

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
-o0o-
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE CONFERENCE ROOM, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON OCTOBER 29, 2003 AT 9:30 A .M.

PRESENT:

HON. JESSIE G. TERRE,	Vice Mayor & Presiding Officer
HON. ALFONSITO E. ESTOCE,	Councilor & Temp. Pres. Officer
HON. JOSE DONEL T. TRASPORTO,	SKMF-President & Temp. Pres. Officer
HON. AGATON O. TUMABOTABO,	Councilor
HON. ROMEO T. LEDESMA,	Councilor
HON. FERNANDO M. VALENCIA,	Councilor
HON. CECILIA T. GARRIDO,	Councilor
HON. GEORGE T. TRIBUNAL,	Councilor
HON. ORVILLO T. TANGENTE,	Pres. Liga nga mga Brgy.

ABSENT:

HON. REMEDIOS T. TORRATO,	Councilor
HON. REXFEL G. TRIVILEGIO,	Councilor

Resolution No. 2003-086

RESOLUTION AUTHORIZING HON. MYRNA M. TORRES, MUNICIPAL MAYOR, TIGBAUAN, ILOILO TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) REGARDING THE FACE LIFTING OF THE MUNCIIPAL HALL INSTEAD OF THE CONSTRUCTION OF MULTI-PURPOSE HALL FROM THE COUNTRYSIDE DEVELOPMENT FUND OF SENATOR LOREN LEGARDSA IN THE AMOUNT OF ONE MILLION (P1,000,000.00) PESOS

WHEREAS, under the CY 2002 General Appropriation Act or GAA (R.A. No. 8760) nationally-funded infrastructure projects may be implemented by Local government Units with the demonstrated capability to undertake the projects by themselves;

WHEREAS, based on the foregoing premise, the DPWH issued Department Order No. 137 dated June 30, 1999, which sets guidelines, including rules and procedures for the implementation by the Local government Units of the DPWH projects;

WHEREAS, in accordance with the said Department Order, the LGU has submitted to the DPWH a written request for the DPWH projects;

WHEREAS, in accordance with the same Department Order, the DPWH has determined that the LGU has the demonstrated capability to undertake the said project by administration;

WHEREAS, the responsibilities of DPWH Iloilo 1st Engineering District are as follows:

1. Issue to the Municipal Government a Letter of Advice of allotment (LAA) equivalence to the approved project cost based on the allotment authorized by DBM which shall serve as the obligational authority to the Municipal Government to implement the project;

2. Release to the Local Government Unit an initial cash advance for the Project equivalent to Fifteen percent (15%) of the obligational authority (Project cost) the Local Government Unit (LGU) shall take up the said cash advance as a Trust Deposit in a separate checking account with a Government depository bank;
3. Release the succeeding cash funds for the PROJECT equivalent to the amount of previous cash advance liquidated, based on the liquidation report signed by the Local Government Unit (LGU)
4. Treasurer/Chief Accountant and verified and found correct by the LGU Resident Auditor of the Commission on Audit;
5. Issue Certificate of the Project Completion to LGU upon satisfactory completion as verified by the designated DPWH inspectorate team;
6. Reserve the right to terminate the services of the LGU if the negative slippage becomes beyond 15% in comparison to the original schedule due to reasons attributed to the poor performance of the LGU in accordance with DPWH Department Order No. 102 series of 1998;

WHEREAS, the responsibilities of the Municipal Government of Tigbauan, Iloilo are as follows;

1. Implementation the Project by Administration in accordance with the Program of Work, Plans, Specification, Project Cost and Time Duration approved by DPWH;
2. To the extent feasible, the LGU shall use labor-based equipment supported methods in implementing the project;
3. Shall start the project within Fifteen (15) days from the approval of MOA and shall complete the project within the prescribed Time Duration;
4. Shall be accountable for all funds for the project released by DPWH.

NOW, THEREFORE, upon motion of Hon. Alfonsito Estoce, Chairman, Committee on Rules, Ordinances and Resolutions and was duly seconded by Hon. Romeo Ledesma and Hon. Cecilia Garrido,

RESOLVED, to authorize Hon. Myrna M. Torres, Municipal Mayor, Tigbauan, Iloilo to enter into a Memorandum of Agreement with Department of Public Works and Highways (DPWH) regarding the Face Lifting of the Municipal Hall instead of the Construction of Multi-Purpose Hall from the Countryside Development Fund of Senator Loren Legarda in the amount of One Million (P1,000,000.00) Pesos under the following terms and conditions:

ARTICLE I - PROJECT COVERAGE

Section 1.1 This MOA covers the implementation by the LGU of the DPWH Project hereinafter called Face Lifting of Municipal Hall instead of the Construction of Senator Loren Legarda-Levist Multi-Purpose Building, Tigbauan, Iloilo funded under SARO No. A-03-00094 in the estimated amount of P1,000,000.00.

ARTICLE II – PROJECT IMPLEMENTATION

Section 1.1 The LGU shall implement the PROJECT by administration only, in accordance with the Program of Works, Plans, Specifications, PROJECT Cost and Time Duration approved by the DPWH Official concerned.

Section 2.2 the LGU shall, to the extent feasible, use labor-based equipment-supported methods in implementing the projects.

Section 2.3 the LGU shall start the project within fifteen (15) days from the approval of the MOA and shall complete the PROJECT within the Time Duration approved by DPWH.

Section 2.4 The LGU shall submit monthly monitoring reports on the PROJECT to the DPWH District engineer.

Section 2.5 Upon the satisfactory completion by the LGU of the PROJECT as verified by the designated DPWH inspectorate team, the DPWH District engineer shall issue to the LGU the corresponding Certificate of PROJECT Completion.

Section 2.6 Within one year (1) year after the issuance of the Certificate of PROJECT completion, the LGU shall correct, at its own expense, all defects discovered in the PROJECT due to faulty construction or use of substandard materials.

Section 2.7 DPWH reserves the right to terminate the service of the LGU if the negative slippage becomes beyond 15% in comparison with to the original schedule due to reasons attributed to the performance of the LGU in accordance with DPWH Department Order No. 102, series of 1998.

ARTICLE III - PROJECT FUNDING

Section 3.1 The DPWH District Engineer shall issue to the LGU A Letter of Allotment (LAA) equivalent to the approved PROJECT Cost based on the allotment authorized by the Department of Budget and Management (DBM) the LAA shall serve as the obligational authority of the LGU to implement THE Project.

Section 3.2 the LGU shall be fully accountable for all funds for the PROJECT release to it be the DPWH.

Section 3.3 The DPWH shall release to the LGU an initial cash advance for the PROJECT equivalent to fifteen percent (15%) of the obligational authority for PROJECT Cost. The LGU shall tag up the said cash advance as a Trust Deposit in a separate checking account with a Government depository bank.

Section 3.4 the DPWH shall release to the LGU succeeding cash funds for the PROJECT equivalent to the amount of previous cash liquidated based on Liquidation reports Signed by the LGU Treasurer/Chief Accountant and verified and found correct by the LGU resident auditor of the Commission on Audit.

ARTICLE IV – EFFECTIVITY

Section 4.1 This MOA shall take effect upon approval thereof by the Regional director, DPWH Region VI and shall remain in force until the completion of the PROJECT, unless mutually terminated earlier by the said parties.

Section 4.2 Either party to this MOA may initiate its termination in the event of a default by the other Party of any of its obligations there under.

RESOLVED FURTHER, to forward copies of this resolution to Hon. Myrna M. Torres, to DPWH Regional Director Wilfredo B. Agustino, CESO III, to District Engineer, Laureano A. Alba and to all concerned for their information and/or appropriate action.

APPROVED.

I HEREBY CERTIFY that the foregoing Resolution was approved by the Sangguniang Bayan.

CERTIFIED CORRECT:

MARLENE T. NAVA
SB Secretary

ATTESTED:

JOSE DONEL T. TRASPORTO
SKMF President & Temporary &
Presiding Officer