



**EXECUTIVE ORDER NO. PCG-11
SERIES OF 2023**

AN EXECUTIVE ORDER PROVIDING THE GUIDELINES OF ORDINANCE NO. 52, SERIES OF 2022, OR AN ORDINANCE PRESCRIBING THE ADJUSTMENT, SETTING, AND ADOPTION OF REASONABLE FEES FOR THE USE OF RENTAL SPACES FOR COMMERCIAL PURPOSES OWNED BY THE CITY GOVERNMENT.

WHEREAS, Ordinance No. 51, Series of 2017, entitled “An Ordinance Enacting the Revised Pasig Revenue Code Providing Penalties Thereof” was enacted on 12 October 2017, prescribing, among others, the city charges for the rentals of real properties owned by the City;

WHEREAS, with the emergence of new revenue generating spaces controlled by the City Government, Ordinance No. 52, Series of 2022, or “An Ordinance Amending the 2017 Revised Pasig Revenue Code of Pasig and Prescribing the Adjustment, Setting, and Adoption of Reasonable Fees for the Use of Rental Spaces for Commercial Purposes Owned by the City Government” was enacted on 15 December 2022 amending Ordinance No. 51 by prescribing new rental rates for these newly-reclassified City-Owned assets;

WHEREAS, the City Mayor, in order to streamline the process for the regulation, rent, use, and monitoring of all assets of the City available for rent to the public, issued Executive Order No. PCG-31, or “An Executive Order Creating the City Assets Regulatory Committee, and Prescribing its Member List and Duties and Responsibilities”; and

WHEREAS, Section 5 of Ordinance No. 52, Series of 2022 states that the selection of viable tenants for all City-owned Assets available for lease shall be conducted by the City Assets Regulatory Committee, to be approved by the City Mayor, and that the Committee shall also prepare the process for application and approval, and shall monitor the same until end of the period for rent; *Further*, in order to implement the provisions of the Ordinance, it is critical to prescribe the guidelines to be used for the application for rental spaces and the procedure for the review of the same.

NOW, THEREFORE, I, VICTOR MA. REGIS N. SOTTO, City Mayor of Pasig, by virtue of the powers vested in me by law, do hereby ordain the following:

SECTION 1. PURPOSE. - The Purpose of this Order is to provide the guidelines of Ordinance No. 52, Series of 2022 or “An Ordinance Amending the 2017 Revised Pasig Revenue Code of Pasig and Prescribing the Adjustment, Setting, and Adoption of Reasonable Fees for the Use of Rental Spaces for Commercial Purposes Owned by the City Government”, particularly the process for application, approval, and monitoring of the applications and selected lessees.

SECTION 2. AVAILABLE RENTAL SPACES. – The following shall be available rental spaces, divided into the following:

- I. **Food / Commercial Spaces**
 - (a) Food Stalls



- (b) Food Stands
- (c) Food Kiosks
- (d) Convenience Stores
- (e) Restaurant Space

II. Office Spaces

III. Services

- (a) Photocopying Services
- (b) Notarial Services.

Illustrations of the available spaces including the rent of each are attached to this Order as **ANNEX "A"**.

In case of a vacancy of any rental space, the City Assets Regulatory Committee (CARC) shall open up applications through the social media website and offices of both the Pasig Information Office, and the Local Economic Development and Investment Office (LEDIO), the latter which shall serve as CARC Secretariat. The processing of the application of each shall be stated in Sections 5 and 6 of this Order, with Section 5 referring to the application process for Food Stalls, Food Stands, and Food Kiosks, and with Section 6 referring to the application for Convenience Stores, Restaurant Spaces, Office Spaces, and Services.

The Management Information Systems Office (MISO) shall create an online database with a list of all the spaces, divided based on the aforesated categorization in this Section. Each space shall be displayed with pictures of the area, the space dimensions, and the location. The space shall also be indicated with "Vacant" for those without any pending applications, "Pending" for those being under consideration as per Section 4 and 5 of this Order, and "Under Rent" for those validly leased. The LEDIO shall ensure constant updating within five (5) days from the leasing or the vacancy of the space, as the case should be.

SECTION 3. INVITATION TO APPLY; REQUIREMENTS FOR APPLICATION. – The CARC shall release at the start of the year, or at any period wherein a vacancy to a rental space occurs, an Invitation to Apply.

A copy of the Template of the Invitation to Apply is hereto attached as **ANNEX "B"**.

The Invitation to Apply shall include the details for a Pre-Presentation Conference wherein the LEDIO shall discuss the procedure for application and requirements to all interested applicants. At the conclusion of the Pre-Presentation Conference, the period for submission and application of requirements will begin, subject to the periods indicated in the subsequent sections.

All interested applicants shall submit to the LEDIO the following for the verification of the office:

- (a) Completed Application Form;



- (b) Affidavit of no pending case with the City;
- (c) Proof of Pasig Residence (Government ID).

SECTION 4. ELIGIBILITY OF APPLICANTS. – The CARC shall accept all applications to be verified by the LEDIO. The following are disallowed from applying and shall be immediately denied:

1. Government Employees and their immediate family members.
2. Those with pending dues to the City Government of Pasig.
3. Those blacklisted with the City Government of Pasig, for any reason.
4. Applicants which are minors.

SECTION 5. APPLICATION AND SELECTION PROCESS FOR FOOD STALLS, FOOD STANDS, AND FOOD KIOSKS. – All applicants for spaces classified as Food Stalls, Food Stands, and Food Kiosks, must submit minimum requirements to the LEDIO stated in Section 3 of this Order, collated in a sealed envelope which shall indicate the name/business name of applicant, the business address, the legitimate contact number of applicant, and the space classification sought to be rented “Food Stall,” “Food Stand,” or “Food Kiosk” (only one).

The LEDIO shall vet and verify all applications for each space classification, and list all those applicants with passed eligibility. A separate list shall be prepared for those applicants who were found to be ineligible, with the reason/ground listed for the ineligibility. No reconsideration shall be entertained unless there is patent disregard of eligibility of applicant.

Upon finalization of the eligible list, the LEDIO shall set a Pre-Presentation Conference after contacting all eligible listed applicants. During the meeting, the LEDIO shall explain all rules and regulations, including responsibilities of the accepted applicants, and ensure that the applicants are aware of the following:

- (a) That each applicant shall prepare a fifteen to twenty (15-20) minute presentation to the CARC on the planned products to sell, including sampling of goods, etc;
- (b) The schedule for the presentation to the CARC; and
- (c) The points of consideration that will be looked for by the CARC, for preparation by the applicants.

From the Pre-Presentation meeting until the Presentation proper, the LEDIO is tasked to help the applicants prepare, while ensuring that no preference or bias is exhibited for any applicant.

SECTION 6. APPLICATION AND SELECTION PROCESS FOR CONVENIENCE STORES, RESTAURANT SPACES, OFFICE SPACES, AND SERVICES. – All applicants for spaces classified as Convenience Stores, Restaurant Spaces, Office Spaces, and Services must submit minimum requirements to the LEDIO stated in Section 3 of this Order, collated in a sealed envelope which shall indicate the name/business name of the applicant, the business address, the legitimate contact number of applicant, and the space classification sought to be rented “Convenience Store,” “Restaurant Space,” “Office Spaces,” or “Services” either Photocopying or Notarial. Only one may be selected.



The LEDIO shall vet and verify all applicants for each space classification, and list all those applicants with passed eligibility. Each applicant may also submit additional documents to bolster their application, including but not limited to legal documents, certifications, product lists, etc. The LEDIO, for each applicant, will prepare a scorecard with a list of criteria and score based on the scoring card indicated, to wit:

Criteria for Scoring	Scoring
1. Number of Employees (with health certificates)	0-1 employees: 1 / 2-3 employees: 2 / 3 or more employees: 3
2. Licenses Available (DTI, Barangay clearance, Mayor's Permit)	DTI BNR: 1 / BMBE Certification: 1 / Mayor's Permit: 3
3. Available pictures of proposed business image	Picture of business with signage: 1 / Picture of business with signage and products: 2 / Picture of uniforms of staff: 1
4. Business proposal with plans for calendar year	Complete business proposal: 3
5. Previous records of sales	Income Tax Return or Audited Financial Statement: 2
6. Insurance Provider	Proof of certified insurance provider: 3
7. Additional points for consideration (proof of marketing expertise, certificates, variety of products)	Point for consideration: 1
8. Legal Documents (for Notarial, including IBP Membership of the lawyer-in-charge)	Point for consideration: 5

To this end, the LEDIO may request the submission of additional documents as modes of verification (MOV), to substantiate the scoring for criteria. The LEDIO may also interview the prospective applicant to ask searching questions and determine the score for the applicant's proposal.

A separate list shall be prepared for those applicants who were found to be ineligible, with the reason/ground listed for the ineligibility. No reconsideration shall be entertained unless there is patent disregard of eligibility of applicant.

Upon finalization of the eligible list, the LEDIO shall set a Pre-Presentation Conference after contacting all eligible listed applicants. During the meeting, the LEDIO shall explain all rules and regulations, including responsibilities of the accepted applicants, and ensure that the applicants are aware of the following:

- (a) That each applicant shall prepare a fifteen to twenty (15-20) minute presentation to the CARC on the planned products to sell, including sampling of goods, etc.;
- (b) The schedule for the presentation to the CARC; and
- (c) The points of consideration that will be looked for by the CARC, for preparation by the applicants.



SECTION 7. PRESENTATION CONFERENCE; DELIBERATION MEETING OF THE CARC.

– Within seven (7) days from the conduct of the Pre-Presentation Conference, the LEDIO will submit all received applications, along with the completed documents, criteria scoring card, and MOVs if submitted and if applicable, to the CARC for the review and selection of the Committee, hereinafter referred to as the “LEDIO endorsement.”

Within three (3) days from the LEDIO endorsement, the CARC shall convene to review the endorsed applications during the Presentation Conference which shall be attended to by all the members of the CARC, the City Mayor if available, and the applicants.

All applicants are expected to attend and present as per the directive in Section 5 and 6 of this Order. Any non-attendance will be sufficient ground for the CARC to deny the application, unless the absentee sends a letter indicating the reason for absence at least three (3) hours before the conduct of the Presentation Conference/CARC Deliberation Meeting. The CARC shall have the discretion to accept and schedule a presentation date based on the validity of the reason.

The CARC will use the documents submitted, the proceedings of the Presentation Conference/Deliberation Meeting, and any other related consideration to select the winning applicant. The CARC shall then prepare the Resolution to Award containing the name of the selected winning applicant. The CARC and the LEDIO’s tasks shall be limited only until the Notice of the Award to be issued in adherence with the provisions in the succeeding Section. If for whatever reason the winning applicant lessee is found to be ineligible, or refuses to sign the contract as dictated in this Order, then the CARC will convene to select from the previous applicants the new lessee.

SECTION 8. AWARDING OF CONTRACT. – Upon receipt of the Resolution to Award, the City Administrator shall review and, upon acceptance of the same, sign and issue the Notice to Award to the selected winning applicant, who shall now be the lessee of the space. (the “lessee”)

The Notice of Award shall be sent to the Office of General Services (OGS), who shall prepare the Lease Contract which shall include, among other details and provisions pertinent to the type of space being leased, the following information:

- (a) Space to be leased indicated by control number and location.
- (b) Business name/name of lessee.
- (c) Pasig business address/residence of lessee.
- (d) Contact number and email address.
- (e) Number of employees (with indicated if with health certificate or none)
- (f) Items to be sold – listed per item, with brief description in table format.
- (g) Term for a year from issuance, unless otherwise stipulated.
- (h) The payment for the contract.
- (i) Safety rules and regulations which must be taken by the lessee.
- (j) Permitted use of the premises.
- (k) Indemnification



- (l) Assignment
- (m) Termination / Remedies
- (n) Alterations, improvements, etc.

Once the Lease Contract is prepared, the City Mayor and the lessee shall sign the same. The date of start of the duration of the Lease Contract shall be the date of the signing.

SECTION 9. PAYMENT OF RENT FEE. – The lessee must make sure to pay the total amount as stipulated in the rental price list in full to the City Treasurer or his/her authorized representative, before the use of the property space. The monitoring of the payment proper shall be on the account of the Office of General Services.

SECTION 10. MONITORING OF CONTRACT. – The Contract shall be proof of legitimate commercial operations as allowed by the City. The Contract may be cancelled at any time based on the grounds stipulated in the Contract. The Business Permit and Licensing Department is directed to enforce the provisions of the Contract and report any violation of the same to the CARC.

SECTION 11. SEPARABILITY CLAUSE. – If any clause, provision, paragraph or part thereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part hereof but such judgment shall be merely confined to the clause, provision, paragraph or part directly involved in the controversy in which such judgment has been rendered.

SECTION 12. – EFFECTIVITY. – This Order shall take effect immediately.

DONE this 23rd day of February 2023 at the City of Pasig, Metro Manila.

VICTOR MA. REGIS N. SOTTO
City Mayor

