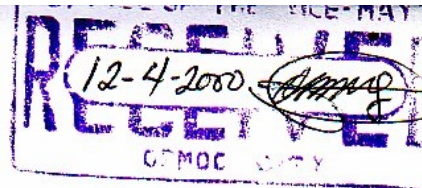
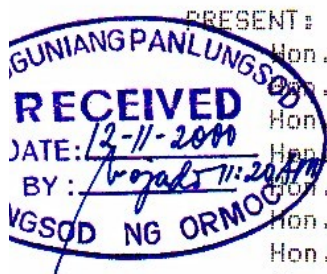




REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE EIGHTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON NOVEMBER 29, 2000 IN LIEU  
OF NOVEMBER 30, 2000



PRESENT:

Hon. Celso P. Adolfo,	City Vice Mayor & Presiding Officer
Hon. Nepomuceno P. Aparis I,	City Councilor, Majority Floor Leader
Hon. Dennis Y. Capuyan,	City Councilor, Assist. Maj. Floor Leader
Hon. Mariano Y. Corro,	City Councilor
Hon. Sotero M. Pepito,	City Councilor
Hon. Alfredo F. Capahi,	City Councilor
Hon. Eduardo P. Tan,	City Councilor
Hon. Jose C. Alfaro, Jr.,	City Councilor
Hon. Claudio P. Larrazabal,	City Councilor
Hon. Fernando P. Parrilla,	Ex-Officio City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Fe S. Lladoc,	(Appointed in lieu of Hon. Benjamin B. Lladoc (Deceased)), City Councilor

ABSENT:

Hon. Jose S. Serafica,	(Sick Leave),	City Councilor, Minority Floor Leader
Hon. Chiqui B. Labagala,	(Sick Leave),	Ex-Officio City Councilor, SK Federation President

RESOLUTION NO. 2000-205

A RESOLUTION AUTHORIZING THE HONORABLE CITY MAYOR EUFROCINO M. CODILLA, SR., TO OPEN A COMMERCIAL LETTER OF CREDIT WITH ANY GOVERNMENT BANK IN FAVOR OF WELLCON HEAVY INDUSTRIES INCORPORATED IN THE AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY-TWO THOUSAND EIGHT HUNDRED U.S. DOLLARS (\$272,800.00) FOR THE PURCHASE OF VARIOUS HEAVY EQUIPMENT AS RECOMMENDED BY THE BIDS AND AWARDS COMMITTEE (BAC) PER RESOLUTION NO. 2000-005 DATED NOVEMBER 14, 2000. PROVIDED, THAT THE REQUIREMENTS OF MEMORANDUM CIRCULAR NO. 99-66 DATED APRIL 23, 1999 OF THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) PARTICULARLY ARTICLE III THEREOF SHALL BE COMPLIED WITH.

WHEREAS, this august Body is in receipt of a letter dated 17 November 2000 from the Honorable City Mayor Eufrocino M. Codilla, Sr., addressed the Honorable Members 8th Sangguniang Panlungsod, Ormoc City thru Hon. Celso P. Adolfo, Vice Mayor & Presiding Officer, the full text of which is herein cited as follows:

OFFICE OF THE CITY MAYOR  
Ormoc City

November 17, 2000

HON. CELSO P. ADOLFO  
Vice Mayor and Presiding Officer  
Ormoc City



Attn: HON. ALFREDO F. CAPAHÍ  
Chairman, Committee on Finance

Sir:

May I respectfully request that august Body for the passage of a resolution authorizing the undersigned to open a Commercial Letter of Credit with any government bank in favor of WELLCON HEAVY INDUSTRIES INCORPORATED in the amount not to exceed Two Hundred Seventy-Two Thousand Eight Hundred US Dollars (\$272,800.00) for the purchase of various heavy equipment, as recommended by the Bids and Awards Committee (BAC) per Resolution No. 2000-005 dated November 14, 2000 attached, to wit:

1. Motor Grader, Mitsubishi, Model  
MG 331, articulated, Indent  
Order, C & F Manila Port.....\$162,000.00
2. Wheel Type Excavator, Daewoo,  
Model Solar 130-W without  
breaker, Indent Order,  
C & F Manila Port.....\$110,800.00
- Total U.S. Dollars - \$272,800.00

URGENT approval on this request is highly appreciated.

Very truly yours,

(SGD) EUFROCINO M. CODILLA, SR.  
City Mayor

WHEREAS, the BIDS AND AWARDS COMMITTEE (BAC) passed Resolution No. 2000-04 entitled: "A RESOLUTION AWARDING TO WELLCON HEAVY INDUSTRIES INCORPORATED THE FOLLOWING ITEMS:

1. Tractor Head, Hyundai, Model HG900, 9C ton,  
Transmission - 10 Forward, 2 reverse  
(high-low) Ex-Factory Price.....P3,879,750.00
2. Low Bed Trailer, 70 tons capacity..... 1,800,000.00
3. Motor Grader, Mitsubishi, Model MG331,  
articulated, Indent Order C & F  
Manila Port..... \$ 162,000.00
4. Wheel Type Excavator, Daewoo, Model  
Solar 130-W Without Breaker, Indent  
Order C & F Manila Port..... \$ 110,800.00

and Resolution No. 2000-005 entitled: "A RESOLUTION REQUESTING THE SANGGUNIANG PANLUNGSOD THAT HONORABLE CITY MAYOR EUFROCINO M. CODILLA, SR., BE GIVEN AUTHORITY TO OPEN A COMMERCIAL LETTER OF CREDIT WITH ANY GOVERNMENT BANK IN FAVOR OF WELLCON HEAVY INDUSTRIES INCORPORATED FOR THE PURCHASE OF VARIOUS HEAVY EQUIPMENT IN THE AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY-TWO THOUSAND EIGHT HUNDRED U.S. DOLLARS (\$272,800.00);

WHEREAS, said amount is to be taken from out of the approval of CDC Resolution No. 5 s. 2000 per SP Resolution No. 2000-184 entitled, "A RESOLUTION APPROVING THE CITY DEVELOPMENT COUNCIL RESOLUTION NO. 5 SERIES OF 2000, ENTITLED: "A RESOLUTION APPROVING THE REALIGNMENT OF



TWENTY MILLION SEVEN HUNDRED THOUSAND PESOS (P20,700,000.00) FROM OUT OF THE FOLLOWING PROJECTS:

- |  |                |
|--|----------------|
| 1. CONST. OF NEW SLAUGHTERHOUSE BLDG. .... | P20,000,000.00 |
| 2. PURCHASE OF ROAD STUDS.....             | 700,000.00     |
| <hr/>                                      |                |
| T o t a l .....                            | P20,700,000.00 |

TO THE FOLLOWING PROJECTS:

- |  |                |
|--|----------------|
| 1. PURCHASE OF HEAVY EQUIPMENT.....          | P20,000,000.00 |
| 2. PURCH. OF EQUIPT. FOR GEOGRAPHIC SYS..... | 500,000.00     |
| 3. INVESTMENT PROMOTION.....                 | 200,000.00     |
| <hr/>  |                |
| T o t a l.....                               | P20,700,000.00 |

AND REQUESTING THE HONORABLE SANGGUNIANG PANLUNGSOD FOR THE APPROVAL FOR THE SAME", DATED 19 OCTOBER 2000 AND FROM OUT OF THE REVERSION OF THE 1999 CONTINUING APPROPRIATION PER SP A.O. No. 2000-025 dated 3 November 2000;

WHEREAS, Article III of DILG Memorandum Circular No. 99-66 dated 23 April 1999 states that:

"III. AUTHORITY TO USE THE 20% DEVELOPMENT FUND

The use of the 20% Development Fund, or a portion thereof, to finance the purchase of a brand new heavy equipment for infrastructure, agricultural development or environmental management programs or projects, shall first be approved by the Secretary of the Interior and Local Government. Any request for the use of the said Fund, or any part thereof, for the purchase of heavy equipment shall be endorsed by the DILG Regional Director concerned after a complete and substantive review of the documents submitted, as well as, verification of the circumstances justifying the purchase of equipment, through the Director of the Bureau of Local Government Supervision, and Undersecretary for Local Governments for final processing and evaluation, to the Secretary of the Interior and Local Government, together with the following supporting documents, namely:

1. Approved Annual Equipment Procurement Program, specifying therein the heavy equipment to be purchased;
2. Approved Annual Budget, indicating the amount appropriated for the heavy equipment to be purchased;
3. Certification from the Local Treasurer, and attested by the Local Chief Executive concerned, as to the source of fund, except the 20% Development Fund, for the maintenance of the heavy equipment to be purchased; and
4. Certification from the Local Chief Executive concerned, as to how the heavy equipment to be purchased directly generate jobs or livelihood opportunities, for whom and how, and other relevant information."

WHEREAS, this Sanggunian believes that said request is reasonable, hence, same be accorded due course of action;

FOREGOING PREMISES CONSIDERED, on motion of City Councilor Alfredo F. Capahi, Chairman, Committee on Finance, duly seconded by City Councilor Eduardo P. Tan; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution AUTHORIZING THE HONORABLE CITY MAYOR EUFROCINO M. CODILLA, SR., TO OPEN A COMMERCIAL LETTER OF CREDIT WITH ANY GOVERNMENT BANK IN FAVOR OF WELLCON HEAVY INDUSTRIES INCORPORATED IN THE AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY-TWO THOUSAND EIGHT HUNDRED U.S. DOLLARS (\$272,800.00) FOR THE PURCHASE OF VARIOUS HEAVY EQUIPMENT AS RECOMMENDED BY THE BIDS AND AWARDS COMMITTEE (BAC) PER RESOLUTION NO. 2000-005 DATED NOVEMBER 14, 2000. PROVIDED, THAT THE REQUIREMENTS OF MEMORANDUM CIRCULAR NO. 99-66 DATED APRIL 23, 1999 OF THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) PARTICULARLY ARTICLE III THEREOF SHALL BE COMPLIED WITH;

ADOPTED, November 29, 2000.

RESOLVED, FURTHER, to furnish copies of this resolution one each to His Honor, the City Mayor; the City Administrator, the City Legal Officer, the City Treasurer, the City Budget Officer, the City Accountant, the City Auditor and others concerned, in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

OSCAR P. LASAN  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

CELSON P. ADOLFO  
City Vice Mayor & Presiding Officer