

[MMDA REGULATION NO. 11-002, February 23, 2011]

ADOPTING A REVISED SCHEDULE OF ADMINISTRATIVE FEES, CHARGES, RESTORATION AND MAINTENANCE DEPOSITS, FINES AND PENALTIES ON ROAD DIGGINGS/EXCAVATIONS AND RESTORATIONS IN METROPOLITAN MANILA

WHEREAS, numerous diggings/excavations are left unattended and/or haphazardly filled up by contractors thus leaving unsightly ruts, potholes and lumps in major thoroughfares/streets of Metro Manila which pose continuing threat to the safety of both motorists and pedestrians and contribute to and/or aggravate traffic congestions;

WHEREAS, the present administrative fees, charges, restoration and maintenance deposits, fines and penalties on road diggings/excavations and restoration in Metropolitan Manila provided for under MMDA Ordinance No. 2, Series of 1991, are no longer sufficient to answer the cost of the unattended blight which is causing the government untold losses in terms of deterioration of streets/thoroughfares;

WHEREAS, in order to protect and ensure public safety and interest, it has become imperative to adopt a revised schedule of administrative fees, charges, restoration and maintenance deposits, fines and penalties on road diggings/excavations and restorations in Metropolitan Manila;

WHEREAS, the revised schedule of administrative fees, charges, restoration and maintenance deposits, fines and penalties is in accordance with Executive Order No. 197, s. of 2000, directing all departments, bureaus, commissions, agencies, offices and instrumentalities of the national government, including government-owned or controlled corporations, to increase their rates of fees and charges by not less than twenty percent (20%);

NOW, THEREFORE, be it resolved as it is hereby resolved, pursuant to Sec. 6, of RA 7924, the Council hereby adopts the following revised schedule of administrative fees, charges, restoration and maintenance deposits, fines and penalties on road diggings/ excavations and restorations in Metropolitan Manila;

RESOLVED, FURTHER, that Sections 1 and 5 of Ordinance No. 2 amended by MMDA Regulation No. 98-009, shall now read as follows:

SECTION 1. "Section 1. Excavation Defined

Excavation shall be defined as any diggings or unearthing in the streets/ thoroughfares/including passageways and sidewalks within the city/municipality for the installation, repair or improvement of water

pipes, gas pipes, telephone or telegraph or telegraph wires or cable conduit, sewer and drainage systems and/or pipes, telephone construction/improvements, communication and powerlines undertaken by the government/public/private utility companies.

"Section 5. **Payment of Fees and Charges**

The following fees and charges shall be collected from all applicants whether private or government agencies except those specifically exempted by law, who shall make or cause to be made any excavation or diggings on any streets and thoroughfares, including passageways and sidewalks within the city/municipality:

1. Processing Fee

- a) For poles and house connections - P375.00
- b) For all other excavations - P625.00

2. Excavation Permit Fee

2.1 Underground Utility Lines

- a) For a maximum width of trench of 0.50 m.

a.1) First 50 linear meter length of excavation and below - P625.00

a.2) Over 50 linear meter length of excavation - P18.75/l.m

- b) Excess over 0.50 meter width of trench - P18.75/sq.m.

2.2 For foundation of structures - P20.25/sq.m.

2.3 For road concreting/blocking and asphalt pavement - P6.25/sq.m.

2.4 For installation of wooded/concrete utility poles - P125.00/pole

3. Restoration Deposit

The restoration deposit shall be based on the following schedules:

a.	Concrete Pavement		Per square m. or fraction thereof
a.1)	9" thickness	-	P1,187.50
a.2)	8" thickness	-	P1,078.75
a.3)	7" thickness	-	P 980.00
a.4)	6" thickness	-	P 890.00
a.5)	4" thickness	-	P 735.00
	Concrete Sidewalk	-	P 735.00
	Macadam Pavement	-	P 500.00
b.	Asphalt Pavement	-	P650.00
b. 1)	2" thickness	-	
c.	Curb and Gutter	-	P500.00

3.1 Restoration works and other consequential responsibilities or obligations over diggings/excavations after the completion of the underground works shall be done by the implementing agency (IA).

3.2 The utility company/IA shall post a cash deposit for restoration cost based on the schedule of restoration rates and/or performance bond to the LGUs/DPWH-NCR/TEC-MMDA. The said cash deposit shall be refundable. For restoration works to be undertaken by contract, the IA/contractor shall post a guaranty bond equivalent to the computed restoration cost.

3.2.1 The utility company/IA/Contractor shall undertake repair works in case of failure of restoration within one (1) year from date of acceptance.

3.3 For individual connections, a cash payment for restoration works shall be made to LGUs/DPWH-NCR.

4. Maintenance Deposit

The utility company/IA shall maintain for a period of one (1) year from date of acceptance the restored excavated portion of the road right-of-way. It shall deposit to the LGU/TEC-