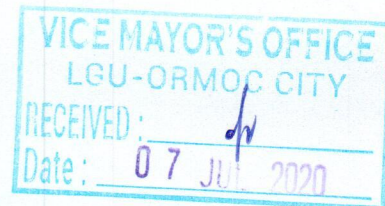
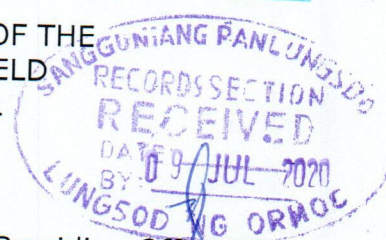


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON JULY 07, 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,

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
SP Member
SP Member
SP Member
Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc
Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2020-202

**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) WITH
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
(DPWH) RELATIVE TO THE CONSTRUCTION OF
HEALTH ISOLATION FACILITIES FOR COVID-19
PATIENTS AND HEALTH CARE PROFESSIONALS.**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated July 2, 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 Memorandum of Agreement (MOA) with Department Of Public Works And Highways (DPWH) relative to the construction of Health Isolation Facilities for Covid-19 patients and health care professionals. Further, requesting that this matter be treated as EXTREMELY URGENT, a copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, the City Legal Office finds nothing legally objectionable in the said MOA and that the same is not contrary to law, morals, public order, or public policy much less detrimental to the best interest of Ormoc City;

WHEREAS, Department of Public Works and Highways, an agency of the National Government with office address at Brgy. Punta, Ormoc City is hereinafter referred to as DPWH;

WHEREAS, the LGU with the COVID-19 Public Health Crisis requested the DPWH's assistance in providing shelters for their frontliners and other healthcare workers of their institution through the "Construction of Health Isolation Facilities for COVID-19 Patients and Health Care Professionals" to alleviate the daily operational challenges during this crisis, herein referred to as the Project;

WHEREAS, the DPWH shall undertake the preparation of the conceptual plan of the proposed LGU off-site dormitory, procurement, and the corresponding construction management and supervision of the project;

WHEREAS, the funds for this proposed project will be considered out of the appropriation comprehensively released to the DPWH Central Office through the FY 2020 General Appropriations Act (GAA);

WHEREAS, the parties agreed that the operation of the said project after its completion, shall be undertaken by the LGU following the necessary health standards and protocols;

WHEREAS, the said offsite dormitory will remain as a property of DPWH and may be dismissed and removed on site after the pandemic and the structure is no longer necessary;

WHEREAS, the Project shall be constructed within Brgy. Dolores, Ormoc City as offered by the LGU and agreed by the parties;

WHEREAS, the subject MOA clearly and plainly encapsulates the terms and conditions of the agreement of the parties thereto, including their specific roles and obligations towards the attainment of the lofty ends of the same, and this Sanggunian, upon thorough review, finds that the same is entered into for the best interests of the City and its constituents thereby maintaining a COVID free environment, and therefore, is most deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Jr. Chairman, Committee on Laws and Ordinances together with SP Member Esteban V. Laurente, Chairman, Committee on Infrastructure Development and SP Member Eusebio Gerardo S. Penserga, Chairman, Committee on Health & Sanitation, severally seconded by SP Members Roiland H. Villasencio, Tomas R. Serafica, Nolito M. Quilang, Jasper M. Lucero, Peter M. Rodriguez, Vincent L. Rama, Gregorio G. Yrastorza III, Lalaine A. Marcos and Joan Marbie C. Simbajon; 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) WITH DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) RELATIVE TO THE CONSTRUCTION OF HEALTH ISOLATION FACILITIES FOR COVID-19 PATIENTS AND HEALTH CARE PROFESSIONALS;

ADOPTED, July 07, 2020.

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

Res. No. 2020-202

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 Department of Public Works & Highways (DPWH); the City Health Department; the Sangguniang Barangay of Dolores; 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 G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


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

NEW
Res. # 2020-202
"Annex A"

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THIS MEMORANDUM OF AGREEMENT is made and executed on this _____ day of _____, 2020 at Ormoc City, Leyte, Philippines, by and between:

THE **LOCAL GOVERNMENT UNIT (LGU)** with principal office address at New Ormoc City Hall, Anubing Street, Ormoc City, duly represented herein by **Hon. Mayor Richard I. Gomez** hereinafter referred to as "**LGU**";

-and-

The **DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH)**, an agency of the National Government with PRINCIPAL OFFICE ADDRESS AT Bonifacio Drive Port Area, Manila, duly represented herein by **Secretary MARK A. VILLAR**, hereinafter referred to as "**DPWH**";

MARK A. VILLAR
Secretary, DPWH

WITNESSETH:

WHEREAS, the **LGU** with the COVID-19 Public Health Crisis requested the DPWH's assistance in providing shelters for their front liners and other healthcare workers of their institution through the "Construction of Health Isolation Facilities for COVID-19 Patients and Health Care Professionals" to alleviate the daily operational challenges during this crisis, herein referred to as the "**Project**";

WHEREAS, the DPWH shall undertake the preparation of the conceptual plan of the proposed LGU off-site dormitory, procurement and the corresponding construction management and supervision of the project;

WHEREAS, the funds for this proposed project will be considered out of the appropriation comprehensively released to the DPWH Central Office through the FY 2020 General Appropriations Act (GAA);

WHEREAS, the parties agreed that the operation of the said project after its completion, shall be undertaken by the LGU following the necessary health standards and protocols;

WHEREAS, the said offsite dormitory will remain as a property of DPWH and may be dismantled and removed on site after the pandemic and the structure is no longer necessary;

NOW THEREFORE, for and in consideration of the foregoing premises and the terms and conditions set forth, the parties herein agree as follows;

A. LOCATION/PROJECT SITE

The project shall be constructed within Barangay Dolores, Ormoc City as offered by the LGU and agreed by the Parties.

B. RESPONSIBILITIES OF THE LGU

1. Provide area for DPWH's and Contractor's temporary field office within the project site for the duration of the Project;

DATE: 11.03.2020

MARK A. VILLAR
Secretary, DPWH

2. Provide the necessary clearances and similar passes or authority in the area of work;
3. Assist in facilitating the acquisition of permits/clearances at the offices of the local government necessary for the implementation of the project.
4. Provide assistance to the Contractor and the DPWH in facilitating the process of tapping of utilities in existing source/line.
5. Designate a project officer and/or technical representative who will act on behalf of the LGU on technical and all other matters to ensure compliance with the plans and specifications and smooth implementation of the project;
6. Manage the offsite dormitory for medical personnel thru the City Health as among the built COVID19 facilities to follow applicable health standards and protocols upon utilization.
7. Provide the necessary maintenance and regular cleaning of the building inclusive of the operational cost such as utilities at the expense of the LGU.
8. Turn-over to the DPWH the subject facility after the utilization or until the intended use of the property was already exhausted;

C. RESPONSIBILITIES OF THE DPWH

1. Prepare the plan of the project as base from the DPWH Bureau of Design (BOD) conceptual plan;
2. Implement and provide construction management and supervision through the DPWH Leyte 4th District Engineering Office (DEO);
3. Prepare Program of Works (POW) and Approved Budget for the Contract (ABC) based on the approved plan and Specification including Summary of Scope of Works and Quantities;
4. Conduct the procurement, award and enter into contract with the winning contractor for the construction of the project pursuant to the Revised IRR of RA 9184 and relevant laws, rules, regulations and issuances of appropriate government offices;
5. Facilitate/process the application of necessary permits and clearances necessary for the implementation of the project through the assistance of the LGU;
6. Ensure the proper implementation in accordance with the approved plans, specifications, budget and work schedule;
7. Conduct periodic coordination meetings together with the Contractor and LGU authorized representatives to discuss project status and problems that may be encountered during implementation and other matters to facilitate the orderly completion of the project;
8. Evaluate, recommend and approve all requests for contract related claims of the project;
9. Conduct final inspection of the completed works through the DPWH Leyte 4th DEO Inspectorate Team for the recommendation of the issuance of Certificate of Project Completion to be issued by DPWH Leyte 4th DEO Head of Procuring Entity to the contractor after being satisfied that the project has been completed in accordance with the approved plans and specifications.

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public
policy, moral.

Ammendments/Revisions

Josephine A. Mejia-Romero
City Legal Officer DATE: Jul 03 2020

D. DURATION OF THE AGREEMENT

This Memorandum of Agreement (MOA) shall take effect upon signing thereof by the LGU and DPWH authorized officials and shall remain in force until the end of utilization of the project or unless sooner terminated by mutual consent of the parties.

IN WITNESS WHEREOF, the parties hereto have hereunto caused these presents to be signed on the date and at places first above written.

**LOCAL GOVERNMENT UNIT OF
ORMOC**

BY:

HON. RICHARD I. GOMEZ
Ormoc City Mayor

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

BY:

MARK A. VILLAR
Secretary, DPWH

SIGNED IN THE PRESENCE OF:

ATTY. JOSEPHINE M. ROMERO
Ormoc City Legal Officer

NERIE D. BUENO
Regional Director
DPWH Region VIII

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public
policy, moral.

Amendments/Revisions

Atty. Josephine M. Romero
City Legal Officer

DATE: JUL 03 2020

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF ORMOC) S.S.

BEFORE ME, a Notary Public for and in the City of Ormoc, Philippines, personally appeared:

Name	Government ID	Date and Place Issued
RICHARD I. GOMEZ		
MARK A. VILLAR		

All known to me and to me known to be the same persons who executed the foregoing acknowledged to me that same is their free and voluntary act and deed.

This instrument, consisting of four (4) pages, including this page whereon this acknowledgement is written, has been signed by the parties together with their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL this _____ day of _____, 2020 in the City of Ormoc, Philippines.

Doc. No. _____
Page No. _____
Book No. _____
Series of 2020

REVIEWED
ORMOC CITY LEGAL OFFICE
<input type="checkbox"/> Approved
<input type="checkbox"/> Separate Opinion
<input type="checkbox"/> Drafted by CLO
<input checked="" type="checkbox"/> Not contrary to laws, public policy, moral.
<input checked="" type="checkbox"/> Amendments/Revisions
Atty. Josephine A. Mejia-Romero BY: City Legal Office DATE: <u>1111 03 2020</u>