

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,
ORMOC CITY HALL BUILDING
ON OCTOBER 26, 2021

PRESENT:

Nolito M. Quilang,	(Temporary Presiding Officer)
Benjamin S. Pongos, Jr.,	SP Member, 2 nd Asst. Majority Floor Leader
Roiland H. Villasencio,	SP Member, Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member, 1 st Asst. Majority Floor Leader
Jasper M. Lucero,	SP Member
Peter M. Rodriguez,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Esteban V. Laurente,	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

ON LEAVE:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Tomas R. Serafica,	SP Member, Presiding Officer "Pro-Tempore"
Lalaine A. Marcos,	SP Member

RESOLUTION NO. 2021-293

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ OR THE ACTING CITY
MAYOR TO ENTER INTO AND SIGN THE TRIPARTITE
MEMORANDUM OF AGREEMENT (MOA) FOR THE
BALIK PROBINSYA, BAGONG PAG-ASA PROGRAM
WITH THE DEPARTMENT OF SOCIAL WELFARE AND
DEVELOPMENT AND THE EIGHT (8) BENEFICIARIES.**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated October 5, 2021 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 tripartite Memorandum of Agreement (MOA) for the Balik Probinsya, Bagong Pag-Asa Program with the Department of Social Welfare And Development and the Eight (8) beneficiaries, a copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, in an Opinion dated June 18, 2021, 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 interests of Ormoc City;

WHEREAS, the DSWD is the lead agency for social protection, and is mandated to work towards the achievement of improved capacity and opportunities for the poor, vulnerable, and disadvantaged individuals, families, and communities, to enable them to attain better quality of life, pursuant to RA No. 5416 or the "Social Welfare Act of 1968" and EO No. 292 or the "Administrative Code of 1987", both as amended;

WHEREAS, on March 8, 2020, President Rodrigo Roa Duterte issued Presidential Proclamation No. 929, Series of 2020, in which a State of Calamity was declared throughout the Philippines. Thereafter, on March 12, 2020, the Inter-Agency Task Force on the Management of Emerging Infectious Disease (IATF-EID), as per Resolution No. 11, series of 2020, raised the Coronavirus Disease 2019 (COVID-19) threat to the highest alert level, Code Red Sublevel 2, due to the evidence of sustained community transmission;

WHEREAS, consistent with RA No. 11469 Series of 2020, "Bayanihan to Heal as One Act", declared the existence of a national emergency arising from the Coronavirus Disease 2019 (COVID-19) situation and national policy in connection therewith, and authorizing the President of the Republic of the Philippines for a limited period and subject to restrictions, to exercise powers necessary and proper to carry out the declared national policy and for other purposes;

WHEREAS, pursuant to EO No. 114 Series of 2020 "Institutionalizing the Balik Probinsya, Bagong Pag-asa Program as a Pillar of Balanced Regional Development, Creating a Council Therefore and for Other Purposes, provides one of its key areas on Social Welfare, Health, and Employment and to develop comprehensive assistance packages to encourage the voluntary and immediate movement to their respective home provinces, especially those stranded in the NCR due to the Enhanced Community Quarantine. Balik Probinsya, Bagong Pag-asa (BP2) program is one of the support measures that could lead to the decongestion of urban poor communities where a high incidence of COVID-19 is recorded and contribute to the achievement of balanced regional development;

WHEREAS, consistent with Administrative Order No. 194, Series of 1995, "Providing for the Adoption of the Social Reform Agenda Convergence Policy and its Operationalization, and Other Purposes", whereas, the Social Reform Agenda (SRA) intends to improve access to quality basic services; accelerate asset reform and sustainable development of productive resources, and allow greater access to economic opportunities; and strengthen institution-building and participation in the governance of basic sectors in the 19 priority provinces and other priority geographic areas, as embodied in Memorandum Order No. 213 dated June 17, 1994;

WHEREAS, consistent with DSWD Memorandum Circular No. 15, Series of 2020, "Guidelines on the Implementation of Balik Probinsya, Bagong Pag-asa Program of the Department of Social Welfare and Development", stipulating the purposes, target participants, types of assistance to be provided, and implementing procedures of the program;

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 for the purpose of providing assistance to fellow Ormocanons in their transition to life in the province, thereby, serving 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 motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Eusebio Gerardo S. Penserga, Gregorio G. Yrastorza III 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 TRIPARTITE MEMORANDUM OF AGREEMENT (MOA) FOR THE BALIK PROBINSYA BAGONG PAG-ASA PROGRAM WITH THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT AND THE EIGHT (8) BENEFICIARIES;

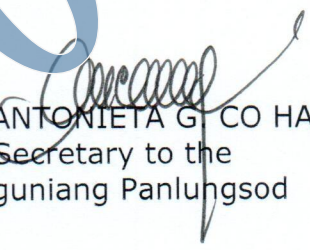
ADOPTED, October 26, 2021.

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; DSWD; CSWD; the Eight (8) Beneficiaries; the City Local Government Operations Officers-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

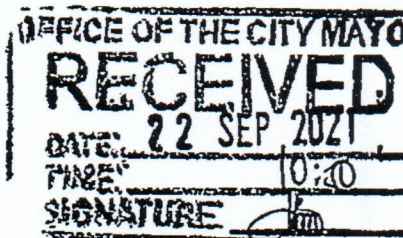
ATTESTED:


NOLITO M. QUILANG
(Temporary Presiding Officer)
SP Member
2nd Asst. Majority Floor Leader

Final Revision
from GWO

Res. # 2021-293
Annex A

MEMORANDUM OF AGREEMENT



KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement, hereinafter referred to as MOA, is made and entered into this _____, 2021, by and between:

The **DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT**, a government agency created pursuant to Republic Act (R.A.) No. 5416, through **DSWD FIELD OFFICE VIII**, and with office address at Magsaysay Boulevard, Tacloban City, represented by the **REGIONAL DIRECTOR GRACE Q. SUBONG** and hereinafter referred to as 'DSWD'.

- and -

The **LOCAL GOVERNMENT OF _____**, a political subdivision of the Republic of the Philippines, represented herein by its **LOCAL CHIEF EXECUTIVE, HON. _____**, who is duly authorized to represent said Local Government Unit and hereinafter referred to as the 'LGU'.

- and -

MR. MARCIAL A. LINGGANAY, of legal age, Filipino, and with residence at Barangay San Jose, Ormoc City, and hereinafter referred to as the 'CLIENT'.

MS. GERALYN M. RODRIGO, of legal age, Filipino, and with residence at Barangay Salvacion, Ormoc City, and hereinafter referred to as the 'CLIENT'.

MS. CHARITO G. MARQUEZ, of legal age, Filipino, and with residence at Barangay Domonar, Ormoc City, and hereinafter referred to as the 'CLIENT'.

MR. GERRY M. MONTEZON, of legal age, Filipino, and with residence at Barangay Gaas, Ormoc City, and hereinafter referred to as the 'CLIENT'.

MR. RITCHIE M. MESIAS, of legal age, Filipino, and with residence at Barangay San Vicente, Ormoc City, and hereinafter referred to as the 'CLIENT'.

MR. JEANILO D. BATING, of legal age, Filipino, and with residence at Barangay Margen, Ormoc City, and hereinafter referred to as the 'CLIENT'.

REVIEWED	_____
ORMOC CITY LEGAL OFFICE	_____
Approved	_____
Separate Opinion	_____
Drafted by CLO	_____
Not contrary to laws, public policy, moral.	_____
Amendments/Revisions	_____
BY: <i>[Signature]</i> Atty. Burt J. Rides Assistant City Legal Officer	DATE: SEP 22 2021

[Signature]

MR. JOSHUA A. GIVA, of legal age, Filipino, and with residence at Barangay Camp Downes, Ormoc City, and hereinafter referred to as the 'CLIENT'.

MS. MARITES L. RETUYA, of legal age, Filipino, and with residence at Barangay Nueva Vista, Ormoc City, and hereinafter referred to as the 'CLIENT'.

WITNESSETH:

WHEREAS, the DSWD is the lead agency for social protection, and is mandated to work towards the achievement of improved capacity and opportunities for the poor, vulnerable, and disadvantaged individuals, families, and communities, to enable them to attain better quality of life, pursuant to R.A. No. 5416 or the "Social Welfare Act of 1968" and E.O. No. 292 or the "Administrative Code of 1987", both as amended.

WHEREAS, on 08 March 2020, President Rodrigo Roa Duterte issued Presidential Proclamation No. 929, series of 2020, in which a State of Calamity was declared throughout the Philippines. Thereafter, on 12 March 2020, the Inter-Agency Task Force on the Management of Emerging Infectious Diseases (IATF-EID), as per Resolution No. 11, Series of 2020, raised the Coronavirus Disease 2019 (COVID-19) threat to the highest alert level, Code Red Sublevel 2, due to the evidence of sustained community transmission.

WHEREAS, consistent with **Republic Act No. 11469 s. 2020**, "Bayanihan to Heal as One Act", declared the existence of a national emergency arising from the Coronavirus Disease 2019 (COVID-19) situation and national policy in connection therewith, and authorizing the President of the Republic of the Philippines for a limited period and subject to restrictions, to exercise powers necessary and proper to carry out the declared national policy and for other purposes.

WHEREAS, pursuant to **E.O. No. 114 s. 2020** "Institutionalizing the Balik Probinsya, Bagong Pag-asa Program as a Pillar of Balanced Regional Development, Creating a Council Therefore and for Other Purposes, provides one of its key areas on Social Welfare, Health, and Employment and to develop comprehensive assistance packages to encourage the voluntary and immediate movement to their respective home provinces, especially those stranded in the NCR due to the Enhanced Community Quarantine. Balik Probinsya, Bagong Pag-asa (BP2) program is one of the support measures that could lead to the decongestion of urban poor communities where a high incidence of COVID-19 is recorded and contribute to the achievement of balanced regional development.

ORMOC CITY LEGAL OFFICE


Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public policy, moral

WHEREAS, consistent with **Administrative Order 194 s. 1995**, "Providing for the Adoption of the Social Reform Agenda Convergence Policy and its Operationalization, and Other Purposes", whereas, the Social Reform Agenda (SRA) intends to improve access to quality basic services; accelerate asset reform and sustainable development of productive resources, and allow greater access to economic opportunities; and strengthen institution-building and participation in the governance of Basic Sectors in the 19 priority provinces and other priority geographic areas, as embodied in Memorandum Order No. 213 dated June 17, 1994.

BY:  Atty. Burt J. Pades
Assistant City Legal Officer

DATE: **SEP 22 2021**

WHEREAS, consistent with **DSWD Memorandum Circular No. 15 s. 2020**, "Guidelines on the Implementation of Balik Probinsya Bagong Pag-asa Program of the Department of Social Welfare and Development ", stipulating the purposes, target participants, types of assistance to be provided, and implementing procedures of the program.

WHEREAS, **Republic Act No. 7160 or the 'Local Government Code'** mandates the devolution to political subdivisions of the Government of the formulation, implementation and/or delivery of basic programs and services, including those that uplift the capacities of people in the grassroots level to develop and undertake their own entrepreneurial activities or sources of livelihood.

WHEREAS, the **DSWD**, through the **Karit-Bisig Laban sa Kahirapan Comprehensive and Integrated Delivery of Social Services National Community-Driven Development Program (KALAHI-CIDSS NCDDP)** aims to provide appropriate interventions and support services to BP2 clients by engaging them in family interventions and providing opportunities to participate in community initiatives developed through a community-driven development approach, in collaboration with the **LGUs**.

NOW THEREFORE, for and in consideration of the foregoing premises, the parties agree on the following terms and conditions, to wit:

I. CORE OBJECTIVES

The Parties herein aims to accomplish the following:

1. Provide the assistance to support the immediate needs of **Balik Probinsya Bagong Pag-asa Clients** as a result of their relocation to the **LGUs**;
2. Assist the clients in their transition and adjustments to their new lives through provision of appropriate psycho-social interventions; and
3. Facilitate the coordinated efforts of the **DSWD** and **LGUs** in providing comprehensive support services to families upon return to the province.

II. RESPONSIBILITIES

REVIEWED

ORM/OC CITY LEGAL OFFICE

1. The **DSWD** through its Field Office shall:

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public
policy, moral.

Amendments/Revisions
BY: Atty. Gert J. Pades
Assistant City Legal Officer
DATE: SEP 22 2024

- a. Coordinate with the **LGU's City Social Welfare and Development Office (CSWDOs)** the implementation of the case management plan for the clients;
- b. Assist the **CSWDO** and/or provide technical assistance as needed in facilitating appropriate services to the families in pursuant to the **Case Management Plan**;
- c. Facilitate the processing of release of identified financial assistance to the family; assist the clients in requesting for cash advance and in submitting the required reports;
- d. Consolidate monitoring / post-placement reports submitted by the **CSWDOs**; provide the **Kalahi-CIDSS National Program Management Office** monthly updates on the progress of the clients; and

- e. Coordinate and consult with the Local Government Units, the Kalahi-CIDSS National Program Management Office (NPMO), and other relevant government agencies on matters concerning the clients and the general implementation of the Balik Probinsya, Bagong Pag-asa Program by organizing meetings and/or case conferences.

2. The LGU shall:

- a. Receive from and discuss with the DSWD, DSWD Field Office, and/or KC NPMO's SWOs the Case Files of the clients and continue providing case management services to them;
- b. Assist and/or support the clients during the transition period, assisting them in settling-in in their new community, and providing the needed services or assistance;
- c. Document and keep a record of the key processes or activities done with the clients, decisions and agreements made, and outputs resulted from the interventions provided to them.
- d. Provide the Kalahi-CIDSS Regional Program Management Office (RPMO) with copies of family post-placement reports;
- e. Verify the reports to be submitted by the clients to the DSWD FO;
- f. Coordinate with the Barangay Local Government Unit (BLGU) on matters related to the transition and monitoring of the client families;
- g. Coordinate and consult with the DSWD Field Office on matters concerning the clients and the general implementation of the Balik Probinsya, Bagong Pag-asa Program; and
- h. Organize and/or attend meetings or case conferences as needed.

3. Balik Probinsya Bagong Pag-asa Client shall:

- a. Commit to occupy the housing units provided to his/her family and all of them must reside within the assigned community; the family must live as productive citizens of the barangay/municipality and actively participate in community affairs;
- b. Ensure that the property provided to them are responsibly managed and used for the intended purpose;
- c. Cooperate with the MSWDO and DSWD FO Staff in their efforts to monitor and assist client and his/her family;
- d. Responsibly utilize the financial assistance (transportation, transitory support, transitory shelter and livelihood grants, as determined by the case manager) to be provided, ensuring that these will be used according to the purposes and guidelines of the program;
- e. To properly receive the financial assistance committed by the DSWD, comply with the standard process of cash assistance/advance requests, and submit the necessary documentary requirements;
- f. Submit liquidation reports with complete attachments as required, within the given timeframe; and
- g. Should there be instance of non-compliance or act of deviation, or violations on responsibilities, it may be decided that the client and his/her family will not be able to continue enjoying or receiving the services of other DSWD, after conduct of assessment and/or investigation.

REVIEWED	
ORMOC CITY LEGAL OFFICE	
Approved	
Separate Opinion	
Drafted by CLO	
Not contrary to laws, public policy, moral.	
Amendments/Revisions	
Att. Burt J. Nades	
Assist. City Legal Officer	
BY: _____	DATE: SEP 22 2021

**V.
GRIEVANCE REDRESS SYSTEM**

A grievance redress system shall be jointly established or strengthened by the DSWD and the LGU to provide a venue for stakeholders to raise their concerns and complaints on any aspect of the implementation of B2P. The LGU may explore its existing communication strategies on redress mechanism, such as those in the Barangay Justice System or the Citizens' Complaints and Assistance Desk. The DSWD may adapt the GRS Kalahi-CIDSS NCDDP.

**VI.
WARRANTIES**

Each party represents and warrants that:

- a. Has the capacity and right to enter into this Agreement and fully comply with all obligations specified hereunder (b) It shall comply with its privacy policy and shall not engage in any fraud or any deceptive, misleading or unethical or unfair competition practices;
- b. Shall adhere to privacy policies and shall not engage in any fraudulent, deceptive, misleading, unethical, or unfair activities or practices; and
- c. Shall not act in any manner which conflicts or interferes with any commitment or obligation under this agreement.

**VIII.
SEPARABILITY CLAUSE**

In case any provision hereof or any party thereof be declared void or unenforceable by competent authorities, the provision/s unaffected by such declaration shall remain valid and binding among the parties, their successors, and assigns.

IN WITNESS THEREOF, the parties have set their hands on this agreement on the on _____, 2021.

FOR THE BP2 CLIENTS:

ORM/CITY LEGAL OFFICE
MR. MARGIAL A. LINGGANAY
Name of the Head of the Family

Approved

Separate Opinion
MS. CHARITO G. MARQUEZ
Name of the Head of the Family

Drafted by CLO

Not a Contract
MR. RITCHIE M. MESIAS
Name of the Head of the Family

policy, moral.

Revisions
BY: **MR. JOSHUA A. GIVA**
Name of the Head of the Family

SEP 22 2021

MS. GERALYN M. RODRIGO
Name of the Head of the Family

MR. GERRY M. MONTEZON
Name of the Head of the Family

MR. JEANILO D. BATING
Name of the Head of the Family

MS. MARITES L. RETUYA
Name of the Head of the Family

FOR THE LGU:

Local Chief Executive

FOR THE DSWD:

GRACE Q. SUBONG
Regional Director, Field Office VIII

Signed in the Presence of:

MARLENE L. KAHANO

Assistant Regional Director for
Operations

Head, City Social Welfare and
Development

REVIEWED	
DRM/CC CITY LEGAL OFFICE	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Separate Opinion
<input type="checkbox"/>	Drafted by CLO
<input type="checkbox"/>	Not contrary to laws, public policy, moral.
_____ Comments/Revisions	
BY: <u>Burt J. Vades</u> Asst. Int City Legal Officer	DATE: <u>SEP 22 2021</u>



ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES
CITY OF ORMOC

BEFORE ME, a Notary Public for and in the above jurisdiction, this _____ 2021, personally appeared the following individuals:

Name	Competent Evidence of Identity	Date/Place Issued

known to me to be the same persons who executed the foregoing MEMORANDUM OF AGREEMENT, consisting of seven (7) pages, including this page and they acknowledged to me that the same are their free and voluntary act and deed.

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

Doc. No. _____
Page No. _____
Book No. _____
Series of 2021.

NOTARY PUBLIC

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

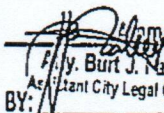
Drafted by CLO

Not contrary to laws, public policy, moral.

Amendments/Revisions

Atty. Burt J. Nades

Assistant City Legal Officer

BY:  DATE: SEP 22 2021

