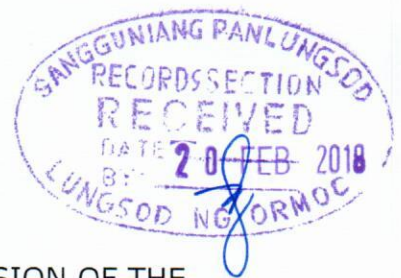


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON FEBRUARY 15, 2018

PRESENT:

|                                       |   |
|---------------------------------------|---|
| Rolando M. Villasencio,               | (Acting City-Vice Mayor & Temporary Presiding Officer), |
|                                       | SP Member, Majority Floor Leader                        |
| Vincent L. Rama,                      | SP Member, Asst. Majority Floor Leader                  |
| Mario M. Rodriguez,                   | SP Member, Presiding Officer "Pro-Tempore"              |
| Tomas R. Serafica,                    | SP Member   |
| Benjamin S. Pongos, Jr.,              | SP Member   |
| Eusebio Gerardo S. Penserga,          | SP Member   |
| Gregorio G. Yrastorza III,            | SP Member   |
| Nolito M. Quilang,                    | SP Member   |
| John Eulalio Nepomuceno O. Aparis II, | SP Member   |
|                                       | Minority Floor Leader                                   |
| Lea Doris C. Villar,                  | SP Member, Asst. Minority Floor Leader                  |
| Mariano Y. Corro,                     | Ex-Officio SP Member                                    |
|                                       | Chapter President, Liga ng mga Barangay ng Ormoc        |

ON OFFICIAL LEAVE:

|                             |                                |
|-----------------------------|--------------------------------|
| Leo Carmelo L. Locsin, Jr., | (Acting City Mayor),           |
|                             | Vice Mayor & Presiding Officer |

**RESOLUTION NO. 2018-039**

**A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD J. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) FOR AND IN BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH DEPARTMENT OF AGRICULTURE - REGIONAL FIELD OFFICE VIII (DA-RFO VIII), FOR THE PROJECT: PROVISION OF MOISTURE METER UNDER THE CORN PROGRAM AND CASSAVA PROJECT.**

WHEREAS, the 14<sup>TH</sup> Sangguniang Panlungsod ng Ormoc received an endorsement letter from the Office of the City Mayor on January 19, 2018 for consideration of a Memorandum of Agreement (MOA) to be entered into by the Local Government Unit of Ormoc (LGU-Ormoc) and the Department of Agriculture - Regional Field Office VIII (DA-RFO VIII), represented by its OIC Regional Executive Director, ATTY. SALVADOR D. DIPUTADO, a copy of the MOA is hereto attached as integral part hereof;

WHEREAS, the Department of Agriculture (DA), through its Regional Field Office, is implementing the Corn Program and Cassava Project in pursuit of food security and poverty alleviation in the agricultural sector as envisioned under Republic Act 8435, otherwise known as the "Agriculture and Fishery Modernization Act (AFMA) of 1997";

WHEREAS, one of the objectives of the AFMA is to modernize the agriculture and fisheries sector by transforming them from a resourced-based to a technology-based industry;



WHEREAS, one of the components of the Corn Program and Cassava Project is the provision of farm machineries and equipment to qualified farmer organizations and/or local government units;

WHEREAS, LGU-ORMOC is proposing and has signified its intention to avail of one (1) unit Moisture Meter through full grant financing scheme from the DA;

WHEREAS, the provision of Moisture Meter will help in the modernization of farm operations by mechanizing farming activities and will contribute to the corn/cassava production in Ormoc City, Leyte;

WHEREAS, this MOA shall involve the provision of one (1) unit Moisture Meter, through a full grant scheme from DA-RFO VIII to LGU-ORMOC in which the direct beneficiaries shall be the corn and cassava farmers of Ormoc City, Leyte;

WHEREAS, after the review of the draft MOA by the Assistant City Legal Officer of the City he finds it in order, not detrimental to the interest of the City, not contrary to law, morals and public policy recommending the approval of the aforementioned MOA, and further recommends that a Sangguniang Panlungsod Resolution be secured for the Authority of the Mayor to sign the same;

WHEREAS, upon close and thorough review, this Sanggunian finds that the aforementioned request by the City Mayor is advantageous and for the best interest of the City and its inhabitants, especially the corn and cassava farmers;

NOW THEREFORE, on joint motion of SP Member Tomas R. Serafica, Chairman, Committee on Agriculture & Fisheries and SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Vincent L. Rama, Mariano Y. Corro, John Eulalio Nepomuceno O. Aparis II, Nolito M. Quilang and Lea Doris C. Villar; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) FOR AND IN BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC) WITH DEPARTMENT OF AGRICULTURE - REGIONAL FIELD OFFICE VIII (DA-RFO VIII), FOR THE PROJECT: PROVISION OF MOISTURE METER UNDER THE CORN PROGRAM AND CASSAVA PROJECT;

ADOPTED, February 15, 2018.

RESOLVED, FURTHER, that a copy of the final and notarized Memorandum of Agreement (MOA) be submitted to the Sangguniang Panlungsod ng Ormoc for its information and files;

RESOLVED, FINALLY, that copies of this resolution be furnished each to the City Mayor Richard I. Gomez; the City Legal Office; the City Agriculture Office; the Department of Agriculture-Regional Field Office VIII, through its OIC Regional Executive Director, Atty. Salvador D. Diputado; the OIC-City Director, DILG; and other offices concerned for their information and guidance

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
MARIA ANTONIETA G. CO HAT  
(OIC - SP Secretary)  
Supervising Administrative Officer

ATTESTED:

  
ROLANDO M. VILLASENCIO  
(Acting City Vice-Mayor & Temporary Presiding Officer)  
Majority Floor Leader  
SP Member

DEMO COPY



## MEMORANDUM OF AGREEMENT

### NOW ALL MEN BY THESE PRESENTS:

The **DEPARTMENT OF AGRICULTURE – Regional Field Office No. 8**, a national government agency, with office address at Kanhuraw Hill, Tacloban City, herein duly represented by **ATTY. SALVADOR D. DIPUTADO** in his capacity as OIC Regional Executive Director, hereinafter referred to as “**DA-RFO 8**”,

and

The **CITY OF ORMOC**, a local government unit with office address at Ormoc City, Leyte duly represented by **HON. RICHARD I. GOMEZ**, in his capacity as City Mayor, herein referred to as “**LGU-ORMOC**”,

### WITNESSETH:

**WHEREAS**, the Department of Agriculture (DA), through its Regional Field Office, is implementing the Corn Program/Cassava Project in pursuit of poverty alleviation in the agricultural sector and food security as envisioned under Republic Act 8435 (AFMA) of 1997;

**WHEREAS**, one of the components of the Corn Program/Cassava Project is the provision of farm machineries and equipment to qualified farmer organizations and/or local government units;

**WHEREAS**, said program component aims to transform corn/cassava farm clusters into modern agribusiness system thru mechanized farming;

**WHEREAS**, **LGU-ORMOC** is proposing and has signified its intention to avail of one (1) unit **Moisture Meter** through full grant financing scheme from the DA;

**WHEREAS**, the **DA-RFO8** is mandated to provide support and assistance to local government units in their pursuit of agriculture development and the promotion of farmers' welfare;

**WHEREAS**, one of the objectives of the AFMA is to modernize the agriculture and fisheries sectors by transforming them from a resourced-based to a technology-based industry;

**WHEREAS**, the provision of **Moisture Meter** will help in the modernization of farm operations by mechanizing farming activities and contributing to the corn/cassava production in Ormoc City, Leyte;

**NOW THEREFORE**, premises considered, parties herein hereby set and agree to the following terms and conditions:

### **SECTION 1. GENERAL CONDITIONS**

- 1.1 This Agreement shall involve the provisions of one (1) unit **Moisture Meter**, through a full grant scheme to **LGU-ORMOC**.

**RICHARD I. GOMEZ**  
City Mayor, Ormoc City, Leyte

**ATTY. SALVADOR D. DIPUTADO**  
Regional Executive Director



1.2 Counterpart funds of the DA-RFO8 shall be treated as GRANT to **LGU-ORMOC**.

1.3 The direct beneficiaries of this Agreement shall be the corn/cassava farmers of **Ormoc City, Leyte**.

## **SECTION 2. OBLIGATIONS OF THE PARTIES**

2.1 It shall be the obligation **LGU-ORMOC** to:

2.1.1 Ensure that the unit is used primarily in the corn/cassava cluster areas of the province for the corn/cassava activities.

2.1.2 Provide the manpower necessary for the operation and management of the unit;

2.1.3 Ensure that the unit is secured and sheltered from sunlight and rain and other adverse conditions when not in use;

2.1.4 Maintain a separate and detailed logbook/record of the equipment operations and whenever requested, allow the monitoring team/representatives complete access to logbooks and other related documents;

2.1.5 Shoulder the repair and maintenance cost of the equipment after the lapse of the warranty period of the manufacturer;

2.1.6 Submit quarterly status and performance reports; and

2.1.7 Lend the unit for use in the quick-response activities for rehabilitation by DA-RFO 8.

2.2 It shall be the obligation of the **DA-RFO 8** to:

2.2.1 Purchase the one (1) unit **Moisture Meter** chargeable to the Corn Program/Cassava Project Fund (CO-Grant) amounting to Twenty Thousand Pesos Only (Php20,000.00) in accordance with RA 9184, otherwise known as the New Government Procurement Act and its Implementing Rules and Regulations:

2.2.2 Turn-over the procured **Moisture Meter** after **LGU-ORMOC** has already signed the Invoice Receipt (IR) and the Acknowledgement Receipt of Equipment (ARE);

**RICHARD I. GOMEZ**  
City Mayor, Ormoc City, Leyte

**ATTY. SALVADOR D. DIPUTADO**  
Regional Executive Director

- 2.2.3 Train the proponent on the operation and maintenance of the unit through the Regional Corn Program Management Unit (RCPMU) and the Regional Agriculture Engineering Division (RAED);
- 2.2.4 Ensure that the goals and objectives of the project are achieved through periodic monitoring and evaluation;
- 2.2.5 Provide other forms of technical assistance wherever necessary and upon request by **LGU-ORMOC**.

**SECTION 3. ARBITRATION.** Any dispute arising from this Agreement shall be submitted for arbitration in accordance with the provisions of RA 876 or other modes of speedy and amicable dispute resolution prior to court action.

**SECTION 4. EFFECTIVITY.** This Agreement shall take effect upon signing by the herein parties.

**WHEREFORE, IN WITNESS WHEREOF,** the parties have hereunto set their respective signature this \_\_\_\_ day of \_\_\_\_\_, 2018 at Tacloban City, Philippines.

**DEPARTMENT OF AGRICULTURE  
REGIONAL FIELD OFFICE NO. 8**

**LOCAL GOVERNMENT UNIT OF  
ORMOC CITY, LEYTE**

**By:**

**By:**

**ATTY. SALVADOR D. DIPUTADO, LL.M., Ph.D.**  
Regional Executive Director

**RICHARD I. GOMEZ**  
City Mayor

Signed in the presence of:

**JUANITO M. BARING**  
Regional Corn Program Focal Person

**MARIA ELENA A. MENDOZA**  
Acting City Agriculturist



ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)  
PROVINCE OF \_\_\_\_\_ )S.S  
\_\_\_\_\_ )

**RICHARD I. GOMEZ**  
City Mayor, Ormoc City, Leyte

BEFORE ME, a Notary Public for and in \_\_\_\_\_,  
Philippines, personally appeared the following:

| NAME                                   | Valid ID |
|--|----------|
| ATTY. SALVADOR D. DIPUTADO, LL.M., Ph. | _____    |
| RICHARD I. GOMEZ                       | _____    |

both known to me to be same persons who executed the foregoing  
MEMORANDUM OF AGREEMENT and they acknowledged to me that the same  
is their free and voluntary act and deed and of the entities they respectively  
represent.

This instrument consisting of four (4) pages, including the page whereon  
this Acknowledgement is written, has been signed by the parties and their  
instrumental witnesses, and sealed with my notarial seal.

This instrument consisting of four (4) pages, including the page whereon  
this Acknowledgement is written, has been signed by the parties and their  
instrumental witnesses, and sealed with my notarial seal.

WITNESS MY HAND AND NOTARIAL SEAL, this \_\_\_\_\_ day of  
\_\_\_\_\_, 2018 in \_\_\_\_\_ Philippines.

WITNESS my hand and notarial seal.

**ATTY. SALVADOR D. DIPUTADO**  
Regional Executive Director

Notary Public

DOC. NO. \_\_\_\_\_  
PAGE NO. \_\_\_\_\_  
BOOK NO. \_\_\_\_\_  
SERIES OF 2018