



Republic of the Philippines  
**SANGGUNIANG PANLUNGSOD**  
City Government of Pasig

Ordinance No. 49  
Series of 2018

**AN ORDINANCE PRESCRIBING THE PROCEDURES ON THE DISPOSAL OF VALUELESS SUPPLIES AND/OR MATERIALS, UNSERVICEABLE EQUIPMENT AND OTHER PROPERTIES AND UNCLAIMED IMPOUNDED VEHICLES IN THE CUSTODY OF THE CITY GOVERNMENT OF PASIG AND FOR OTHER PURPOSES.**

Authored By: Councilor Gregorio P. Rupisan, Jr.  
Co-Authored By: Councilors Rodrigo B. Asilo, Ferdinand A. Avis, Regino S. Balderrama, Orlando R. Benito, Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Rosalio D. Martires, Corazon M. Raymundo, Alejandro E. Santiago, Wilfredo F. Sityar, Victor Ma. Regis N. Sotto, and SK Pres. Georgia Lynne P. Clemente

**WHEREAS**, the city government is mandated to safeguard its properties and resources for proper accountability as well as private property held in its custody to ensure order, safety, convenience, and the general welfare of the public;

**WHEREAS**, there is a necessity to provide for a uniform procedure to facilitate the disposal of the increasing quantity of valueless supplies and/or materials, unserviceable equipment and other properties and unclaimed impounded vehicles in the custody of the City Government of Pasig.

**WHEREAS**, a systematic and timely disposal of assets will yield benefits to the city by avoiding further deterioration of properties and consequent depreciation in its value, providing higher appraised value on disposable properties, and enabling storage areas available for other purposes

**NOW THEREFORE, BE IT ORDAINED** by the Sangguniang Panlungsod ng Pasig in regular session assembled:

**Section 1. OBJECTIVE**

- 1.1 To dispose all unserviceable, obsolete, no longer needed materials, supplies and equipment including valueless properties to save costs of maintenance and office space;
- 1.2 To prevent further deterioration of properties, providing higher appraised value on disposable properties;
- 1.3 To relieve accountable officers of accountability;
- 1.4 To implement a uniform system/procedure in the divestment/disposal of property and other assets.

**Section 2. SCOPE -**

- 2.1 The procedure herein prescribed applies only to **valueless supplies, unserviceable equipment and property and unclaimed impounded vehicles** in the custody of the City Government of Pasig;
- 2.2 Disposal of Properties Subject of Distraint, Levy and/or Garnishment shall be governed by the pertinent provision of RA 7160 and other rules and regulation promulgated by the DOF, COA and other authorities;
- 2.3 Disposal of public records shall be governed by RA 9470 (National Archives of the Philippines Act of 2007)



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**ARTICLE II**  
**SPECIFIC PROVISIONS**

**SECTION 3. General Policy on Disposal:**

- 3.1 *When Supplies or Property shall be Disposed of.* – When supplies or property of the City have become unserviceable of any cause or are no longer needed, the same shall be disposed of in accordance with the procedures prescribed in these rules and regulations.
- 3.2 *Responsibility for the Disposal of Supplies or Property.* – The city general services officer shall be responsible for disposal of supplies or property of the City.
- 3.3 *Responsibility of the disposal of Real Property, Buildings and Other Physical structures.* – the city mayor shall be responsible for the disposal or real property, building and other physical structures.
- 3.4 *Public Auction as the Primary Mode of Disposal.* – Supplies or Property which have become unserviceable or no longer needed shall be sold, whenever applicable, at public auction, subject to applicable rules and regulations.
- 3.5 *Other Methods of Disposal.* – For justifiable reasons, disposable supplies and property may also be disposed of in the following manner:
- Sale thru negotiation;
  - Transfer without cost to other offices or department or other government agencies; and
  - by destruction.

**SECTION 4. Reporting of Disposable Supplies or Property**

- 4.1 *Disposal Procedures.* – When the supplies or property of the city have become unserviceable from any cause, or are no longer needed, the officer immediately accountable therefore shall return the same to the [GSO- Asset Division] who shall cancel the corresponding Memorandum Receipt. The General Services Officer shall through the City Mayor, file an application for its disposal with the city auditor who shall conduct an inspection and determination whether the subject property is with or without value.
- 4.2 *Form to be Used.* – The following forms shall be used in the reporting of disposable supplies or property:



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4.2.1 Inventory, Inspection and Appraisal Form shall be used whenever the supplies or property to be disposed are:

- (1) supplies in stock accounts for consumptions of the local government or for sale;
- (2) equipment;
- (3) building and other physical structures; and

4.2.2 Report of Waste Materials shall be used for disposable supplies or property not covered in the preceding paragraph.

4.3 *Appraisal of the Property* - Upon receipt of the Inventory, Inspection and Appraisal form, the Committee on Property Appraisal and Disposal shall appraise the supplies or property recommended by the General Services Officer to be disposed of which appraisal shall be considered as the floor price in the public auction to be conducted for the purpose under the supervision of said Committee.

4.3.1 General Procedures In The Appraisal Of Unserviceable Property

In general, the appraisal process consists of the following:

- 1) conducting an ocular inspection of the property to be appraised to assess its physical condition;
- 2) seeking reference price information such as acquisition cost, or current market price of similar property, or replacement cost for a similar new property; and
- 3) computing the appraised value following some generally accepted formula which will take into account the property's actual physical condition, the relevant reference price information, and the changes in the value of the property caused by depreciation, and those caused by changes in the value of the exchange currency, the peso.

An analysis of the appraisal is prepared in writing and submitted either thru the COA- Technical Service Office (TSO) or directly to the Unit Auditor concerned.

**SECTION 5. Sale thru Public Auction.**

5.1 General Procedures & Responsibilities in Public Auction

5.1.1 Duties of the Disposal Committee:

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- a. Require the submission by the concerned offices/departments of the City the assets to be disposed of, and all the necessary documents pertaining thereto, which shall include the following:
  - i. Program for disposal, with time schedules;
  - ii. Inventory Report showing the itemized list and complete description of the assets;
  - iii. Appraisal documents which may either be in-house or by an independent appraiser, or both; and
  - iv. Specific assets disposal procedures, if any.
- b. Inspect the assets to be disposed of, and verify the justification for its disposal.
- c. Establish, either by itself or thru an independent appraiser, the floor price for each asset item, considering the in-house or independent appraisal submitted, as well other relevant factors, such as:
  - i. Market demand;
  - ii. Economic viability, or premiums to cover goodwill and income generating capacity of a going concern;
  - iii. Results of previous bidding of similar properties
  - iv. Administrative costs of handling;
  - v. Physical condition, estimated economic life, and depreciated value; and
  - vi. Such other factors as may be determined by the committee.
- d. Furnish the COA Auditor at least twenty (20) days before the advertisement of call to public auction/bidding, with a copy each of the following: (a) the program for disposal of assets, with time schedules; (b) Inventory Report showing the itemized list and complete description of the assets to be disposed; (c) Appraisal Report showing the appraised values of the assets for sale; and (d) disposal procedures adopted.
- e. Advertise by printed notice for not less than 3 consecutive days in any newspaper of general circulation, or where the value of the property does not warrant the expense of publication, by notices posted for a like period in at least three (3) prominent public places in the locality where the property is to be sold, including the terms and conditions of the sale and the pre-qualifications of bidders, if necessary like, the posting of 10% bidders bond, latest financial statements and income tax return.



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- f. Constitute the Bids Committee and Awards Committee which shall:
- conduct the opening of bids in the presence of a COA representative at the designated time and place.
  - If the first bidding fails re-advertise and conduct second bidding.
  - If the second bidding still fails, a negotiated sale may be resorted to subject to the approval of the Commission on Audit.
  - Approve and issue the award to the winning bidder.
- g. Bidding Process
- Invitation to Bid.* – The Committee on Awards shall issue the Invitation to Bid (ITB) which shall contain, among others, the following:
    - date of issuance;
    - location of the supplies or property;
    - quantity and adequate description of the supplies or property;
    - statement of reservation or option on the part of local government
    - unit to accept or reject any or all bids and to waive any formal
    - defects in the bid;
    - and clear instructions on how the bids are to be accomplished and submitted.
  - Publication of the Invitation to Bid.*– The invitation to bid shall be given the widest publicity by sending copies to known and regular bidders and by posting notices in the public bidding in at least three (3) accessible and conspicuous places in the city such as the Bulletin Board in Pasig City Hall, City Public Market, and Pasig City Children's Hospital provided for the purpose. If the acquisition cost of the supplies or property to be disposed of exceeds one hundred thousand pesos (P 100,000.00), notices shall be published at least two (2) times within reasonable period in the newspaper of general circulation in the locality. In its absence, posting in the 30 Barangay Halls in Pasig City.
  - Bid tenders or offers must be accompanied by bidder's bond in the cash or cashier's check in an amount equivalent to at least ten percent (10%) of the bid.
  - Refusal to Accept the Award Price.* – In the case of unjustifiable refusal or failure of the winning bidder to accept the award price within five (5) days from the receipt of the official notice of the award, the bidder's bond posted shall be forfeited in favor of the City Government.



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- e. *Withdrawal of Bids.* – A bidder may be allowed to withdraw his tender or offer before the opening of the bids. His bid shall be returned to him unopened.
- f. *Opening of Bids.* – The Committee on Awards shall open all bids received at the time, date and place set in the ITB. Bidders or their authorized representative may witness the proceedings; Provided, That no bids shall be opened without the presence of the resident city auditor or his duty authorized representative who shall identify the bids submitted.
- g. *Evaluation of Bids.* – The Committee on Awards shall, within three (3) working days from the date of the opening of the bids, decide the award and notify the awardee.
- h. *Basis of Award.* – Award shall be given to the highest complying bidder, provided the offer is not less than the appraised value of the property to be sold.
- i. *When Bids or Offers are Lower than the Appraised Value.* – When the bid received are lower than the appraised value or when there are no bidders, rebidding shall be conducted. If rebidding is impracticable, the Committee on Awards may cause the disposal of the property by sale through negotiation in accordance with these regulations.

**SECTION 6. Sale thru Negotiation.**

- 6.1 *When Negotiable Sale may be Done.* – When public auction is impracticable, negotiated sale may be resorted to at such price as determined by the Committee on Awards.
- 6.2 *Negotiated Sale Subjected to COA Approval.* – When the acquisition or transfer cost of supplies or property exceeds fifty thousand pesos (P 50,000.00), the sale thru negotiation shall be subject to the approval of the Commission on Audit or its duty authorized representative.
- 6.3 *Who Undertakes the Sale.* – The Committee on Awards shall undertake the negotiated sale.
- 6.4 *Who Approved the negotiated Sale.* – The City Mayor shall approve the sale.
- 6.5 *Transfer of Property with Cost to other Government Offices.* – Transfer of Property with costs to other government offices is considered as negotiated sale. Accordingly, the provisions of these regulations pertaining to negotiated sale shall apply.

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**SECTION 7. Transfer Without Cost to other Government Offices.**

7.1 *Transfer and Appraisal of Unserviceable or Property no Longer Needed.* – Property which has become unserviceable or no longer needed by the city may be transferred without cost to another government office, agency, subdivision, or instrumentality at an appraised valuation determined by the Disposal Committee.

7.2 *Who shall Approve the Transfer.* – Transfer without cost or supplies or property from local government unit to any other government agency shall be approved as follows:

7.2.1 transfer between local government – the Sangguniang Panlungsod of the city as the transferor and the City Mayor representing the transferee shall approve the transfer; and

7.2.2 transfer between local government and national government – the Sangguniang Panlungsod shall approve for the city and the head of the department of office of the national government shall approve for the department or office of the concerned.

**SECTION 8. Condemnation**

8.1 *What Property shall be Condemned.* – Valueless property shall be condemned either by burning, dissolving, pounding, throwing beyond recovery, and the like. It shall be the duty of the City General Services Officer to ensure compliance with the requirement of this section.

8.2 *Who shall Decide on Condemnation.* – The City Mayor shall authorize the condemnation upon the recommendation of the City General Services Officer and concurrence by the Resident City Auditor or duly authorized representative.

**SECTION 9. Other Modes of Disposal**

9.1 *Donations to Charitable, Scientific, Education or Cultural Association.* – In exceptional cases and for the meritorious reasons, disposable government property may be donated to charitable, scientific, educational and cultural associations, cooperatives or duly registered NGOs with the approval of the Sangguniang Panlungsod.

9.2 *Other Modes of Disposal Authorized By Law.* – Disposable supplies or property of the city may be disposed of in such other manner as may be authorized and prescribed by competent authority and/or as may be provided by law.

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**SECTION 10. Payment and Delivery**

- 10.1 *Payment.* – Upon receipt of the notice of award, the awardee shall pay to the City Treasurer the amount of the award for which an official receipt shall be issued.
- 10.2 *Sales Invoices.* – A Sales Invoice (LGU Form No.13) listing the items to be sold shall be approved by the City Mayor and signed by the buyer. The buyer shall acknowledge receipt of the items by signing in the sales invoices.
- 10.3 The delivery shall be made to the awardee or his authorized representative after the invoice price is fully paid as evidenced by an official receipt. The delivery shall be effected by the general services officer or City Treasurer, as the case may be.

**SECTION 11. Dropping of Accounts**

- 11.1 *Return of Reports,* - After the disposal of the supplies or property, the Office of the General Services Officer shall return the property accomplished Inventory, Inspection and Appraisal form or Report of Waste Materials duly acted upon together with a copy of the Official Receipt (if disposal is for value received) to the City Accountant concerned informing him that the property listed may now be dropped from the books of account of the department or office concerned."
- 11.2 *Dropping of Book Value.* – After disposal, the book value of the supplies or property shall be dropped from the book of accounts in accordance with existing accounting and auditing rules and regulations."

**ARTICLE III  
UNCLAIMED MOTOR VEHICLES**

**SECTION 12.** To avoid accumulation and further deterioration of motor vehicles as well as the incurrance of unnecessary maintenance expenses to the City, the Traffic and Parking Management Office, Tricycle Operation and Regulatory Office or by any authorized officer of the City, is hereby authorized to recommend to the City Mayor through the GSO-Asset Division, the disposal of a vehicle that has been taken into custody. Such disposition shall be at public auction. A written notice of such auction shall be sent through a registered mail to the address of the registered owner of at least ten (10) days prior to the date of auction or one (1) publication in a

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newspaper of general circulation. Aforesaid auction shall be held not earlier than six (6) months unless ordered by any court of competent authority after the date upon such vehicle shall have been taken into custody. Any person entitled to such vehicle may claim the same at any time prior to such auction upon payment of all costs and expenses relating to the towing and storage of said vehicle

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**SECTION 13.** The owner shall answer for the impounding or storage fee of Fifty Pesos (P50.00) per day for four-wheel vehicle and Ten Pesos (P10.00) per day for motorcycle or tricycle from the time the vehicle is impounded but in no case shall the total amount exceed 25% of the appraised value of the vehicle plus the cost of publication to be equally divided to the number of vehicles to be auctioned.

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**SECTION 14.** The City, thru the General Services Office shall fix the time and place of the public sale where all concerned and interested parties may participate in the bidding and shall cause such notice of time and place to be published once a week for three (3) consecutive weeks in a newspaper of general circulation.

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**SECTION 15. Publication.** – In all cases before any public auction is effected, there shall be published once a week for three (3) consecutive weeks in a newspaper of general circulation in the Philippines or in the place where the vehicle was recovered or found, a notice of sale by public auction of the motor vehicles intended to be auctioned.

- 16.1 The notice of sale shall state the following:
- 16.1.1 A description of the motor vehicles intended to be auctioned;
  - 16.1.2 A statement that after the lapse of one (1) month from the date of last publication should no person file a claim for recovery of the vehicle described in the notice of sale within the said period with the Anti-Carnapping Task Force, Camp Crame, Quezon City, the same will be sold at public auction;
  - 16.1.3 The place, date and time where and when the public auction shall be conducted;
  - 16.1.4 The floor price of each motor vehicle intended to be auction;
  - 16.1.5 The place where the motor vehicles intended to be auctioned could be inspected;
  - 16.1.6 Statement that the disposal committee reserves the right to reform any error in the description of the vehicles, to waive any formality, and to reject any and all bids in order to protect the interest of the government.

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**SECTION 16. Floor Price.** – Each motor vehicle intended to be auctioned shall have a floor price to be determined by the Committee on Property Appraisal and Disposal based on the finding and recommendation of an appraiser to be chosen by the Disposal Committee from any of the car manufacturers or dealers in the country.

**SECTION 17. Pre-qualification or cash bond** - Bidders shall be required to post a cash bond in the amount equivalent to Twenty Percent (20%) of the floor price of the motor vehicle with the City Treasurer; said bond to be posted at least one (1) day before the date of auction sale. The cash bond shall form part of the bid or payment if the sale is awarded to the bidder but shall be returned to the bidder unless forfeited as provided hereunder.

**SECTION 18. Registration prior to sale.** - All prospective bidder shall register a day before or on the day of the auction sale with the Disposal Committee by presenting the receipt of the cash bond together with their Community Tax Certificate and Tax Account Number.

**SECTION 19. Auction Sale.** – As soon as a particular motor vehicle is placed on the auction block, sealed bids shall be accepted from registered bidders which shall be opened by the Disposal Committee in the presence of the Commission on Audit representative. Only bids equal to or higher than the floor price, as specified in the notice of sale, shall be considered by the Committee.

20.1 The registered bidder who submits the highest bid shall automatically be awarded the motor vehicle, in case of tie-bids, a new sealed bidding shall immediately be conducted among the tied bidders until such tie is broken.

20.2 All awards made by the Disposal Committee shall be subject to the final approval by the City Mayor.

20.3 The highest bidder shall pay the full amount of his bid, either in cash or cashier's check to the City Treasurer within two (2) days after being notified that the award made by the Disposal Committee had been approved. Failure or refusal of the winning bidder to pay the full amount of the bid within the period above stated shall render the award void and the bidder's cash bond shall be forfeited in favor the government.

20.4 In case of default by the highest bidder and the consequent cancellation of the award, the second and third highest bidder, in that order may increase his bid to the amount equal to that of the highest bid received and he shall be awarded the motor vehicle in lieu of the defaulting bidder.

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**SECTION 20. Certificate of Award.** – After payment of the amount of the bid by the highest bidder, the Disposal Committee shall execute a Certificate of Award in favor of the highest bidder to be signed by the Chairman of the Disposal Committee. The Certificate of Award shall serve as an evidence of ownership of the motor vehicle described in the Certification.

**SECTION 21. Proceeds of sale, report and application** – From the proceed of the sale shall be paid the cost of publication, fees for the appraiser and all other miscellaneous and incidental expenses incurred in connection with the storage and auction of the motor vehicles. The remaining amount shall be deposited to the general fund of the City.

**SECTION 22.** The Disposal Committee warrants ownership only of the motor vehicle awarded to the highest bidder but not as to its condition.

**SECTION 23. Payment.** – Upon receipt of the notice of award, the awardee shall pay to the City Treasurer the amount of the award for which an official receipt shall be issued.

**SECTION 24. Sales Invoices.** – A Sales Invoice (LGU Form No.13) listing the items to be sold shall be approved by the City Mayor and signed by the buyer. The buyer shall acknowledge receipt of the items by signing in the sales invoices.

**SECTION 25. Delivery.** – The delivery shall be made to the awardee or his authorized representative after the invoice price is fully paid as evidenced by an official receipt. The delivery shall be effected by the City General Services Officer.

**ARTICLE IV**  
**MISCELLANEOUS PROVISIONS**

**SECTION 26.** The COA Auditor shall review the disposal procedures, and appraisal report prepared by third party appraiser/agency;

**SECTION 27.** The approval by the Commission on Audit shall be required for the price in negotiated sale pursuant to Sec. 79 of PD 1445 ;

**SECTION 28. Funding Requirements** – Funding requirements which may be necessary for the implementation of this activity may be taken from any available funds/savings of the City.

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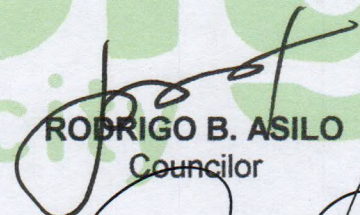
**SECTION 29. Repealing Clause** - All ordinances, resolutions, orders and decrees or parts thereof which are inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.

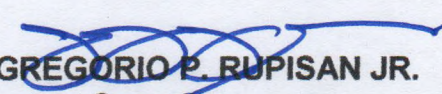
**SECTION 30. Separability Clause** - If, for any reason or reasons any part or provision of this Ordinance is held to be unconstitutional or invalid, other parts or provisions hereof that are not affected shall continue to be in full force and effect.

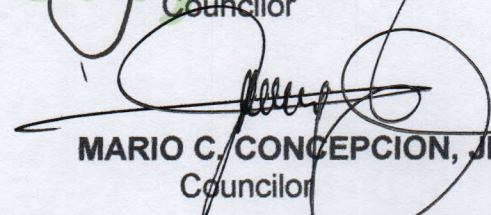
**SECTION 31. Effectivity Clause** - This ordinance shall take effect fifteen (15) days after publication once in a newspaper of general circulation and posting for three consecutive weeks in all conspicuous places in the City Hall or in the local bulletin board.

APPROVED, this 25th day of **October 2018** at Pasig City.

  
**VICTOR MA. REGIS N. SOTTO**  
Councilor

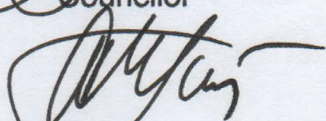
  
**RODRIGO B. ASILO**  
Councilor

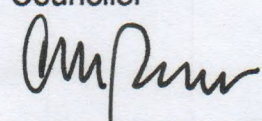
  
**GREGORIO P. RUPISAN JR.**  
Councilor

  
**MARIO C. CONCEPCION, JR.**  
Councilor

  
**RHICHIE GERARD T. BROWN**  
Councilor

  
**ORLANDO R. BENITO**  
Councilor

  
**ALEJANDRO E. SANTIAGO**  
Councilor

  
**CORAZON M. RAYMUNDO**  
Councilor

  
**REGINO S. BALDERRAMA**  
Councilor

  
**ROSALIO D. MARTIRES**  
Councilor



Republic of the Philippines  
**SANGGUNIANG PANLUNGSOD**  
City Government of Pasig

Ordinance No. 49  
Series of 2018

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AN ORDINANCE PRESCRIBING THE PROCEDURES ON THE DISPOSAL OF VALUELESS SUPPLIES AND/OR MATERIALS, UNSERVICEABLE EQUIPMENT AND OTHER PROPERTIES AND UNCLAIMED IMPOUNDED VEHICLES IN THE CUSTODY OF THE CITY GOVERNMENT OF PASIG AND FOR OTHER PURPOSES.

*[Handwritten signature]*  
**RIGOR J. ENRIQUEZ**  
Liga President

*[Handwritten signature]*  
**GEORGIA LYNNE P. CLEMENTE**  
SK President

*[Handwritten signature]*  
**FERDINAND A. AVIS**  
Councilor  
Minority Floor Leader

*[Handwritten signature]*  
**WILFREDO F. SITYAR**  
Councilor  
Majority Floor Leader

Attested by:

*[Handwritten signature]*  
**IYO CHRISTIAN C. BERNARDO**  
City Vice-Mayor  
Presiding Officer

APPROVED:

*[Handwritten signature]*  
**ROBERT C. EUSEBIO**  
City Mayor

Attested by:

*[Handwritten signature]*  
**LOIDA U. VILLANUEVA**  
Acting City Council Secretary