REPUBLIKA NG PILIPINAS SANGGUNIANG PANLUNGSOD LUNGSOD NG ORMOC

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

ON JUNE 09, 2020

PRESENT:

Leo Carmelo L. Locsin, Jr. Benjamin S. Pongos, Jr., Roiland H. Villasencio, Tomas R. Serafica, Nolito M. Quilang, Eusebio Gerardo S. Penserga, Jasper M. Lucero, Peter M. Rodriguez, Vincent L. Rama, Gregorio G. Yrastorza III, Lalaine A. Marcos, Esteban V. Laurente,

GSOD City Vice Mayor & Presiding Officer SP Member, Majority Floor Leader SP Member, 1st Asst. Majority Floor Leader SP Member, Presiding Officer "Pro-Tempore" SP Member, 2nd Asst. Majority Floor Leader SP Member

SP Member SP Member

RECORDS

SP Member SP Member SP Member

Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc

Joan Marbie C. Simbajon, Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2020-171

A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE DEED OF ASSIGNMENT WITH THE DEVELOPERS OF SAFEORMOC TO ALLOW THE FREE USE OF THE TRACKING SOFTWARE FOR CONTACT TRACING PURPOSES IN RELATION TO CORONAVIRUS DISEASE 2019 (COVID-19).

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated June 8, 2020 from the Office of the City Mayor, endorsing a request for the issuance of a Resolution granting the City Mayor or Acting City Mayor the authority to sign the Deed of Assignment (DOA) with the developers of SafeOrmoc to allow the free use of the tracking software for contact tracing purposes in relation to Coronavirus Disease 2019 (Covid-19). Further requesting that this matter be treated as EXTREMELY URGENT, a copy of the DOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, the ICT COMMUNITY GROUP, an organization of Information Technology experts City is hereinafter referred to as "ASSIGNOR";

WHEREAS, the CITY GOVERNMENT OF ORMOC, a local government unit existing under the laws of the Philippines is hereinafter referred to as "ASSIGNEE";

WHEREAS, the ASSIGNOR is the designer and developer of the mobile application safeormoc.today capable of generating and scanning Quick Response (QR) Code, collect and process data to aid in contact tracing which is relevant to COVID-19 response;

WHEREAS, the ASSIGNEE calls for the support of groups or organizations of IT experts to design and develop COVID-19 related apps and digital technologies and solutions as effective tool in processing personal data for contact tracing to enable health authorities contain the spread COVID-19 pandemic;

WHEREAS, the ASSIGNOR has offered for free to assign its rights, title, ownership and interest over the web applications safeormoc.today design and development and the ASSIGNEE hereby accept the assignment;

WHEREAS, this Sanggunian, after thorough examination aforementioned request by the City Mayor, additionally finds that the Deed of Assignment (DOA) is not contrary to law, existing contract, public policy, customs and morals; is reasonable and in order; the same is entered into for the best interests of the City; and, finally, that allowing the free use of the tracking software for contact tracing purposes in relation to Covid-19, among other lawful purposes, facilitates the ongoing developmental progress of the City and henceforth, deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on joint motion of SP Member Vincent L. Rama, Chairman, Committee on Communication, Information Technology & Public Information and SP Members Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Tomas R. Seraiica, Roiland H. Villasencio, Peter M. Rodriguez, Joan Marbie C. Simbajon, Gregorio G. Yrastorza III, Lalaine A. Marcos and Esteban V. Laurente; 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 DEED OF ASSIGNMENT WITH THE DEVELOPERS OF SAFEORMOC TO ALLOW THE FREE USE OF THE TRACKING SOFTWARE FOR CONTACT TRACING PURPOSES IN RELATION TO CORONAVIRUS DISEASE 2019 (COVID-19)

ADORTED, June 09, 2020.

RESOLVED, FURTHER, that a copy of the final notarized Deed of Assignment (DOA) be submitted to this Sanggunian for its information and files;

RESOLVED, 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. Josephine Mejia-Romero; the ICT Community Group; the City local Government Operations Officer-DILG; and other offices concerned for their information and guidance;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

MARIA ANTONIETA &. CO HAT

/Secretary to the

Sangguniang Panlungsod

ATTESTED:

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

Res. # 2020 - 171 "annex A"

DEED OF ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS:
This DEED OF ASSIGNMENT is made and entered into thisday of June 2020, by and between:
The ICT COMMUNITY GROUP, an organization of Information Technology experts, represented herein by EDWARD BERTULFO with office address atOrmoc City, hereinafter referred to as "ASSIGNOR";
The CITY GOVERNMENT OF ORMOC, a local government unit existing under Philippine Law with office address at New Ormoc City Hall, Aunubing Street, Ormoc City, represented by the City Mayor, HON. RICHARD I. GOMEZ, hereinafter referred to as "ASSIGNEE";
WITNESSETH THAT:
WHEREAS, the ASSIGNOR is the designer and developer of the mobile application safeormoc.today capable of generating and scanning Quick Response (QR) Code, collect and process data to aid in contact tracing which is relevant to COVID-19 response;
WHEREAS, the ASSIGNEE calls for the support of groups or organizations of IT experts to design and develop COVID-19 related apps and digital technologies and solutions as effective tool in processing personal data for contact tracing to enable health authorities contain the spread COVID-19 pandemic; WHEREAS, the ASSIGNOR has offered for free to assign its rights, title, ownership and interest over the web applications safeormou today susign and development and the ASSIGNEE hereby accept the assignment;
NOW, THEREFORE, as consideration of the foregoing premises and out of accommodation and assistance for the ASSIGNEE, the ASSIGNON hereby assigns, transfers and conveys unto the ASSIGNEE, the right to use the designed and developed web applications subject to the following terms and conditions set forth:
1. The ASSIGNEE shall create a Google account cloud to which the connection and web application safeormoc.to.day shall be transferred by the ASSIGNOR;
2. The ASSIGNUR maintains the right and ownership of the source code of safeornos today applications.
3. The ASSIGNNE shall own all data and information collected, gathered and processed using the safetymoc.today web application through the contact tracing feature of the Application;
4. The web application is offered "AS-IS" to the ASSIGNEE as a free BYCGGEY LEGAL OFFICE
5. Participating establishments will be able to view the list of citozened visiting its premises in a limited data format (name & timestamp);
5. The cost of hosting of the web applications shall be the responsibility or account of the ASSIGNEE using its server; Drafted by CLO

7. All personal data gathered, collected and processed through the use of the chicken shall be disclosed to authorized persons designated by the ASSIGNEE of comparatuthorized government office/agency allowed by law;

Ammendments/Revision

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- 8. The unauthorized disclosure of the data generated by the said QR Codes through the direct or indirect act or omission by the ASSIGNOR shall be prosecuted in accordance with applicable laws;
- By virtue of this assignment and commencing from the date of execution of this instrument, the ASSIGNOR declares that the web application subject of this agreement is free of any encumbrance and holds the ASSIGNOR free and harmless from any liability arising therefrom.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement on day of June 2020 in Ormoc City, Leyte.

ICT	COMMUNITY	GROUP
	ASSICNOD	

CITY GOVERNMENT OF ORMOC ASSIGNEE

Represented by:

Represented by:

LD	WARD	BEK	IU	LFO
NAME AND POST OF	Children and Confession Street, Spinster, Spin	NAME AND POST OFFICE ADDRESS OF THE PARTY OF	STATE OF TAXABLE PARTY.	THE CHARLEST PROPERTY.

RICHARD I. GOMEZ City Mayor

SIGNED IN THE PRESENCE OF:

(witness)

witness)

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)

ORMOC CITY......) S.S.

BEFORE ME, a Notary Public, for and in the City of Ormos this _____ day of June 2020 personally appeared before me the parties and exhibited their competent evidence of identity as indicated below:

Names	Competent Evidence of Identity	Date and Place of Issue
RICHARD I. GOMEZ		
EDWARD BERTULFO		

known to me to be the same persons who executed the foregoing instrument and they both acknowledge to me that the same is their free and voluntary act and deed that of the government/private agent; and institution they represent herein.

This instrument consisting of pages, including this page on which this acknowledgment is written and signed by the parties and their instrumental witnesses on the left hand margin of each page thereof and on page of same instrument, refers to a Memorandum of Undertanding executed for the purpose(s) therein set forth.

WITNESS MY SIGNATURE AND SEAL on the date and place first above written.

Doc No. Page No. Book No. eries No. : 2020

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public

policy, moral.

Ammendments/Revisions

City L DATE ficer