



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod ng Mandaluyong

ORDINANCE NO. 331, S-2005

AN ORDINANCE PRESCRIBING ADDITIONAL GUIDELINES IN THE IMPLEMENTATION OF REPUBLIC ACT NO. 6685, ENTITLED "AN ACT REQUIRING PRIVATE CONTRACTORS TO WHOM NATIONAL, PROVINCIAL, CITY AND MUNICIPAL PUBLIC WORKS PROJECTS HAVE BEEN AWARDED UNDER CONTRACT TO HIRE AT LEAST FIFTY (50%) PERCENT OF THE UNSKILLED AND AT LEAST THIRTY (30%) PERCENT OF THE SKILLED LABOR REQUIREMENTS TO BE TAKEN FROM THE AVAILABLE BONAFIDE RESIDENTS IN THE PROVINCE, CITY OR MUNICIPALITY IN WHICH THE PROJECTS ARE TO BE UNDERTAKEN" AND PENALIZING VIOLATIONS THEREOF IN THE CITY OF MANDALUYONG

BE IT ORDAINED by the Sangguniang Panlungsod of Mandaluyong, in session assembled:

SECTION 1. It shall be the responsibility of the City Engineer of Mandaluyong City to see to it that, in so far as Public Works Projects undertaken in the City are concerned, the provisions of Republic Act No. 6685 and its Implementing Rules and Regulations are fully and properly implemented.

SECTION 2. In consonance with the above, the City Engineer shall:

- a. Upon publication of the Invitation for Pre-qualifications to Bid, advise the City Mayor through the Chief, Public Employment and Service Office (PESO) the project for bidding and the labor requirements thereof, and advise the same to submit a list of able, qualified and willing laborers (unskilled and skilled) from where the contractor shall select for employment the labor requirements of the project.
- b. Make available this list of laborers to the contractor upon award of the contract and before the Notice to Proceed is issued.
- c. See to it that the Instructions to Bidders and Tender Documents include a provision for strict compliance with Republic Act 6685 and that the penalty clause provision thereof is included in the Conditions of the Contract to be entered into.
- d. Counter-check the "Certificate of Compliance" to be submitted by the Contractor/Sub-Contractor under oath, as among the requirements for every progress billing, pursuant to Section 5 of Republic Act 6685 before effecting the payment to ensure compliance.
- e. See to it that, upon award of contract and after the contractor has signed the contract and submitted the requirements for the approval of the contract, the contract complies with the provisions of Section 4, on posting of Notice of Labor Requirements, of Republic Act 6685 and the Rules and Regulations implementing the same.

- f. In violation of the provisions of Republic Act 6685, initiate the necessary and appropriate action for the imposition of fines against the violators thereof and their suspension and perpetual disqualification from participating in public works bidding as mandated in the Law.

SECTION 3.

- a. Within one (1) month upon the effectivity of this Ordinance, the Public Employment and Services Office (PESO) shall prepare for the City a roster of unskilled and skilled workers, per barangay, who are bonafide residents of the same from where the private contractors or sub-contractors could derive their labor force and shall update the roster on a regular basis.
- b. In the preparation of the above roster of workers, the Public Employment and Services Office (PESO) may enlist the assistance of the Barangay Officials.


SECTION 4. EFFECTIVITY. This Ordinance shall take effect upon approval.

ENACTED on this 5th day of December 2005 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAL
Sanggunian Secretary

ATTESTED:


JESUS C. CRUZ
City Vice Mayor &
Presiding Officer

APPROVED:


NEPTALI M. GONZALES II
City Mayor

Date: DEC 12 2005

NOTA BENE: This Ordinance amends Ordinance No. 236, S-2000 in form and style only.