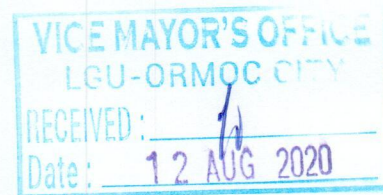


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON AUGUST 11, 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. 2020-246

**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 ON
BEHALF OF THE LOCAL GOVERNMENT UNIT OF
ORMOC, WITH THE NATIONAL DAIRY AUTHORITY
RELATIVE TO THE "LGU COMMUNITY MILK FEEDING
PROGRAM".**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated July 24, 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 The National Dairy Authority relative to the "LGU Community Milk Feeding Program". Further, requesting that this matter be treated as URGENT, a copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, the National Dairy Authority, a government-owned and controlled corporation attached to the Department of Agriculture is hereinafter referred to as NDA;

WHEREAS, in an Annotation dated July 30, 2020, 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, Section 16 of RA 7884 otherwise known as the National Dairy Development Act of 1995 provides that the government nutrition program requiring milk and dairy products shall be sourced from the small farmers and dairy cooperatives;

WHEREAS, for several years NDA has been implementing a milk feeding program nationwide for malnourished children in rural and urban communities aimed at sustaining livelihood and entrepreneurship opportunities for local dairy farmers and decreased prevalence of undernourished children;

WHEREAS, the Program, with a total program cost of Two Million Eight Hundred Fifty Three Thousand Philippine Pesos (Php2,853,000.00), which shall be funded by the NDA and the Program Partner on a cost sharing basis, aims to provide pasteurized plain and/or choco-flavored milk to pre-identified undernourished School Beneficiaries on a continuing and regular basis for a period of 120 feeding days;

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, and therefore, is most deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on joint motion of SP Member Eusebio Gerardo S. Penserga, Chairman, Committee on Health and Sanitation and SP Member Benjamin S. Pongos, Jr. Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Roiland H. Villasencio, Nolito M. Quilang, Vincent L. Rama, Lalaine A. Marcos, Joan Marbie S. Simbajon, Esteban V. Laurente and Gregorio G. Yrastorza III; 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 ON BEHALF OF THE LOCAL GOVERNMENT UNIT OF ORMOC, WITH THE NATIONAL DAIRY AUTHORITY RELATIVE TO THE "LGU COMMUNITY MILK FEEDING PROGRAM";

ADOPTED, August 11, 2020.

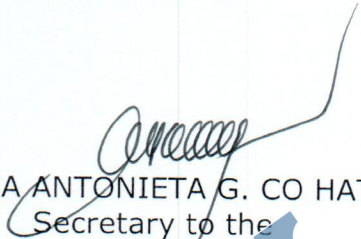
RESOLVED, FURTHER, that a copy of the final notarized Memorandum of Agreement (MOA) be submitted to this Sanggunian for its information and files;

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; NDA; the City Health Department; the Department of Agriculture; the City Budget Officer; the City Treasurer; the City Local Government Operations Officer-DILG; and other offices concerned for their information and guidance;

CARRIED by Majority of the SP Members present with Two (2) inhibitions registered, by SP Member Tomas R. Serafica, and Peter M. Rodriguez.

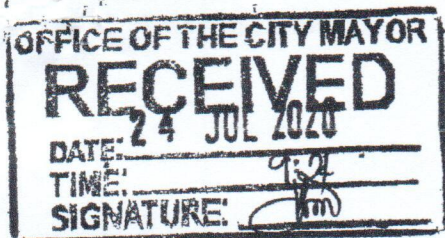
Res. No. 2020-246

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



Res. # 2020 - 246
"Annex A"

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Agreement made and entered into by and among:

The **LOCAL GOVERNMENT OF ORMOC CITY (LEYTE)** with office address at the New City Hall, Cogon, Ormoc City represented herein by its **City Mayor, RICHARD I. GOMEZ, MBA, DPA** and referred to hereinafter as **PROGRAM PARTNER**;

The **NATIONAL DAIRY AUTHORITY**, a government-owned and controlled corporation attached to the Department of Agriculture created by RA 7884, with office address at the NDA Bldg., BAI Compound, Visayas Avenue, Diliman, Quezon City, represented herein by its Administrator, **MARILYN B. MABALE**, hereinafter referred to as the **NDA**;

WITNESSETH:

WHEREAS, Section 16 of R.A. 7884, otherwise known as the National Dairy Development Act of 1995, provides that the government nutrition program requiring milk and dairy products shall be sourced from the small farmers and dairy cooperatives;

WHEREAS, for several years NDA has been implementing a milk feeding program nationwide for malnourished children in rural and urban communities aimed at sustaining livelihood and entrepreneurship opportunities for local dairy farmers and decreased prevalence of undernourished children;

NOW, THEREFORE, for and in consideration of the foregoing premises, the parties have hereunto agreed and covenanted to execute this Program titled "**LGU Community Milk Feeding Program**" under the following terms and conditions:

ARTICLE 1 The Program

1.1 The Program, with a total program cost of Php **TWO MILLION EIGHT HUNDRED FIFTY THREE THOUSAND PESOS (P2,853,000.00)**, which shall be funded by the **NDA** and the **PROGRAM PARTNER** on a cost sharing basis, aims to provide pasteurized plain and/or choco-flavored milk to pre-identified undernourished **SCHOOL BENEFICIARIES** on a continuing and regular basis for a period of 120 feeding days.

1.2 The **PROGRAM PARTNER**, in coordination with the **NDA**, has pre-identified 1,089 beneficiaries based on the following criteria:

- | | |
|---|---|
| Approved | a. High incidence of malnourished children in the area, |
| Separate Opinion | b. Proximity of the feeding center to the source of milk |
| Drafted by CLO | c. Availability of cooling facilities for the milk; and, |
| Not contrary to laws, public policy, moral. | d. Accessibility of the feeding center to transportation. |

Amendments/Revisions

BY: Atty. Anna Veronique A. Aron
City Legal Attorney DATE: 7/30/2020

ARTICLE II
The Beneficiaries

Based on the foregoing criteria in the selection of beneficiaries to the milk feeding program, this Agreement provides the list of beneficiaries as follows:

No.	Name of Schools	Number of Beneficiaries
1	Curva	90
2	Libertad	97
3	Ipil	280
4	San Pablo	125
5	Valencia	118
6	San Jose	100
7	Linao	236
8	DFM	43
Total		1,089

ARTICLE III
Roles and Responsibilities

3.1. On the Part of the PROGRAM PARTNER:

a. The **PROGRAM PARTNER** shall directly purchase 83,333 pouches of 200-ml pasteurized plain and/or choco-flavored milk, which constitutes 63.75% of the total milk requirement of the 76 feeding days for this Community-Based Milk Feeding Program for 1,089 children beneficiaries.

b. The **PROGRAM PARTNER** shall purchase their milk supply counterpart from local dairy farmers and cooperatives determined by the **NDA**.

c. The **PROGRAM PARTNER** shall serve its milk supply counterpart from the 1st day up to the 77th day of program implementation.

d. The **PROGRAM PARTNER**, in coordination with the **NDA**, shall identify the target beneficiaries based on the results of their latest weight and height records.

e. The **PROGRAM PARTNER** shall be responsible for providing the venue of the orientation-seminar that shall be conducted by the **NDA**. It shall likewise be responsible for the attendance of the participants to the program including the barangay health workers, the principals/teachers and the parents.

f. The **PROGRAM PARTNER**, in coordination with the **NDA**, shall designate duly authorized representatives who shall take charge in receiving the pasteurized milk during delivery and distributing the same to the

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public policy, moral.

Amendments/Revisions

BY: Atty. Anne Veronica A. Areña
City Legal Attorney

DATE: 7/30/2022

intended beneficiaries. A form shall be provided by the **NDA** for this purpose.

- g. The **PROGRAM PARTNER** shall ensure the effective, efficient and systematic handling and distribution of the pasteurized milk to be used in the Program. They shall submit reports through the use of **NDA** prescribed forms for this purpose.
- h. The **PROGRAM PARTNER**, in coordination with the **NDA** and barangay health workers/school feeding coordinators, shall assist in the periodic monitoring and evaluation of the Program.

3.2. On the Part of the NDA:

- a. The **NDA** shall purchase 47,347 pouches of 200-ml pasteurized plain and/or choco-flavored milk, which constitutes the remaining 36.25% of the total milk requirement for a total of 120 feeding days which will be used for this Community-Based Milk Feeding Program for the 1,089 children beneficiaries.
- b. The **NDA** shall utilize their counterpart milk supply for the program from the 77th day up to the 120th day of program implementation.
- c. The **NDA**, in coordination with the **PROGRAM PARTNER**, shall be responsible in providing an orientation seminar on the value of milk and the role of all parties concerned including the beneficiaries and their parents prior to the start of the Program.
- d. The **NDA** shall conduct periodic random sampling of the milk served to the beneficiaries in order to ensure good quality of milk based on the specified milk quality standards as described in Annex "A" and which forms an integral part of this Agreement.
- e. The **NDA**, in coordination with the **PROGRAM PARTNER**, shall monitor and evaluate the implementation of the Program.

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.
Amendments/Revisions	
Atty. Anne Veronique A. Areña	
BY: City Legal Attorney III	DATE: 7/30/2020

ARTICLE IV
Miscellaneous Provisions

- 4.1. All parties agree to cooperate and establish necessary measures that will ensure the effective implementation of the Program.
- 4.2. This Agreement shall take effect on August 3, 2020 and shall be terminated on July 31, 2021.
- 4.3. Any change, modification or amendment of this Agreement shall be reduced in writing and signed by the parties hereto before the effectivity thereof.

IN WITNESS WHEREOF, the parties hereunto affix their signatures on this ____ day of ____ 2020 at Quezon City, Metro Manila.

FOR THE NATIONAL DAIRY AUTHORITY:

FOR THE PROGRAM PARTNER:

By:

By:

MARILYN B. MABALE

Administrator

RICHARD I. GOMEZ, MBA, DPA

City Mayor

CERTIFIED FUNDS AVAILABLE:

GRACE D. SALVADOR

Accountant IV
NDA CVD

SABRINA P. DUERO

Budget Officer
Ormoc City

SIGNED IN THE PRESENCE OF:

REVIEWED

ORMOC CITY LEGAL OFFICE

MONINA G. MANGUBAT

Brgy. Lamak, Consolacion, Cebu

EDMUND B. KIERULF, M.D., MPH

City Health Officer II, Ormoc City

Approved

Separate Opinion

Drafted by CLO

☒ Not contrary to laws, public
policy, moral.

Amendments/Revisions

Atty. Anne Verne A. [Signature]
BY: City Legal Attorney III DATE: 7/30/2020

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES }
_____ } S.S.

BEFORE ME, a Notary Public, for and in consideration of the foregoing, in _____
this ____ day of _____ 20____, personally appeared:

NAME	GOV'T-ISSUED ID & NO.	DATE AND PLACE OF ISSUE
MARILYN B. MABALE		
RICHARD I. GOMEZ		

all known to me to be the same persons who executed the foregoing instrument, consisting of six (6) pages, including an Annex "A" and this page where this acknowledgement is found, and who acknowledged to me that the same is their free and voluntary act and deed as well as that of the entities they respectively represent.

Doc. No. ____
Page No. ____
Book No. ____
Series of 20____

