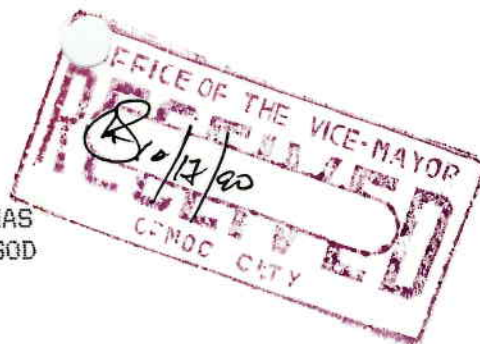


REPUBLICA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE FIFTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO SESSION HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON OCTOBER 11, 1990

PRESENT:

Hon. Nepomuceno P. Aparis I,	Vice-Mayor	(Presiding Officer)
Hon. Gregorio A. Yrastorza, Jr.,	Kagawad	Far East President
Hon. Eufrocino C. Codilla, Jr.,	Kagawad	
Hon. Celso P. Adolfo,	Kagawad	
Hon. Arnulfo C. Salazar,	Kagawad	
Hon. Jose B. Conejos,	Kagawad	
Hon. Rodolfo L. Rivilla, Jr.,	Kagawad	
Hon. Benjamin F. Tugonon,	Kagawad	
Hon. Antero T. Fiel,	Kagawad	
Hon. Celso P. Porcadilla,	Kagawad	
Hon. Edgar Z. Palugod,	ABC President,	
Hon. Nelson DL Geneston,	Industrial Labor Sector, Rep.,	

ABSENT:

Hon. Sixto T. Pongos, (Sick Leave)	Kagawad
------------------------------------	---------

RESOLUTION NO. 123

A RESOLUTION AUTHORIZING THE HONORABLE CITY MAYOR OF ORMOC TO MAKE THE NECESSARY AND REASONABLE AMENDMENTS TO A CONTRACT ENTERED INTO BY THE CITY GOVERNMENT WITH THE FAR EAST CORPORATION RELATIVE PREPARATION OF DESIGN, PLANS AND ESTIMATES AS WELL AS CONSTRUCTION SUPERVISION SERVICES OF THE PROPOSED MULTI-PURPOSE GYMNASIUM IN ORMOC CITY.

WHEREAS, Resolution No. 29 s. 1990 has authorized the Honorable City Mayor to sign, for and in behalf of the City Government, a contract with Far East Corporation (Winning Bidder), for the preparation of the design, plans and specifications as well as the construction supervisory services of the proposed Multi-Purpose Gymnasium in Ormoc City;

WHEREAS, Resolution No. 75 s. 1990 has authorized the Honorable City Mayor of Ormoc to formally advise Far East Corporation to prepare the final design of the proposed Multi-Purpose Gymnasium based on the preliminary design X X X, which passage of said resolution has been based out of a letter of the City Mayor addressed the Sangguniang Panlungsod wherein portions of said letter are hereunder cited as follows:

"Far East Corporation submitted as stipulated in our contract, a preliminary design and estimates of the proposed multi-purpose gymnasium, which was discussed in a meeting last June 13, 1990. The project, which has a capacity of about 8,000 persons, is estimated to cost about P38M plus.

" X X X X

(RES. NO. 123 S. 1990)

"Considering that the reduction in cost vis-a-vis the reduction in capacity is not proportionate, it is recommended that we proceed with plans to construct an estimated P38M project per preliminary design submitted.

"It is respectfully requested that a resolution be passed authorizing the undersigned to formally advise Far East Corporation to prepare the final design of the proposed multi-purpose gymnasium based on the preliminary design X X X X."

(SGD) MA. VICTORIA L. LOCSIN  
City Mayor

WHEREAS, by way of reiteration, a contract has been entered into between Far East Corporation (FIRST PARTY) and the City Government of Ormoc, represented by the City Mayor (SECOND PARTY), whereby the FIRST PARTY, in pursuance with the contract, has submitted to the SECOND PARTY a preliminary design of the Proposed Multi-Purpose Gymnasium with an estimated cost of P38,168,596.90. However, subsequently, the FIRST PARTY has submitted unto the SECOND PARTY the final design of the proposed gymnasium with an estimated cost of P60,844,147.19, which estimated cost as reflected in the final design IS NOT WITHIN THE CAPACITY OF THE SECOND PARTY TO UNDERTAKE;

WHEREAS, on October 9, 1990, the aforementioned parties have agreed the following:

- a) For purposes of payment of the Far East Corporation's services in the preparation of plans, designs and estimates, the estimated cost in the preliminary design which is P38,168,519.50 SHALL BE MADE THE BASIS; and
- b) The Cost of supervision services of Far East Corporation which is 0.3% shall be computed based on the amount of the WINNING BID of the project;

WHEREAS and FINALLY, the Honorable MEMBERS of the SANGGUNIANG PANLUNGSOD ng ORMOC, in SESSION, has considered indispensable that material and relevant amendments must be inserted into the said contract entered into between the aforementioned parties so that whatever stipulations cited therein must conform to the true spirit and real intent of the contracting parties;

NOW, THEREFORE, on motion of Kagawad Gregorio A. Yrastorza, Jr., Vice-Chairman, Committee on Finance, duly seconded by Kagawad Celso P. Adolfo; be it

RESOLVED, to pass a resolution AUTHORIZING THE HONORABLE CITY MAYOR OF ORMOC TO MAKE THE NECESSARY AND REASONABLE AMENDMENTS TO A CONTRACT ENTERED INTO BY THE CITY GOVERNMENT WITH THE FAR EAST CORPORATION RELATIVE PREPARATION OF DESIGN, PLANS AND ESTIMATES AS WELL AS ON CONSTRUCTION SUPERVISION SERVICES OF THE PROPOSED MULTI-PURPOSE GYMNASIUM IN ORMOC CITY;

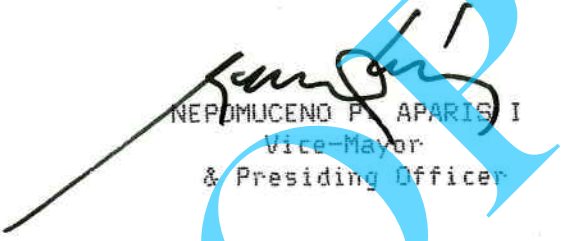


(RES. NO. 123 S. 1990)

RESOLVED, FURTHER, to furnish copies of this resolution each to Far East Corporation through its Corporate Secretary, Room 508, Campos Rueda Building, 101 Urban Avenue, Makati, Metro Manila; Her Honor, the City Mayor, the City Treasurer, the City Engineer and the City Legal Counsel, - all in Ormoc City;

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
NEPOMUCENO P. APARISI I  
Vice-Mayor  
& Presiding Officer

ATTESTED:

  
OSCAR B. LASAM  
City Secretary

APPROVED:

  
MARIA VICTORIA L. LOCSIN  
City Mayor

ATTESTED AS APPROVED:

  
OSCAR B. LASAM  
City Secretary

/inbm90