

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
Office of the Sangguniang Bayan
Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
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EXCERPT FROM THE MINUTES OF THE 4TH REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON JANUARY 24, 2018 AT 4:00 O'CLOCK IN THE AFTERNOON

PRESENT:

HON. VIRGILIO T. TERUEL,	Vice Mayor & Presiding Officer
HON. DENNIS T. VALENCIA	- S.B. Member
HON. JOHN GERSHWIN C. TUERES	- S.B. Member
HON. ARIEL I. BERNARDO	- S.B. Member
HON. SUZETTE MARIE HILADO-BANNO	- S.B. Member
HON. JULIUS T. LEDESMA	- S.B. Member
HON. NERI T. CAMIÑA	- S.B. Member
HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO	- S.B. Member
HON. JERRY T. TUARES	- S.B. Member
HON. RONNIE T. PAGUNTALAN	- Liga President

ABSENT: NONE

Resolution No. 2018-018

RESOLUTION AUTHORIZING THE MUNICIPAL MAYOR, ATTY. SUZETTE T. ALQUISADA, FOR AND IN BEHALF OF THE MUNICIPALITY OF TIGBAUAN TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE NATIONAL IRRIGATION ADMINISTRATION FOR THE IMPLEMENTATION OF THE JALAU RIVER MULTI-PURPOSE PROJECT STAGE II (JRMPP II)

WHEREAS, the National Irrigation Administration (NIA), a government-owned and controlled corporation, organized under Republic Act No. 3601 as amended by P.D. Nos. 552 and 702, is primarily responsible for the development and management of water resources for irrigation and provision of necessary services on a sustainable basis consistent with the agricultural development program of the government;

WHEREAS, under P.D. No. 552, NIA has the responsibility of constructing, improving, rehabilitating and administering all national irrigation systems in the Philippines including all communal and pump irrigation projects;

WHEREAS, NIA envisions the nationwide existence of efficient irrigation systems that are environmentally sound and socially acceptable, located in strategic agricultural areas that are capably managed by viable and dynamic Irrigators Associations, profitably producing good quality rice and diversifies crops, progressively improving the welfare of the farm families in the rural communities and sustainably supporting the food production program of the government;

WHEREAS, Republic Act No. 2651 enacted on June 18, 1960 prescribed for the construction of the **Jalaur River Multi-Purpose Project** in the Province of Iloilo however due to financial constraints of the government, only Stage I was implemented in 1977-1983 with funding from World Bank;

WHEREAS, **JRMP-II** aims to develop the full potential of water to be impounded primarily for irrigation purposes, with provisions for hydro –electric power and potable water resources purposes; to increase agricultural production, create employment opportunities and

improve the living environment from the point of rural development through provision of assured irrigation water;

WHEREAS, in 1981, a feasibility study for JRMP Stage II was initiated. Another feasibility study was re-conducted between the period of 1988-2011. In 2011, the Department of Agriculture (DA) presented the result of the recent feasibility study to the Regional Development Council and NEDA for funding purposes which led to the granting of loan last June 12, 2012 by the Korean-Eximbank/EDCF;

WHEREAS, the *General Welfare Clause* of the Local Government Code of 1991 (RA 7160), specifically Section 16 provides that “... *within their respective territorial jurisdictions, local government units shall ensure and support among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant, scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants*”;

WHEREAS, for and in consideration of the foregoing premises, the National Irrigation Administration and the Municipality of Tigbauan hereby agree and mutually consider to perform the following **OBLIGATIONS/RESPONSIBILITIES AND UNDERTAKINGS** for the implementation of construction activities for JRMP II:

- **NATIONAL IRRIGATION ADMINISTRATION**

As project proponent and lead agency in the implementation of JRMP II, the NIA binds itself to ensure the following, to wit:

- The Social and Environmental Safeguard requirements of the Project will be implemented as stipulated in the Social/Institutional Development Plan (IDP), Environmental Compliance Certificate (ECC), Environmental Impact Statement (EIS), Environmental Multipartite Monitoring Plan (EMMMoP), Land Acquisition and Resettlement Action Plan (LARAP) and others;*
- Coordinate with the LGU in order to ensure that the “JRMO II Employment Policy”, (attached as Annex A of the MOA), will be observed and implemented, giving preference and priority to Project Affected Families (PAFs) and available, competent and qualified locals/residents in the hiring of manpower/labor force for the Project in consonance with the “Labor Intensive Policy of the Government”;*
- Identify and submit list of proposed quarry areas to the PLGU and concerned MLGU to ensure that quarry activities are harmonized, prices and quantity are monitored and regulated, and supply is sufficient for the needs of the Project;*
- Identify sites for the proposed Temporary Facilities Areas and Satellite Offices and ensure that the Contractor shall comply with laws, all other existing rules and regulations and ordinances enacted by the LGU;*
- Create a Technical Working Group (TWG) specific for Traffic management to coordinate with the Local Government Units in the preparation of the Traffic Management Plan for the volume of vehicles and equipment which will be utilized during the implementation and actual construction of JRMP II within the territorial jurisdiction of the concerned Local Government Unit;*
- In close coordination with the LGU, ensure that municipal roads, barangay roads, access roads and existing farm to market roads used in the hauling of materials, equipment, quarry and aggregates are maintained, restored and improved by the Contractor during and after the implementation of the Project;*
- Assist, guide and coordinate with the LGU in the identification of lot/land area programmed by LGU for land development, for possible land filling area of excess excavated materials/construction waste materials;*
- Provide JRMP II final plan and development scheme to the LGU for the incorporation in the Municipal Comprehensive Land Use Plan and other development plans;*

- i. *Organize an ad hoc Dismantling and Transfer Task Force in close coordination with the LGU concerned pursuant to Article 10 Section 39 of Republic Act 7279 or the Urban Development and Housing Act of 1992;*
- j. *Initiate and facilitate tree-planting activities to replace trees that were cut down, removed and uprooted by reason of the implementation of JRMP II pursuant to approved replacement rate provided by DENR;*
- k. *Establish and institutionalize the annual/regular information, education and communication activities to increase the level of awareness of the community and the LGU on the status of the project implementation of JRMP II;*
- l. *In coordination with other national Government Agencies (NGA) and the LGU, NIA shall harmonize the implementation and compliance of commitments under the Inter-Agency Convergence Initiative for JRMP II ; and*
- m. *To perform such other acts which are essential and relevant to the realization of the purpose of this Memorandum of Agreement.*

• **LOCAL GOVERNMENT UNIT**

- a. *In coordination with NIA, the LGU must ensure that environmental and social safeguard requirements and relevant laws are observed and complied with, in relation to the construction of irrigation facilities and structures within its territorial jurisdiction, including among others the requirements for quarry, waste management and disposal, pollution, cutting of trees, excavation and transport of construction materials and mobilization of equipment;*
- b. *Coordinate with NIA to ensure that qualified and competent local manpower will be given preference and priority in the hiring of labor force during the implementation of construction activities of the Project within its territorial jurisdiction, in addition to the Project Affected Families both Upland and Lowland who are entitled to employment under the LARAP, the residents of the Potential Impact Areas (PIA) and the Irrigators Association (IA), subject to the needs of the concerned contractor;*
- c. *Ensure that all permits and clearances requested by NIA from LGU related to the project implementation are processed and released expeditiously, and possibly free of charge;*
- d. *Identify the location of land/lot which will be programmed for development as possible area for stockpiling of excavated construction waste materials;*
- e. *Ensure that access roads, barangay roads and farm to market roads will be available for use during construction period provided that the contractor will comply with the necessary requirements of concerned barangay and at the same time roads must be regularly maintained during construction and be restored to its original condition prior to the completion of the project;*
- f. *Prepare traffic management plan in coordination with NIA and its contractor for highly populated areas/urban areas to be crisscrossed by construction vehicles and equipment, and, ensure mitigating measures such as assignment of traffic police or traffic aides in areas such as schools, public markets, church, etc.;*
- g. *Ensure safety and protection of personnel of NIA, Contractor, Consultants and other stakeholders as well as the security of all vehicles, machines and equipment within its territorial jurisdiction;*
- h. *Ensure its adherence to its commitment under the Inter-Agency Convergence Initiative for JRMP II;*
- i. *Ensure involvement /participation in the ad hoc Dismantling and Transfer Task Force as mandated by the Republic Act 7279 or the Urban Development and Housing Act of 1992, Article 10 Section 39;*
- j. *Provide and designate areas within its territorial jurisdiction for the tree-planting activities to be initiated and facilitated by NIA in order to replace trees that were cut down, removed and uprooted by reason of the implementation of JRMP II pursuant to approved replacement rate provided by DENR;*

- k. To perform such other acts which are essential and relevant to the realization of the purpose of this Memorandum of Agreement.

NOW THEREFORE, on motion of HON. JERRY T. TUARES, *Chairman, Committee on Agriculture, Aquatic Resources & Cooperatives* and was duly seconded by Hon. Dennis T. Valencia, Hon. John Gershwin C. Tueres, Hon. Ariel I. Bernardo, Hon. Suzette Marie Hilado-Banno, Hon. Neri T. Camiña, Hon. Julius T. Ledesma, Hon. Ma. Gerrylin Santuyo-Camposagrado and Hon. RonnieT. Paguntalan;

RESOLVE, AS IT IS HEREBY RESOLVED, to authorize the Municipal Mayor, Atty. Suzette T. Alquisada, for and in behalf of the Municipality of Tigbauan to Enter Into a Memorandum of Agreement with the National Irrigation Administration for the Implementation of the Jalaur River Multi-Purpose Project Stage II (JRMPP II).

RESOLVED FURTHER, to forward copies of this Resolution to the Office of the Municipal Mayor, Atty. Suzette T. Alquisada, to Engr. Gerardo P. Corsiga, *Regional Manager, NIA* and to all concerned for their information and/or appropriate action.

APPROVED.

CERTIFIED CORRECT:



MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:



VIRGILIO T. TERUEL
Vice Mayor & Presiding Officer

HON. VIRGILIO T. TERUEL, LAWYER
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Dennis T. Valencia	Hon. Suzette Marie Hilado-Banno, <i>M.D.</i>	Hon. Ma. Gerrylin Santuyo-Camposagrado, <i>LLB,MPA</i>
Hon. John Gershwin C. Tueres, <i>LLB</i>	Hon. Neri T. Camiña	Hon. Jerry T. Tuares, <i>Civil Engineer</i>
Hon. Ariel I. Bernardo	Hon. Julius T. Ledesma, <i>O.D.</i>	Hon. Ronnie T. Paguntalan (LnB-Pres.)

“Public office is a public trust. Public Officials must at all times be accountable to the people.”