



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 816, S-2021

AN ORDINANCE APPROVING THE IMPLEMENTATION OF THE WATER AND USED WATER PLAN OF MANILA WATER COMPANY, INC. AND AUTHORIZING THE CITY MAYOR TO EXECUTE AND ENTER INTO CONTRACTS RELATIVE TO ITS IMPLEMENTATION

WHEREAS, the Philippine Congress enacted on 22 March 2004 Republic Act (RA) No. 9275, otherwise known as the "Clean Water Act of 2004" and declared in Section 2 thereof the following as matters of state policy:

- a.) To streamline processes and procedures in the prevention, control and abatement of pollution of the country's water resources;
- b.) To promote environmental strategies, use of appropriate economic instruments and of control mechanisms for the protection of water resources;
- c.) To formulate a holistic national program of water quality management that recognizes that water quality management issues cannot be separated from concerns about water sources and ecological protection, water supply, public health and quality of life;
- d.) To formulate an integrated water quality management framework through proper delegation and effective coordination of functions and activities;
- e.) To promote commercial and industrial processes and products that are environment-friendly and energy efficient;
- f.) To encourage cooperation and self-regulation among citizens and industries through the application of incentives and market-based instruments and to promote the role of private industrial enterprises in shaping its regulatory profile with the acceptable boundaries of public health and environment;
- g.) To provide for a comprehensive management program for water pollution focusing on pollution prevention;
- h.) To promote public information and education and to encourage the participation of an informed and active public in water quality management and monitoring;
- i.) To formulate and enforce a system of accountability for short and long-term adverse environmental impact of a project, program, or activity; and

- j.) To encourage civil society and other sectors, particularly labor, the academe and business undertaking environment-related activities in their efforts to organize, educate and motivate the people in addressing pertinent environmental issues and problems at the local and national levels.

WHEREAS, under Section 7 of Republic Act No. 9275 promulgated on 22 March 2004, otherwise known as the "Clean Water Act of 2004", local government units, such as the City of Mandaluyong (the "City"), is mandated to appropriate the necessary land, including the required right-of-way/road access to the land for the construction of necessary sewage and/or septage treatment facilities required for the prevention, control and abatement of pollution of the country's water sources;

WHEREAS, Manila Water Company, Inc. ("Manila Water") has been appointed by the Metropolitan Waterworks and Sewerage System ("MWSS") as its agent/concessionaire to carry out its mandate to provide water and used water service under its Charter, Republic Act No. 6234 (the "Charter"). For this purpose, Manila Water was authorized by the MWSS to exercise certain rights and powers it has under its Charter;

WHEREAS, Manila Water, in its capacity as agent/concessionaire of MWSS, has developed a Water and Used Water Masterplan for Mandaluyong City to ensure availability of potable water for the residents of Mandaluyong City and to prevent, control and abate the pollution of the water resources in Mandaluyong City;

WHEREAS, Manila Water proposes to carry out the following projects in connections with the Water and Used Masterplan for Mandaluyong City.

1. Water Masterplan

a. MANDALUYONG NETWORK RELIABILITY PROJECTS

The project shall replace deteriorated pipes and provide reliability pipes to ensure pressure and water availability in the area. The pipe replacement projects are identified in Brgy. Plainview along Tanglaw St.(from Sikap St. to Ginhawa St.) and along Kayumanggi St.(from Sikap St. to Barangka St.). The reliability project is along Boni Ave.(from Kalentong to EDSA), while a creek crossing project is in Brgy. Mauway.

b. MANDALUYONG PIPE LAYING PROJECTS

The project shall provide pipe laying for the expansion and development in areas of Mandaluyong City. Excavation for future pipelaying projects will be permitted except for newly paved streets wherein a moratorium of eighteen (18) months will be observed unless an approval is given by City Engineer or City Mayor.

2. Used Water Masterplan

a. MANDALUYONG WEST- SAN JUAN SOUTH-QUEZON CITY SOUTH SEWERAGE SYTEM PROJECT.

The project shall provide pipe laying for expansion and development in areas of Mandaluyong West, San Juan South and QC South prior to discharging it to Pasig River. The STP ("Aglipay STP") will be located at Rev. Aglipay property (3.2 Has.) with initial plant capacity of 60 MLD by 2022 and full capacity of 120 MLD is expected to be realized by 2037. It will also include construction of sewer network and pump stations within the coverage area. The project will benefit 398,922 population of Mandaluyong City by 2037.

b. MRH SEWAGE TREATMENT PLANT (STP)

The project shall intercept nearby flows in addition to the currently served Belljama Townhouse as part of expansion of the existing catchment area. Sewer pipe laying is approximately at 145 linear meters.

The option to decommission the MRH STP and its connection to the proposed Aglipay STP is being explored once it is commissioned.

WHEREAS, the City's mandate to prevent, control and abate pollution of the country's water resources; to promote environment - friendly and energy efficient commercial and industrial processes and products compel the City to approve the implementation of these projects associated with Manila Water's Water and Used Water Masterplan for Mandaluyong City, and to render such assistance and collaboration as the City can be reasonably expected to extend for the successful implementation of such projects;

WHEREAS, this Ordinance will not exempt Manila Water on all fees for the application of excavation permit for potable and not potable water and building permit for the sewage treatment plant. All requirements needed for permitting must be submitted like the barangay clearance, DPWH and MMDA permits for national roads, other clearances from other agencies/offices needed.

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

1. To authorize the City Mayor to sign, execute and enter into any and all appropriate contracts, deeds, and instruments relative to the implementation of foregoing projects and such other projects as may be recommended for implementation by the City's appropriate committee.
2. Approve the implementation of the foregoing Water and Used Water Projects proposed by Manila Water, and of all the projects that may be proposed in the future in accordance with the terms thereof.

3. To ratify all deeds, agreements and instruments previously executed by the City with the Manila Water relative to the implementation of any and all projects referred to herein.

ENACTED on this 22nd day of February, 2021 in the City of Mandaluyong.

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


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:


ANTONIO DLS. SUVA
City Vice Mayor &
Presiding Officer

APPROVED:


CARMENITA A. ABALOS
City Mayor

Date: MAR 03 2021