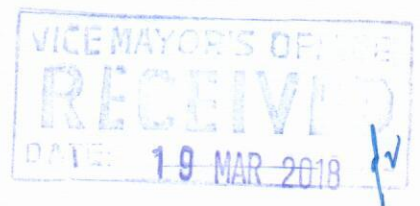




REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



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 MARCH 15, 2018

PRESENT:

Leo Carmelo L. Locsin, Jr.,	Vice Mayor & Presiding Officer
Rolando M. Villasencio,	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
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 LEAVE:

Gregorio G. Yrastorza III,	SP Member
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**RESOLUTION NO. 2018-068**

**A RESOLUTION GRANTING THE CITY MAYOR RICHARD I. GOMEZ, OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC), THE AUTHORITY TO ACCEPT AND SIGN A DEED OF DONATION, AS DONEE, AND THE DEPARTMENT OF HEALTH REGIONAL OFFICE REGION 8 (DOH-RO8), AS DONOR, RELATIVE TO THE ACCEPTANCE OF THE TAMANG SERBISYO SA KALUSUGAN NG PAMILYA (TSeKap) EQUIPMENT PACKAGE FROM DOH-RO8.**

WHEREAS, the City Mayor Richard I. Gomez through a 3rd Endorsement Letter, dated March 2, 2018, forwarded to this august Body for consideration the draft DEED OF DONATION to be entered into by the LGU-Ormoc with the DOH-RO8 relative to the acceptance by LGU-Ormoc of the TSeKap Equipment Package with a total worth of ONE MILLION ONE HUNDRED NINETY TWO THOUSAND NINE HUNDRED THIRTEEN AND 42/100 (Php1,192,913.42), a copy of the said Deed of Donation and its annexes enumerating the list of the subject equipment is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, the Department of Health (DOH), the principal health agency in the Philippines, is responsible for ensuring access to basic quality public health services to all Filipinos through the provision of quality health care in Rural Health Units and Barangay Health Stations;

WHEREAS, Sec. 17 of Republic Act (RA) No. 7160, otherwise known as the Local Government Code of 1991, states that Local Government Units (LGUs) shall also discharge the functions and responsibilities of national agencies and offices, such as, but not limited to, the implementation of programs and projects on primary health care;



WHEREAS, the DOH introduced the TSeKap equipment package as a means to provide and augment the LGUs' health facilities with basic but essential medical equipment to improve the delivery of services and the implementation of programs and projects on primary health care;

WHEREAS, in CY 2014-2016, the LGU-Ormoc, through its owned and controlled Rural Health Units (RHU) and BHSs (Barangay Health Station), the providers of primary health care, has been in receipt of TSeKap equipment package from the DOH-RO8;

WHEREAS, the City Legal Officer, Atty. Jasper M. Lucero, has expressed an opinion, dated February 28, 2018, recommends the approval of the aforementioned Deed of Donation after finding that the draft of the Deed of Donation does not have anything legally objectionable to the basis, substance and purposes thereof, and that the same is likewise found to be in order, not detrimental to the interests of the City, not contrary to law, morals and public policy, a certified true copy of said letter of opinion is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, the subject Deed of Donation clearly and plainly provides the terms and conditions of the agreement of the parties thereto, specifically providing for the obligations of the LGU-Ormoc relative to the use and maintenance of the equipment package and the subsequent right of DOH-RO8 to revoke the Deed of Donation in case of non-compliance;

WHEREFORE, after a thorough examination of the aforementioned request by the City Mayor, this Sanggunian finds that the continuation of the herein subject is deemed noble, and that the same should be entered into for the best interests of the City and her constituents, and therefore deserving this august Body's prompt and full support and affirmative consideration to the same;

NOW, THEREFORE, on joint motion of SP Member Mario M. Rodriguez, Chairman, Health and Sanitation, and SP Member Benjamin S. Pongos Jr., Chairman, Laws and Ordinances, severally seconded by SP Members Rolando M. Villasencio, Tomas R. Serafica, Eusebio Gerardo S. Penserga, Nolito M. Quilang, John Eulalio Nepomuceno O. Aparis II, Lea Doris C. Villar and Mariano Y. Corro; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION GRANTING THE CITY MAYOR RICHARD I. GOMEZ, OR THE ACTING CITY MAYOR, FOR AND ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC (LGU-ORMOC), THE AUTHORITY TO ACCEPT AND SIGN A DEED OF DONATION, AS DONEE, AND THE DEPARTMENT OF HEALTH REGIONAL OFFICE REGION 8 (DOH-RO8), AS DONOR, RELATIVE TO THE ACCEPTANCE OF THE TAMANG SERBISYO SA KALUSUGAN NG PAMILYA (TSeKap) EQUIPMENT PACKAGE FROM DOH-RO8;

ADOPTED, March 15, 2018.

RESOLVED, FURTHER, that a copy of the final and notarized Deed of Donation be submitted to the Sangguniang Panlungsod ng Ormoc for its information and files;

RESOVLED FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Jasper M. Lucero; the City Health Officer, Dr. Nelita D. Navales; the Department of Health Regional Office VIII thru Director Minerva P. Molon; the OIC-City Director, DILG, Engr. Jesus Jeremy D. Bagares; and all other offices concerned for their information and guidance.

Res. No. 2018-068

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

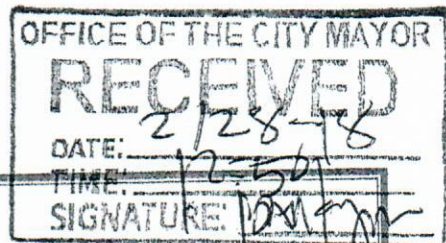
  
MARIA ANTONIETA G. CO HAT  
(OIC - SP Secretary)  
Supervising Administrative Officer

ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
Vice Mayor & Presiding Officer

DEMO COPY





Republic of the Philippines  
**OFFICE OF THE CITY LEGAL OFFICER**  
Ormoc City, Leyte

28 February 2018

**MA. VICTORIA LYRA P. DELA CERNA**  
City Govt. Asst. Dept. Head I  
City Mayor's Office  
LGU-Ormoc City

Re: Review of Draft Deed of Donation between DOH RO VIII and LGU Ormoc  
re Tamang Serbisyo sa Kalusugan ng Pamilya (TSeKap) Equipment  
Package

Dear Ms. Dela Cerna:

The undersigned has reviewed the above draft Deed of Donation against the objectives of the TSeKap program, and finds nothing legally objectionable to the basis, substance and purposes thereof. The same is likewise found to be in order, not detrimental to the interests of the City, not contrary to law, morals and public policy.

The undersigned therefore recommends approval of the aforementioned Deed of Donation, and further recommends that an SP Resolution be secured for the Authority of the Mayor to sign the same.

Thank you.

Very Truly Yours,

**ATTY. JASPER M. LUCERO**  
City Legal Officer

CERTIFIED TRUE COPY  
**CORNELLCELINE P. MAGLASANG**  
ADMINISTRATIVE AIDE I



## DEED OF DONATION

Know all men by these presents:

This Deed of Donation is entered into this \_\_\_\_ day of \_\_\_\_\_ 2018 in Ormoc City, Leyte, Philippines, and executed by and between:

The **DEPARTMENT OF HEALTH REGIONAL OFFICE VIII** with office address at Government Center, Candahug, Palo, Leyte 6501 represented by **MINERVA P. MOLON, MD, MPH, FPPA, CESe** in his/her capacity as **DIRECTOR IV**, hereinafter referred to as the **DONOR**:

*In favor of*

The **CITY GOVERNMENT OF ORMOC**, a local government unit established and existing under the laws of the Republic of the Philippines, with office address at the Ormoc City, Leyte, Philippines, represented herein by **HON. RICHARD C. GOMEZ**, in his capacity as the City Mayor and hereinafter referred to as the **DONEE**.

In this Agreement, DOH and the Municipality/City of are individually referred to as "Party" and collectively as "Parties";

### WITNESSETH

**WHEREAS**, the State recognizes its mandate to provide equitable and accessible quality Health care for all Filipinos;

**WHEREAS**, the Department of Health (DOH) Health Facility Enhancement Program (**HFEP**) is one of the major pillars of "*Kalusugan Pangkahalatan*" which envision quality health care to be more accessible to the poor and vulnerable population by ensuring the availability of basic medical equipment;

**WHEREAS**, Rural Health Unit (**RHU**) and Barangay Health Station (**BHS**) are the providers of primary Health Care;

**WHEREAS**, in 2014-2016, Philhealth re- branded Primary Care Package 1 as *Tamang Serbisyo sa Kalusugan ng Pamilya* or **TSeKap** for easy recall and to increase demand for primary care services;

**WHEREAS**, The DOH introduced the TSeKap equipment package as a means to provide Local Government Unit (LGU) health facilities with basic medical equipment to improve delivery of primary care services;

**WHEREAS**, the DOH Regional Office VIII Fund Source-HFEP for CY 2014-2016 were used for the procurement of TSeKap equipment package for RHU and BHS. The latter distributed the same to LGUs in the year 2014-2016;

**WHEREAS**, the DONEE, through its owned and control RHU and BHSs, has received TSeKap equipment package from the DONOR in CY 2014-2016, the list of TSeKap equipment package received by DONEE's RHU and BHSs are attached herewith as **ANNEX "A"**, which is an integral part hereof;

**WHEREAS**, Section 47 of the Administrative Code of 1987 provides that "*Contracts or conveyance may be executed for and in behalf of the government or any of its branches, subdivisions, agencies or instrumentalities, including government-owned or controlled corporations, whenever demanded by the exigency or exigencies of the services and as long as the same are not prohibited by law;*"

**NOW, THEREFORE**, in consideration of the foregoing premises and subject to the conditions stipulated hereunder, the DOH RO VIII hereby donates to the City of **ORMOC** the following TSeKap Equipment Package for Ormoc CHO, Ipil DHC, Linao DHC, Cogon DHC, in the total amount of **One Million One Hundred Ninety Two Thousand Nine Hundred Thirteen and 42/100 (P1,192,913.42).**



Please see ANNEX "A" for reference of the list of TSeKap equipment packages with list of RHU and BHS recipients.

**The DONEE undertake to:**

- 1. Ensure that the TseKap Equipment Package is utilized accordance with its purpose;
- 2. Ensure the availability of health personnel, supplies and other operational expenses needed for the equipment;
- 3. Ensure the proper maintenance, out of its own resources of the equipment included in the package;
- 4. Ensure that the equipment is properly classified and recorded in the books of assets of the health facility; and,
- 5. Proper inventory/accounting of equipment as well as recording of equipment that has been damaged and/or loss due to FORCE MAJEURE" such as but not limited to fire, earthquake, typhoon, material sabotage, and/or acts of public enemy.

The Donor reserves the right to revoke this Deed of Donation in case any of the aforesaid conditions are not faithfully complied with by the Donee. In case this Deed of Donation is revoked, the Donee shall surrender the set of TseKap equipment to the Donor within Fifteen (15) days from Receipt of the Notice of Revocation. Ownership of the said equipment shall then vest to the Donor effective upon receipt by the Donee of the Notice of Revocation. And the Donee shall have seven (7) days from receipt of the Notice of Revocation to transfer the possession of the equipment to the Donor.

**IN WITNESS WHEREOF**, the Parties hereunder set their hands on the date and place above mentioned.

**DONOR:**

**DEPARTMENT OF HEALTH  
REGION VIII**

By:

**MINERVA P. MOLON, MD, MPH, FPPA, CEsE**  
Regional Director

**ACCEPTED BY DONEE:**

**CITY GOVERNMENT OF  
ORMOC**

By:

**HON. RICHARD C. GOMEZ**  
City Mayor

**SIGNED IN THE PRESENCE OF:**

**EDITO NICOMEDES H. TORRALBA SR.**  
Administrative Officer V

**FLITA D. NAVALES, M.D. M.P.T.**  
CITY HEALTH OFFICER II  
LIC. NO 0059467

**Certification for funds availability:**

**WILSON P. MORALLOS, CPA, LLB**  
Budget Officer

**RENE V. YANSON, CPA**  
Accountant III

ACKNOWLEDGEMENT

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

BEFORE ME, a Notary Public, this \_\_\_\_\_, in City of \_\_\_\_\_,  
Philippines, personally appeared the following:

Name:	Identification Card	Date & Place of Issuance:
MINERVA P. MOLON	DOH Office ID No. 20090194	DOH-Manila
HON. RICHARD C. GOMEZ		

All known to me to be the same persons who executed the foregoing instrument and acknowledged to me that the same are their free and voluntary act and deed of the entities they represent in this instance. This instrument consisting of three (3) pages, including the page on which this acknowledgement is written has been signed on the left margin of each and every page thereof by the parties and their instrumental witnesses, with my notarial seal.

WITH MY HAND AND SEAL.

Doc. No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Series of 2017.

DEMO COPY



"ANNEX A"

[illegible]

Prepared by:

Submitted by:

Approved by:

  
THEL A. BERNARDO, RMT, MM  
HFEP Equipment Coordinator

MEDALLA M.A. QUIMBO-CUSTODIO, RN MD  
Unit Head-HFUDU

**CARMEN P. GARADO, MD, MPH**  
Chief-LHSD



"ANNEX A"

[illegible]

Prepared by:

Submitted by:

Approved by:

ETHEL A. BERNARDO, RMT, MM  
HFEP Equipment Coordinator

**MEDALLA M.A. QUIMBO-CUSTODIO,RN MD**  
Unit Head-HFDU

**CARMEN P. GARADO, MD, MPH**  
Chief-LHSD

"ANNEX A"

[illegible]

Prepared by:

Submitted by:

Approved by:

**ETHEL A. BERNARDO, RMT, MM**  
HFEP Equipment Coordinator

MEDALLA M.A. QUIMBO-CUSTODIO,RN  
MD

**CARMEN P. GARADO, MD, MPH**  
Chief-LHSD



"ANNEX A"

[illegible]

Prepared by:

Submitted by:

Approved by:

ETHEL A. BERNARDO, RMT, MM  
HFEP Equipment Coordinator

**MEDALLA M.A. QUIMBO-CUSTODIO,RN MD**  
Unit Head-HFUD

**CARMEN P. GARADO, MD, MPH**  
Chief-LHSD