SECTION 6. Obligations of the Project Monitoring Committee. Project Monitoring Committee shall:

a. Monitor the progress of work and the delivery of excess soil and/or concrete debris to the designated default site with corresponding pictures prior to and after unloading.

b. Upon project completion, issue a PMC Certification, duly signed by the person or persons assigned to monitor compliance and by the Chairman of the PMC, as to the estimated volume of soil or concrete debris actually delivered to the designated site, with the pictures of each delivery.

c. The PMC may delegate its delivery monitoring function to appropriate personnel of the Environmental Sanitation Office if the destination of the excess soil or concrete debris is the dumpsite in barangay San Mariano. Prior arrangement shall be made by the Chairman of the PMC with the concerned office as basis for an Inter-Office Memorandum designating the personnel of said office as its (PMC) representative on site signed by the PMC chairperson and noted by the Municipal Mayor.

d. Provide the contractor with the contact details of the person or persons who will monitor the contractor's compliance with this Ordinance;

e. Accept as sufficient compliance a variance of ten percent (10%) in the volume of excess soil or concrete debris actually delivered to the designated site to account for losses during handling and delivery.

f. Provide upon project completion a copy of its PMC Certification to: the contractor, the head of the end user government entity, and the Municipal Budget and Accounting offices. Such PMC Certification shall indicate the volume of excess soil or concrete debris that must be delivered by the contractor to the designated site as estimated by the MEO per Section 5a and 5b, the actual volume delivered as monitored by PMC, and its finding of compliance or non-compliance with this Ordinance taking into consideration the allowable 10% variance in the volume of delivered excess soil or concrete debris.

In case of a finding of non-compliance, acceptance of the project shall be withheld. The contractor has the option to: (a) immediately settle his or her fine or signify in writing to have the same deducted from his or her final payment in which case acceptance of the project shall proceed; or (b) opt to have the case heard before the Municipal Legal Office in which case project acceptance will depend on the resolution of the case and settlement of the fine if so ordered. The PMC shall promptly inform the end-user unit of the contractor's decision to guide the end-user whether to sign the project acceptance or not.

g. In the event of a finding of non-compliance of this ordinance, submit a written charge against the contractor and any other responsible person to the Municipal Legal Office for hearing unless the contractor opts to settle his or her fine immediately.

SECTION 7. Change in the estimated volume of excess soil or concrete debris. In the course of project implementation, the Municipal Engineer, upon request of the contractor and in consultation with the appropriate office of the DPWH if a national project, may adjust the estimated volume of excess soil or concrete debris if actual

site conditions and project requirements merit such change. The MEO shall inform in writing all parties concerned of such changes.

SECTION 8. If concrete debris not needed. In the event the Municipal has no need, or further need, for concrete debris, the Municipal Engineer shall so inform the contractor to terminate its obligation to haul and deliver the same to the designated Municipal property. The Municipal Engineer shall issue to the contractor a Certification to that effect, copy furnished the PMC, for their guidance. In this instance, the contractor may dispose of the material as per prevailing project guidelines.

SECTION 9. Reportorial requirement. The MEO and the PMC shall submit a joint semestral report to the Municipal Mayor, copy furnished the Sangguniang Bayan, of the total volume of excess soil or concrete debris generated from each infrastructure project completed during the semester as estimated by the Municipal Engineer and as actually monitored by the PMC. The report shall be due one month after the end of each semester.

SECTION 10. Project Acceptance and Payment. Acceptance of the project by the Punong Barangay, School Head, or by an Officer of the Municipal Government, as the case may be, shall be contingent on the delivery of the estimated excess soil or concrete debris to the designated location as evidenced by a PMC Certification, and/or the full settlement of any penalty as evidenced by an official receipt from the Municipal Treasurer's Office. Insufficient or non-compliance shall bar the acceptance of the project. Likewise, if the project is implemented by the Municipal government, proof of compliance with this ordinance consisting of the PMC Certification and/or official receipts shall be a precondition for the Municipal Budget and Accounting offices to process payment.

Projects that are not expected to generate excess soil or concrete debris shall be so certified by the MEO and such certification shall be given to the contractor and the PMC within one month from award of the project, Such certification shall be the basis of those who will sign the acceptance of the project not to require a PMC Certification, and for the Municipal Budget Officer and the Municipal Accountant to process the payment of the contractor without an attached PMC Certification.

SECTION 11. Penalty clause. Any charge of violation of this ordinance shall be submitted to the Municipal Legal Office by the Municipal Engineer or the head of the PMC. The Municipal Legal Officer shall serve notice to the contractor and any other persons so charged and conduct the corresponding hearings and submit its findings and recommendation to the Municipal Mayor for the latter's final action. If found guilty, administrative fines shall be imposed as follows:

a. For the first three cubic meters of undelivered excess soil, the contractor is herein imposed a fine of P1,500.00 or the market price of such volume of soil, whichever is higher.
b. For the initial non-delivery of the concrete debris to the designated site, a fine of P1,000.00 shall be imposed.
c. Each succeeding cubic meter of undelivered concrete debris and excess soil shall be deemed a separate violation and shall be penalized at One Thousand Pesos (P1,000.00) per cubic meter; provided, however, that the total fine shall not exceed Two Thousand Five Hundred Pesos (P2,500.00), and shall likewise be subject to the ten percent (10%) allowable variance as provided under Section 6(e).

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d. Delivery or sale of excess soil or concrete debris to a private person or entity shall be penalized with a fine of P2,500.00 per delivery without prejudice to being charged in court for theft.

For purposes of this section, undelivered excess soil shall be the difference between the volume of excess soil as determined by the Municipal Engineer's Office and what was actually delivered by the contractor to the designated delivery site as certified by the PMC, less a variance of ten percent (10%).

A contractor found guilty shall be barred from participating in any Municipal Government procurement until settlement of the fines. For locally funded projects, such fines may be deducted from the amount due to the contractor if the latter signifies in writing his or her agreement to such deduction.

SECTION 12. Inclusion in the contract. The provisions of this ordinance shall be deemed written into the contract of Municipal government-funded infrastructure projects.

SECTION 13. Separability Clause. Should any provision of this Ordinance be declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SECTION 14. Repealing Clause. All ordinances, resolutions, executive issuances, rules, and regulations or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 15. Effectivity. This Ordinance shall take effect ten (10) days after posting a copy thereof in a bulletin board at Municipal Hall and in at least two (2) other conspicuous places in the Municipality.

On motion of Councilor King Philip B. Dimapilis duly seconded by all this Ordinance is hereby ENACTED.

Adopted: 18 May 2026

CERTIFIED CORRECT:

FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:

ROBERT S. QUIATCHON
Municipal Vice Mayor

JESS ISAAC PARIOLA
5-25-26

APPROVED:

JERWIN S. DIMAPILIS
Municipal Mayor
Date: _____

KC LIN TALAMISAN
5-25-26

OFFICE OF THE MUNICIPAL MAYOR
RECEIVED
DATE: 5/25/26 TIME: 4:35
BY: LGU ROXAS

By: MA. RIZALEAH B. VINARAO
05-25-26
04:34