

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

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE
SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE BENJAMIN MELLIZA HALL,
TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON JUNE 16, 2004 AT 9:10 A.M.

PRESENT:

HON. JESSIE G. TERRE,	Vice Mayor & Presiding Officer
HON. AGATON O. TUMABOTABO,	Councilor
HON. FERNANDO M. VALENCIA,	Councilor
HON. CECILIA T. GARRIDO,	Councilor
HON. GEORGE T. TRIBUNAL,	Councilor
HON. REXFEL G. TRIVILEGIO,	Councilor
HON. ALFONSITO E. ESTOCE,	Councilor

Late:

HON. JOSE DONEL T. TRASPORTO,	SKMF President
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ABSENT:

HON. ROMEO T. LEDESMA,	Councilor (Forced Leave)
HON. REMEDIOS T. TORRATO,	Councilor(Special Privilege Leave)
HON. ORVILLO T. TANGENTE,	Pres. Liga nga mga Brgy.(O.B.)

Resolution No. 2004-046

RESOLUTION AUTHORIZING HON. MYRNA M. TORRES, MUNICIPAL MAYOR, TO ENTER INTO A MEMORNADUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) FOR THE CONSTRUCTION OF MULTI-PURPOSE BUILDING FOR THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO IN THE AMOUNT OF ONE MILLION PESOS (P1,000,000.00) FROM THE CONGRESSIONAL INITIATIVE OF APEC PARTY-LIST REPRESENTATIVE, HON. CONGRESSMAN SUNNY R.A. MADAMBA

WHEREAS, under the CY 2003, General appropriations Act of GAA (R.A. No. 9206) 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 premises, 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 to authorize the LGU to implement by Administration the DPWH Project;

WHEREAS, in accordance with the said Department Order, the LGU has submitted to the DPWH a written request for the DPWH to authorize the LGU to implement by Administration the DPWH Project

WHEREAS, in accordance with the same Department Order, the DPWH has determined that the LGU has the demonstrated capacity 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) equivalent 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) Treasurer/Chief Accountant and verified and found correct by the LGU Resident Auditor of the Commission on Audit;
4. Issue Certificate of the Project Completion to LGU upon satisfactory completion as verified by the designated DPWH inspectorate team;
5. Issue Certificate of Project Acceptance to LGU one (1) year after the project is verified by the DPWH Inspectorate Team as having no defect;
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. Implement 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.

WHEREAS, in accordance with the same Department Order and pursuant to the aforementioned laws, the Representative or Congressman in the person of Hon. Congressman Sunny R.A. Madamba has been consulted and has indicated his concurrence/request on the proposed Project;

NOW, THEREFORE, upon motion of Hon. Alfonsito E. Estoce, Chairman, Committee on Rules, Ordinances and Resolutions and was duly seconded by Hon. Agaton Tumabotabo,

RESOLVED, to authorize Hon. Myrna M. Torres, Municipal Mayor, To Enter Into A Memorandum Of Agreement (MOA) With The Department Of Public Works And Highways (DPWH) For The Construction Of Multi-Purpose Building For The Municipality Of Tigbauan, Province Of Iloilo, In The Amount Of One Million Pesos (P1,000,000.00) From The Congressional Initiative Of APEC Party-List Representative, Hon. Congressman Sunny R.A. Madamba under the following terms and conditions:

ARTICLE 1 – PROJECT COVERAGE

Section 1.1 This MOA covers the implementation by the LGU of the DPWH Project hereinafter called the Construction of the Multi-Purpose Building, Tigbauan, Iloilo funded under the Congressional Initiative of APEC Party-List Representative, Hon. Congressman Sunny R.A. Madamba in the estimated amount of P1,000,000.00.

ARTICLE II – PROJECT IMPLEMENTATION

Section 2.1 The LGU shall implement the PROJECT by administration only, in accordance with the Program of Works, Plans, Specification, 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 the DPWH Official concerned.

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 (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. After this one-year period and after the PROJECT is verified by the DPWH inspectorate team as having no defects the DPWH District Engineer shall issue to the LGU the Certificate of PROJECT Acceptance.

Section 2.7 DPWH reserves the right to terminate the service of the LGU if the negative slippage becomes beyond 15% in comparison to the original schedule due to reason 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 Advice 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 released to it by 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 (or PROJECT Cost). The LGU shall take 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 advance 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 thereunder.

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 appropriation action.

APPROVED.

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

CERTIFIED CORRECT:

MARLENE T. NAVA
S.B. Secretary

ATTESTED:

JESSIE G. TERRE
Vice Mayor & Presiding Officer

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EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE
SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE BENJAMIN MELLIZA HALL,
TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON JUNE 2, 2004 AT 9:30 A.M.

PRESENT:

HON. JESSIE G. TERRE,	Vice Mayor & Presiding Officer
HON. AGATON O. TUMABOTABO,	Councilor
HON. FERNANDO M. VALENCIA,	Councilor
HON. CECILIA T. GARRIDO,	Councilor
HON. GEORGE T. TRIBUNAL,	Councilor
HON. REXFEL G. TRIVILEGIO,	Councilor
HON. ALFONSITO E. ESTOCE,	Councilor
HON. JOSE DONEL T. TRASPORTO,	SKMF President

Late:

HON. ORVILLO T. TANGENTE,	Pres. Liga nga mga Brgy.
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ABSENT:

HON. ROMEO T. LEDESMA,	Councilor
HON. REMEDIOS T. TORRATO,	Councilor

Resolution No. 2004-039

RESOLUTION REQUESTING THE MUNICIPAL EVALUATING OFFICER, MUNICIPAL ENGINEER AND MUNICIPAL PLANNING AND DEVELOPMENT OFFICER, THIS MUNICIPALITY TO CONDUCT INSPECTION ON THE APPROVED SUBDIVISIONS IF ALL REQUIREMENTS/CONDITIONS HAVE BEEN COMPLIED WITH AND LIKEWISE SUBMIT INSPECTION REPORT TO THE SANGGUNANG BAYAN FOR PERSUAL AND EVALUATION

WHEREAS, there were reports that reach the attention of the Sangguniang Bayan that some of the approved Simple Subdivisions in the municipality do not comply with the drainage system requirement as part of their commitment in the approval of their simple subdivisions;

WHEREAS, rainy season is fast approaching and heavy rains are expected to cause flood in the streets of the Municipality;

WHEREAS, due to these expected events, the Sangguning Bayan, weary about the situation likes to call attention of the concerned Departments for proper action;

NOW, THEREFORE, on motion of Hon. Rexfel G. Trivilegio and duly seconded by Hon. Agaton Tumabotabo, Hon. George Tribunal and Hon. Jose Donel Trasporto,

RESOLVED, to Request The Municipal Evaluating Officer, Municipal Engineer And Municipal Planning And Development Officer, This Municipality To Conduct Inspection On The Approved Subdivisions If All Requirements/Conditions Have Been Complied With And Likewise Submit Inspection Report To The Sangguniang Bayan For Perusal And Evaluation,

RESOLVED FURTHER, to forward copies of this resolution to the Municipal Evaluating Officer, Mr. Jimmy Tupas, the Municipal Engineer, Engr. Juanito Tavarra, the MPDO, Engr. Alfredo Tumasis for their appropriate action and the Hon. Mayor Myrna M. Torres and all concerned for their information and guidance.

APPROVED.

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

CERTIFIED CORRECT:

MARLENE T. NAVA
S.B. Secretary

ATTESTED:

JESSIE G. TERRE
Vice Mayor & Presiding Officer

