNCIL. - Upon completion of the project, it shall be the responsibility of the Barangay Council to maintain the roadblock until the end of curing period.

SECTION 11. - GUARANTEE/WARRANTY. - A guarantee/warranty against defects arising from substandard work shall cover road-concreting projects within the first year from the date of their acceptance.

SECTION 12. - PENALTIES - Any violation of this Ordinance shall be punished by a fine of not less than Four Thousand (P4, 000.00) Pesos nor more than P5, 000.00 and imprisonment of not less than six (6) months and one day nor more than one year, or both imprisonment and fine at the discretion of the court in addition to blacklisting of the construction firm or contractor represented by the offender/s as stipulated under Section 14 herein, and any civil and administrative sanctions as are imposed by law or ordinance.

If the violation is committed by any juridical entity, the president, general manager and any other persons entrusted with the operation of the said entity shall be held liable thereof.

SECTION 13. - AUTOMATIC SANCTION. - Cement poured in violation of Sections 4,5,6 and 7 shall not be used in the project, or if already poured shall not be counted among the accomplishments of the contractor.

SECTION 14. - BLACKLISTED FIRMS. - Blacklisted construction firms and contractors shall be banned from undertaking city projects for a period of three years. Construction firms owned or co-owned by the owners or co-owners of the blacklisted firms or managed or staffed by the key personnel of the blacklisted firm shall likewise be excluded from participating in the bidding for city projects for as long as the ban is in effect.

SECTION 15. - IMPLEMENTING RULES AND REGULATIONS. - The City Mayor shall prescribe such rules and regulations as may be deemed necessary for the proper and effective implementation of this ordinance.

SECTION 16. - TRANSITORY PROVISION. - Upon effectivity of this ordinance, contractors of on-going road concreting projects are given ten days to comply with its provisions.

SECTION 17. - This ordinance repeals Ordinance No. 92-052 and Ordinance No. 93-066.

SECTION 18. - SEPARABILITY CLAUSE. - Any provisions or portion of this ordinance found to be unconstitutional or invalid shall not impair the other provisions or parts thereof which shall continue to be in force and effect.

SECTION 19. - EFFECTIVITY. - This ordinance shall take effect immediately upon its approval and publication in a newspaper of general circulation.

ENACTED: August 5, 1993

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
City Secretary

LOURDES V. ASENCE, M.D.
City Vice Mayor & Presiding Officer

APPROVED:

JESSE M. ROBREDO
City Mayor