

Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE EIGHTH CITY COUNCIL HELD AT THE SANGGUNIANG PANLUNGSOD SESSION HALL, CABID AN, EAST DISTRICT, SORSOGON CITY ON FEBRUARY 14, 2023.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor/ Presiding Officer

WEST DISTRICT

Hon. Peter Joseph J. Ravanilla
Hon. Nestor J. Baldon
Hon. Bryan J. Pingul
Hon. Ma. Teresa D. Perdigon

EAST DISTRICT

Hon. Maria Theresa S. Gonzalez
Hon. Mark Jayson D. Jamisola
Hon. Angelu Magda P. Ravanilla

BACON DISTRICT

Hon. Jo Abegail C. Dioneda
Hon. Reynaldo C. Taladtad
Hon. Glenn P. Olbes – (with inhibition)
Hon. Danilo A. Deladia

EX-OFFICIO MEMBERS

Hon. Bessie C. Diaz
Hon. Renalene Mae J. Duka

ABSENT:

Hon. Lester R. Lubiano – on Official Business

Resolution No. 108, Series of 2023

(Authors: Hon. Danilo A. Deladia and Hon. Nestor J. Baldon)

RESOLUTION ENACTING AN ORDINANCE AUTHORIZING THE ESTABLISHMENT AND OPERATION OF SORSOGON INTEGRATED TERMINAL EXCHANGE (SITEX) OF SM PRIME HOLDINGS INC., MANAGED AND OPERATED BY PARK SOLUTIONS INC. (PSI) AND LOCATED AT BARANGAY BALOGO, EAST DISTRICT, SORSOGON CITY AND DESIGNATING THE SAME AS THE SORSOGON CITY'S GRAND CENTRAL TRANSPORT TERMINAL.

WHEREAS, Sorsogon City, the capital of Sorsogon province, has a land area of 276.11 square kilometers or 106.61 square miles which constitutes 13.03% of the total province land area and its population as determined by the 2020 Census was 182,237, representing 21.99% of the total population of Sorsogon province;

WHEREAS, being the capital of the Province of Sorsogon, the city is in its economic golden era, wherein despite of the Covid 19 Pandemic, number of business establishments are

continuously coming up within and outside the Central Commercial District, such as malls, restaurants/food outlets, service centers, shopping centers/outlets, product and service franchise outlets and other economic players;

WHEREAS, the Central Commercial District as per Comprehensive Land Use Plan of Sorsogon City and the City Ordinance No. 27, Series of 2021 otherwise known as the Sorsogon City Zoning Ordinance of 2021, is bounded on the south by the Intersection of Barangay Road and Mahingan Road in Balogo Sorsogon City, bounded on the East by Baribag and Sorsogon Diversion Road intersection at Bibincahan, Sorsogon City, traversed in part by Alegre St., and principally by Magsaysay and Rizal Streets;

WHEREAS, in the absence of identified terminals for Public Utility Jeepneys (PUJ), Commuter Vans and Public Utility Buses, the City Government, in response to this economic phenomenon, is in its effort to provide the transport sector a decent, accessible, comfortable and passenger friendly terminals;

WHEREAS, the City Government hereby encouraged private business entities to establish commercial transport terminal and parking areas, likewise in response to the needs of the blooming economic activities in the city of Sorsogon;

WHEREAS, with the widened local road networks in the Province and the presence of the coastal roads connecting West and East District, the City of Sorsogon is indeed ready to welcome and accommodate the general public with its transportation facilities and amenities soon available and ready to use;

WHEREAS, the City Government recognizes the need to consolidate and systematize the loading, unloading and parking of public transport vehicles in the city as well as the need to rationalize the flow of and direction of traffic within the city;

WHEREAS, among the ways to achieve these objectives is to establish and organize a common and unified loading, unloading and parking center as the Sorsogon City's Grand Central Transport Terminal to be called as the Sorsogon Integrated Terminal Exchange (SITEX);

WHEREAS, Section 458 (5)(v) of the Local Government Code of 1991 provides the Sangguniang Panlungsod the power to approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of the Code, and in addition to said services and facilities, shall xxxxx establish bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles which serve the public xxxxxxxx;

WHEREAS, Local Government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities such as adequate communication and transportation facilities as enumerated under Section 17 (Basic Services and Facilities) (4)(i) of RA 7160);

WHEREAS, the Sangguniang Panlungsod on its regular session held on April 29, 2022, unanimously proposed and approved Resolution No. 181, Series of 2022, authorized the City Mayor to enter into a Memorandum of Agreement (MOA) with SM Prime Holdings Inc. represented by Mr. Jeffrey C. Lim, President relative to the operation and maintenance of the Sorsogon Integrated Terminal Exchange (SITEX) at Balogo, East District, Sorsogon City subject to ratification of the Council;

WHEREAS, every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom; as well as powers necessary, appropriate or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, improve public morals, enhance economic prosperity and social justice, maintain peace and order and preserve the comfort and convenience of their inhabitants (Sec. 16, RA 7160);

NOW THEREFORE, on motion of **Hon. Nestor J. Baldon**, duly seconded by **Hon. Renalene Mae J. Duka**, resolved as it is hereby resolve to authorize the establishment and operation of Sorsogon Integrated Terminal Exchange (SITEX) of SM Prime Holdings Inc., managed and operated by Park Solutions Inc. (PSI) and located at Barangay Balogo, East district, Sorsogon City and designating the same as the Sorsogon City's Grand Central Transport for the purpose.

City Ordinance No. 010, Series of 2023

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT AND OPERATION OF SORSOGON INTEGRATED TERMINAL EXCHANGE (SITEX) OF SM PRIME HOLDINGS INC., MANAGED AND OPERATED BY PARK SOLUTIONS INC. (PSI) AND LOCATED AT BARANGAY BALOGO, EAST DISTRICT, SORSOGON CITY AND DESIGNATING IT AS THE SORSOGON CITY'S GRAND CENTRAL TRANSPORT TERMINAL FOR THE PURPOSE

BE IT ORDAINED by the Sangguniang Panlungsod in session assembled;

SECTION 1 **SHORT TITLE**

This Ordinance shall be known as the **"SORSOGON INTEGRATED TERMINAL EXCHANGE (SITEX) ORDINANCE OF 2023"**

SECTION 2 **DEFINITION OF TERMS**

For the purpose of implementing the provisions of these ordinance the following terms shall apply:

- a. **SITEX** -Sorsogon Integrated Terminal Exchange (SITEX)/ Sorsogon City's Grand Central Transport Terminal
- b. **SM** - SM Prime Holdings Inc.
- c. **PSI** - Park Solutions Inc.
- d. **CENTRAL COMMERCIAL DISTRICT** -is bounded on the south by the Intersection of Barangay Road and Mahingan Road in Balogo, East Sorsogon City, bounded on the East by Baribag and Sorsogon Diversion Road intersection at Bibincahan, Sorsogon City, traversed in part by Alegre St., and principally by Magsaysay and Rizal Streets.
- e. **TRANSPORT TERMINAL** -for the purpose of this ordinance, refer to areas and/or facilities used for serving the needs of commuters, such as but not limited to waiting for, embarking or disembarking from or loading, or unloading, parking, holding area, and the like.
- f. **BUS** -any closed vehicle powered by gasoline or diesel fuel with a seating capacity of twenty-three (23) passengers to fifty-five (55) passengers and above.
- g. **JEEPNEY** -any closed body vehicle driven by a gasoline or diesel fuel with a seating capacity of at least six (6) passengers but not more than twenty – two (22) passengers.
- h. **PARKING AREA** -means a portion of the thoroughfare or any parking space where parking

is permitted as indicated by appropriate notices or parking signs.

- i. **PUBLIC UTILITY VEHICLE** -shall include every motorcar, carriage, tricycle, other vehicle engaged in ferrying/conveying/transporting passengers for a fee.
- j. **VAN** -any closed-body vehicle, gasoline or diesel-fed motor engine regardless of the body configuration with a seating capacity of 12 to 14 passengers.
- k. **TRICYCLE** -any three-wheeled motor vehicle regardless of body configuration powered by any type of fuel fed engine with a seating capacity of one (1) to four (4) passengers.
- l. **RE-ROUTING** -shall mean the amendment or modification of the route by the City Government.

SECTION 3 COVERAGE

This Ordinance provides authority to SM Prime Holdings, Inc. to establish the Sorsogon Integrated Terminal Exchange (SITEX) and for the Park Solutions Inc. (PSI) to operate and manage the same which is located at Barangay Balogo, East District, Sorsogon City and officially designating it as the Sorsogon City's Grand Central Transport Terminal for East District.

SECTION 4 OBJECTIVES

- a. To afford solution to the prevailing or existing problem of traffic decongestion in line with the blooming economic activities in the City of Sorsogon;
- b. Avoidance of any untoward traffic accidents brought about by the volume of vehicles passed through the Central Commercial District, main roads and alleys of the city;
- c. To establish and organize a common and unified loading, unloading and parking center of public utility vehicles in the Sorsogon City's Grand Central Transport Terminal to be called as the Sorsogon Integrated Terminal Exchange (SITEX);
- d. To provide the general public the most convenient and organized flow of traffic by providing them with decent, accessible, comfortable and passenger friendly terminal and parking areas for convenient travel experience in the City of Sorsogon.

SECTION 5 PUBLIC AND COMMERCIAL TRANSPORT TERMINALS

The City Government of Sorsogon shall have the authority to establish and operate common transport terminal/s for tricycles, Public Utility Jeepneys (PUJs), Commuter Vans and Public Utility Buses. Establishment of public common transport terminal/s shall be in conformity with the existing zoning ordinance/regulations of the City Government and shall be used for loading and dispatching/unloading passengers and cargoes/baggage. Pick up stations and parking or holding areas for Public Utility Vehicles may be identified and designated by the City Mayor through an Executive Order.

Establishment of a commercial transport terminal shall be upon approval of the city government of Sorsogon through the Sangguniang Panlungsod by virtue of its power vested under Section 458 (5)(v) of RA 710 otherwise known as the Local Government Code of 1991. Establishment of a commercial terminal for the use of the public shall have its space for tricycles, Public Utility Jeepneys (PUJs) and Commuter Vans.

For purposes of this ordinance, other transport terminals maybe established in West District and Bacon District as the need arises.

SECTION 6 THE SORSOGON INTEGRATED TERMINAL EXCHANGE (SITEX)

The SM Prime Holdings, Inc., a corporation duly organized and existing under and by virtue of laws of the Republic of the Philippines with business address at the SM Corporate

Offices, Building, A J.W. Diokno Boulevard, Mall of Asia Complex, Pasay City, is hereby authorized to establish the Sorsogon Integrated Terminal Exchange (SITEX) and to be managed and operated by the Park Solutions Inc. (PSI), within their property or portions of the parcels of land covered by TCT NO. 083-2016001180, located at Barangay Balogo, East District, Sorsogon City, with the conditions as provided here for.

The operation, management, administration and maintenance of the SITEX shall be the primary responsibility and prerogative of SM Prime Holdings, Inc through PSI.

The SITEX shall be the recognized Sorsogon City's Grand Central Terminal for unified loading, unloading and parking center for Public Utility Vehicles for East District.

The SITEX being the City's Grand Central Terminal shall include the development of the site into an economic hub and civic center that will have for its facilities mini-commercial and retail stalls, which are to be leased out to the public. The development of the SITEX shall also include the construction of a commercial arcade, waiting sheds, driver's lounge, public toilets, dispatcher's areas and all other requisite amenities.

SECTION 7. SORSOGON INTEGRATED TERMINAL EXCHANGE VALIDITY

The Sorsogon Integrated Terminal Exchange is hereby authorized to operate for the period of five (5) years reckoned on the date of approval of this ordinance subject to renewal thereafter.

SECTION 8 MONITORING AND DETAIL OF PERSONNEL

The City Government of Sorsogon shall have the share and entitled to the remittance of not less than five percent (5%) of the gross income exclusively from the operation of the SITEX to be remitted to the City Government of Sorsogon through the City Treasurer on quarterly basis.

In addition thereto, a personnel from the City Treasurer's Office shall be detailed at SITEX for monitoring purposes. Ample space shall be provided in the area.

SECTION 9 RIGHT TO FIRST REFUSAL

Should the City Government decide to enter into an agreement for the establishment and/or operation of another public transport terminal/s within the East District during and while the Memorandum of Agreement for SITEX is still in effect, the City Government shall first offer the same to SM Prime Holdings, Inc. prior to soliciting any proposals from other entities, however, this provision shall not apply to terminals to be established and operated directly by the city government or the national government and those to be established in West and Bacon District.

SECTION 10 CENTRALIZED BUS, JEEPNEYS AND UV EXPRESS TERMINAL AT SORSOGON INTEGRATED TERMINAL EXCHANGE.

All buses, jeepneys and UV Express are hereby directed to utilize SITEX as their terminals with the exception of jeepneys plying the route in Bacon District which are temporarily authorized to utilize portion of Ground Floor of Save Motor together with tricycle groups.

SECTION 11 TRANSPORT TERMINAL RULES AND REGULATIONS OF SORSOGON INTEGRATED TERMINAL EXCHANGE ONDITIONS TO OPERATE TRANSPORT TERMINALS

I. REGULATORY COMPLIANCE

a. Registration of Group

- i. PSI will entertain Letters of Intent (LOIs) and issue a Notice to Proceed (NTP) only to transport groups that are duly registered with the Securities and Exchange Commission (SEC) or the Cooperative Development Authority (CDA).
- ii. If a domestic corporation, the applicant must submit a Certified True Copy of its Certificate of Registration, Articles of Incorporation and By-laws from the SEC.
- iii. If a cooperative, the applicant must submit a Certified True Copy of its photocopy of Certificate of Registration and Articles of Cooperation from the CDA.

b. Certificate of Public Convenience or Provisional Authority for Operating Units

- i. PSI will issue an NTP only to transport groups or operators with a valid and subsisting Certificate of Public Convenience (CPC) or Provisional Authority (PA) issued by the Land Transportation Franchising and Regulatory Board (LTFRB).
- ii. PSI will not issue an NTP to transport groups or operators with expired CPCs to use the Terminal.
- iii. PSI will not issue an NTP to transport groups or operators without any approved application for consolidation and Provisional Authority to operate from the LTFRB to use the Terminal.
- iv. For the tricycle operators and driver's associations (TODAs) and its members, PSI will issue an NTP only to TODAs with valid franchise issued by the Local Government Unit (LGU).

c. Driver's License for Authorized Drivers

- i. Drivers driving accredited units must be holders of a valid and subsisting professional Driver's License.

II. PSI REQUIREMENTS

- a. PSI will allow only transport groups or operators with valid and subsisting NTPs to use the Terminal.
- b. The requirements for the issuance of an NTP are as follows:
 - i. Letter of Intent (LOI) addressed to Atty. Pitero M. Reig, Chief Operating Officer (COO) of PSI, to be sent thru his email address: pmreig@tcmrlaw.com;
 - ii. If a domestic corporation, photocopy of Certificate of Registration, Articles of Incorporation and By-laws from the Securities and Exchange Commission (SEC);
 - iii. If a cooperative, photocopy of Certificate of Registration and Articles of Cooperation from the Cooperative Development Authority (CDA);
 - iv. Complete list of current officers and members;
 - v. Notarized Secretary's Certificate authorizing the President/Chairman of their group to sign and transact business with PSI, for and on behalf of their Corporation/Cooperative;

- vi. Complete list of operating units with their corresponding License Plate Number, Chassis Number, Engine Number, authorized driver, and his/her current and subsisting Driver's License number (Master List);
 - vii. Certified True Copy of the CPC or Provisional Authority to Operate from the LTFRB and the Franchise Verification;
 - viii. Photocopy of the OR/CR.
- c. All units must have PSI-issued RFID stickers for terminal identification as part of the program of PSI to automate SITEX.
 - d. PSI has the exclusive right and prerogative to designate a specific slot within the Terminal to each transport group (Bus, UV, Modern PUJ, Traditional PUJ, and Tricycle).

III. CODE OF CONDUCT INSIDE THE TERMINAL

- a. Personal Hygiene and Appearance
 - i. All members of the transport groups must wear a collared shirt with valid ID as their uniform while on duty. The following color scheme must be observed:
 - 1. White for buses
 - 2. Light Blue for jeepneys and tricycles
 - 3. Green for UV.
 - ii. Wearing of slippers, shorts, undershirt, and unkempt clothing is prohibited.
- b. Conduct Towards PSI and PSI Staff
 - i. Drivers, operators, and officers of each transport group are expected to be courteous, honest, and respectful towards any staff of PSI.
 - ii. Drivers, operators, and officers of each transport group are expected to obey and comply with these Terminal Rules.
 - iii. Drivers, operators, and officers of each transport group are expected to keep their designated areas/slots clean and orderly.
 - iv. All transport groups must provide enough number of units and extend their time of operations during mall sale periods or if the mall extends their time of operations.
 - v. Transport groups should pay the schedule of terminal fees as provided in the NTP. Transports who failed to comply will be automatically refused entry to the Terminal.

IV. CONDUCT TOWARDS PASSENGERS

- i. Drivers, operators, and officers of each transport group must treat passengers with utmost courtesy.
- ii. Drivers and operators must not charge excessive fares
- iii. Drivers cannot reject passengers.
- iv. Drivers must not engage in trip cutting.
- v. Operators and drivers must fully comply with the approved route/s for their respective units.

V. CONDUCT TOWARDS FELLOW DRIVERS AND OPERATORS

- i. Drivers, operators, and officers of each transport group are expected to be

- courteous, honest, fair, and respectful towards each other.
- ii. Drivers shall queue only in their designated slots.
- iii. Units that are not next in the queue for dispatch must wait in the designated depot/holding area inside the Terminal.
- iv. Drivers are mandated to utilize the driver's lounge at the back of the terminal while waiting for their turn to queue.
- v. Regardless of the number of units, each transport group which share the same route (co-routing) and with an approved operating permit and/or franchise from the LTFRB will receive an allocated bay for queuing. Each of these transport groups are permitted and allowed to pick up passengers exclusively in their route. PSI respects and recognizes the right of every passenger to select other routes they prefer to ride.
- vi. Drivers must park their units properly.

VI. OTHER PROHIBITED ACTS

- i. Smoking inside the terminal is strictly prohibited.
- ii. Littering and installation of unapproved items (tarpaulins, tables and chairs) are not allowed.
- iii. Activities of drivers, operators and transport groups that will cause disturbance, or disruption in the operations of the Terminal.
- iv. Holding of any meeting, gathering or activity inside the Terminal without the approval of PSI.
- v. Deployment of barkers inside the Terminal.
- vi. Going beyond the speed limit inside the terminal, which is 5km/h.
- vii. Blocking any driveway, loading/unloading bay, or designated slot
- viii. Unauthorized displaying or mounting of, among others, announcement of routes.
- ix. Ambulant peddling or selling of goods.
- x. Sleeping, gambling, loitering, smoking, fixing of units, swearing/fighting, drinking of alcoholic beverages, and using illegal substances.
- xi. Fighting, shouting, and unruly and disruptive behavior inside the Terminal.
- xii. Catcalling, whistling, ogling, harassing, and intimidating passengers.

VII. PENALTIES

- a. Responsible drivers, operators and/or officers of transport groups must pay for any intentional or unintentional damage caused upon terminal facilities, fixtures, and equipment.
- b. Violation of the rules will submit the offender with the following penalties:
 - i. 1st Offense: Three (3) days suspension for driver and unit
 - ii. 2nd Offense: Seven (7) days suspension for driver and unit
 - iii. 3rd Offense: Permanent suspension for driver and unit

SECTION 11 TERMINAL FEES AND OTHER CHARGES

The following schedule of terminal fees are hereby authorized to be collected as agreed upon by the transport groups and Park Solutions Incorporated, however, any changes thereof shall be subjected to tedious consultation. For purposes of this ordinance herein schedule is hereby reflected for purposes of computation of the City's Five Percent (5%) share in the operation of the grand terminal located at Barangay Balogo, East District, Sorsogon City.

No.	Transport Group	Type	of	Route	Entrance Fee
-----	-----------------	------	----	-------	--------------

		Vehicle		
	South Bound			
1.	Bulan (JEEP)	PUJ	Bulan (JEEP)	70.00
2.	Irosin (JEEP)	PUJ	Irosin (JEEP)	50.00
3.	JUBAN (JEEP)	PUJ	JUBAN (JEEP)	30.00
4.	MAGALLANES (JEEP)	PUJ	MAGALLANES (JEEP)	60.00
5.	MATNOG (JEEP)	PUJ	MATNOG (JEEP)	80.00
6.	STA. MAGDALENA (JEEP)	PUJ	STA. MAGDALENA (JEEP)	85.00
7.	GUBAT (AIRCON JEEP) GTC	MODERNIZED	GUBAT (AIRCON JEEP) GTC	30.00
8.	GUBAT (JEEP) BGS	PUJ	GUBAT (JEEP) BGS	20.00
9.	GUBAT (JEEP) RJ LINER	PUJ	GUBAT (JEEP) RJ LINER	20.00
	NORTH BOUND ROUTES			
10.	CASTILLA (JEEP)	PUJ	CASTILLA (JEEP)	25.00
11.	CUMADCAD (JEEP)	PUJ	CUMADCAD (JEEP)	20.00
	UV EXPRESS			
12.	DARAGA (UVE)	UV	DARAGA (UVE)	80.00
13.	LEGAZPI (UVE)	UV	LEGAZPI (UVE)	80.00
14.	BULAN (UVE)	UV	BULAN (UVE)	85.00
15.	BULUSAN (JEEP/AIRCON JEEP)	AC/PUJ		50.00
16.	PRIETO DIAZ (JEEP)	PUJ		50.00
	PROVINCIAL BUS OPERATIONS	BUS		To be determined later by and between PSI and Bus Companies
17.	INTER REGION BUS OPERATIONS	BUS		To be determined later by and between PSI and Bus Companies

OTHER TERMINAL FEES:

1. ONE THOUSAND (P 1,000.00) PESOS QUARTERLY ACCREDITATION PER UNIT
2. ONE HUNDRED FIFTY (P 150.00) PESOS ONE TIME QR/RFID STICKER PER UNIT
3. GRADUATED RATE OF NOTICE TO PROCEED (NTP)

No. of Units	NTP Processing Fee
1 to 15 units	P 5,000.00
16 to 30	P 10,000.00
31 to 45	P 15,000.00
46 to 60	P 20,000.00
61 to 75	P 25,000.00
76 to 100	P 30,000.00

More than 100	P 35,000.00 plus 1,000.00 per unit in excess of 100
---------------	---

SECTION 12 REPEALING CLAUSE

All ordinances, resolutions and regulations, or any part(s) thereof which are inconsistent with any provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 13 SEPARABILITY CLAUSE

If for any reason or reasons, any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 14 EFFECTIVITY

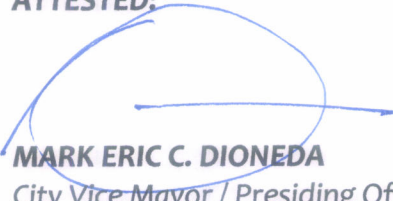
This ordinance shall take effect immediately upon its approval by the Sangguniang Panlungsod and after compliance with Section 511 of Republic Act 7160 otherwise known as the Local Government Code of 1991.

DATE APPROVED : FEBRUARY 14, 2023


I HEREBY CERTIFY to the correctness of the foregoing resolution and ordinance.


ROVANE E. DOMASIAN
Secretary to the Sangguniang Panlungsod

ATTESTED:


MARK ERIC C. DIONEDA
City Vice Mayor / Presiding Officer

APPROVED:


MA. ESTER E. HAMOR
City Mayor