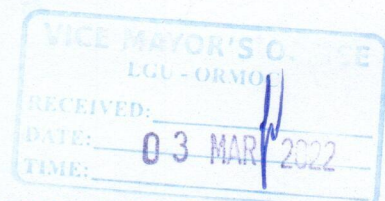


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 MARCH 01, 2022



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

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

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

RESOLUTION NO. 2022-050

**A RESOLUTION GRANTING AUTHORITY TO THE CITY
MAYOR RICHARD I. GOMEZ OR THE ACTING CITY
MAYOR TO ENTER INTO AND SIGN THE DEED OF
DONATION TO BE ENTERED INTO BY THE
DEPARTMENT OF HEALTH-EASTERN VISAYAS CENTER
FOR HEALTH DEVELOPMENT (DOH-EV CHD) IN FAVOR
OF THE ORMOC CITY HEALTH DEPARTMENT, FOR THE
VARIOUS EQUIPMENT LISTED AMOUNTING TO ONE
MILLION ONE HUNDRED THIRTY-EIGHT THOUSAND
PHILIPPINE PESOS (PHP1,138,000.00)**

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated February 11, 2022 from the Office of the City Mayor, endorsing a request for the issuance of an authority for the City Mayor or Acting City Mayor to enter into and sign the Deed of Donation to be entered into by the Department of Health-Eastern Visayas Center for Health Development (DOH-EV CHD) in favor of the Ormoc City Health Office, for the various equipment listed amounting to One Million One Hundred Thirty-Eight Thousand Philippine (PHP1,138,000.00) Pesos, a copy of the DOD is hereto attached as ANNEX "A";

WHEREAS, in an Opinion dated February 9, 2022, the City Legal Office finds nothing legally objectionable in the said DOD 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, a copy of the Opinion is hereto attached as ANNEX "B";

WHEREAS, "Boosting Universal Health Care via FOURmula One for Health Plus" envisions quality health care to be more accessible to the poor and vulnerable population by ensuring the availability of functional health care facilities;

WHEREAS, the Health Facilities Enhancement Program (HFEP) aims to improve the delivery of health services through the upgrading of health facilities and provision of medical equipment in order to make them more responsive to the health needs of the population;

WHEREAS, pursuant to HFEP GAA 2021 with SAA No. 2021-02-0219 specific facilities were identified to be recipients of various equipment;

WHEREAS, the Ormoc City Health Department is one of those identified in the HFEP GAA 2021 as a recipient of various equipment;

WHEREAS, the appropriation for equipment is provided in the General Appropriation Act of 2019 for the Department of Health, under the Health Facilities Enhancement Program (HFEP) shall be used for the equipping of Government-Owned Health Care Facilities in alignment with Ambisyon Natin 2040 and the Philippine Development Plan 2017-2022;

WHEREAS, this Sanggunian, after thorough examination of the aforementioned Deed of Donation, finds that: the same 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 the granting of the authority to sign and accept the Deed of Donation, among other lawful purposes, improves the health-care services of the City, 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 Tomas R. Serafica, Roland H. Villasencio, Vincent L. Rama, Lalaine A. Marcos, Gregorio G. Yrastorza III, Peter M. Rodriguez, Esteban V. Laurente and Joan Marbie C. Simbajon; be it

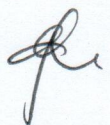
RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE DEED OF DONATION TO BE ENTERED INTO BY THE DEPARTMENT OF HEALTH-EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT (DOH-EV CHD) IN FAVOR OF THE ORMOC CITY HEALTH DEPARTMENT, FOR THE VARIOUS EQUIPMENT LISTED AMOUNTING TO ONE MILLION ONE HUNDRED THIRTY-EIGHT THOUSAND PHILIPPINE PESOS (PHP1,138,000.00);

ADOPTED, March 01, 2022.

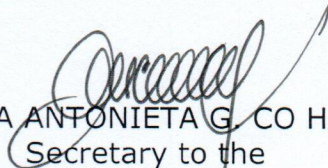
RESOLVED FURTHER, that a copy of the final and notarized Deed of Donation be submitted to this Sanggunian for its information and files;

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; DOH-EV CHD; City Health Department; 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

Res. # 2622-056
"Annex A"

DEED OF DONATION

RECEIVED
DATE: 23 FEB 2022
TIME: 4:02 PM
NATURE: 

KNOWN ALL MEN BY THESE PRESENTS:

Cmo-150-1-1-88

This Deed of Donation is entered into on the day of _____, in Palo, Leyte, Philippines, by the **EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT**, a National Government Entity duly organized and existing under the laws of the Republic of the Philippines, hereinafter referred to as "**DOH-EV CHD**", with office address at Government Center, Candahug, Palo, Leyte, Philippines, herein represented by **EXUPERIA B. SABALBERINO, MD, MPH, CESe**, Director IV, as the **DONOR**;

In favor of

The **CITY OF ORMOC**, a government political subdivision, created under the laws of the Republic of the Philippines, with office address at the New Ormoc City Hall, Brgy. Cogon, Ormoc City, Leyte herein represented by **HON. RICHARD I. GOMEZ** in his capacity as **City Mayor**, hereinafter referred to as the **DONEE**.

In this Agreement, **DOH-EV CHD** and the **CITY OF ORMOC** are individually referred to as "Party" and collectively as "Parties".

WITNESSETH

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

WHEREAS, "*Boosting Universal Health Care via FOURmula One for Health Plus (or F1+)*" envisions quality health care to be more accessible to the poor and vulnerable population by ensuring the availability of functional health care facilities;

WHEREAS, the Health Facilities Enhancement Program (HFEP) aims to improve the delivery of health services through the upgrading of health facilities and provision of medical equipment in order to make them more responsive to the health needs of the population;

WHEREAS, pursuant to HFEP GAA 2021 with SAA No. 2021-02-0219 specific facilities were identified to be recipients of various Equipment.

WHEREAS, the provision of various Equipment shall contribute to the functionality of the health system and the delivery of quality health care;

WHEREAS, all Health facilities are partners of the DOH-EV CHD in implementing health programs and in delivering quality health services;

WHEREAS, the **ORMOC CITY HEALTH OFFICE** is one of those identified in the HFEP GAA 2021 as a recipient of Equipment;

WHEREAS, the appropriation for equipment is provided in the General Appropriation Act of 2021 for the Department of Health, under the Health Facilities Enhancement Program of 2021; and

WHEREAS, the equipment shall be used for the equipping of Government-owned Health Care Facilities in accordance with Ambisyon Natin 2040 and the Philippine Development Plan 2017-2022;

WHEREFORE, in consideration of the foregoing premises and subject to the conditions stipulated hereunder, the DOH-EV CHD hereby donates the following equipment included therein for its use of the **DONEE** amounting to **One Million One Hundred Thirty Eight Thousand Pesos (P1,138,000.00)**, with the following specifications:

SARAH Q. HERMOSO, MD, MPH
OIC-City Health Officer

EXUPERIA B. SABALBERINO, MD, MPH, CESe
Director IV

HON. RICHARD I. GOMEZ, DPA
ORMOC City Mayor

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by

Not contrary to laws, rules and

policy, memorandum

Amendment/Revised

EVA CRISTINA G. PAGAL

ORMOC City Legal Officer

DEED OF DONATION

KNOWN ALL MEN BY THESE PRESENTS:

This Deed of Donation is entered into on the day of _____, in Palo, Leyte, Philippines, by the **EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT**, a National Government Entity duly organized and existing under the laws of the Republic of the Philippines, hereinafter referred to as "**DOH-EV CHD**", with office address at Government Center, Candahug, Palo, Leyte, Philippines, herein represented by **EXUPERIA B. SABALBERINO, MD, MPH, CESe**, Director IV, as the **DONOR**;

In favor of

The **CITY OF ORMOC**, a government political subdivision, created under the laws of the Republic of the Philippines, with office address at the New Ormoc City Hall, Brgy. Cogon, Ormoc City, Leyte herein represented by **HON. RICHARD I. GOMEZ** in his capacity as City Mayor, hereinafter referred to as the **DONEE**.

In this Agreement, **DOH-EV CHD** and the **CITY OF ORMOC** are individually referred to as "Party" and collectively as "Parties".

WITNESSETH

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

WHEREAS, "*Boosting Universal Health Care via FOURmula One for Health Plus (or F1+)*" envisions quality health care to be more accessible to the poor and vulnerable population by ensuring the availability of functional health care facilities;

WHEREAS, the Health Facilities Enhancement Program (HFEP) aims to improve the delivery of health services through the upgrading of health facilities and provision of medical equipment in order to make them more responsive to the health needs of the population;

WHEREAS, pursuant to HFEP GAA 2021 with SAA No. 2021-02-0219 specific facilities were identified to be recipients of various Equipment.

WHEREAS, the provision of various Equipment shall contribute to the functionality of the health system and the delivery of quality health care;

WHEREAS, all health facilities are partners of the DOH-EV CHD in implementing health programs and in delivering quality health services;

WHEREAS, the **ORMOC CITY HEALTH OFFICE** is one of those identified in the HFEP GAA 2021 as a recipient of Equipment;

WHEREAS, the appropriation for equipment is provided in the General Appropriation Act of 2021 for the Department of Health, under the Health Facilities Enhancement Program of 2021; **WHEREAS**, the equipment shall be used for the equipping of Government-owned Health Care Facilities in accordance with the Department of Health Policy, Planning and Management with Ambisyon Natin 2040 and the Philippine Development Plan 2017-2022;

WHEREFORE, in consideration of the foregoing premises and subject to the conditions stipulated hereunder, the DOH-EV CHD hereby donates the following equipment included therein for its use of the **DONEE** amounting to **One Million One Hundred Thirty Eight Thousand Pesos (P1,138,000.00)**, with the following specifications:

Name of Equipment	Quantity	Amount
Hematology Analyzer, Fully Automated 5 Part Differential	1	900,000.00
Spectrophotometer	1	238,000.00
Total Amount		₱1,138,000.00

The **DONEE** accepts the donation and receives the donation made in its favor by the **DONOR**, and hereby manifests its gratefulness for the latter's generosity, and undertakes to:

1. Conduct actual inventory of equipment needs of its facility following the equipment accreditation/licensing standards for Hospital respectively.
2. Provide necessary Human Resource, sustained supply of reagents and other supplies/consumables and the sustained budget for the maintenance, repair and Other Operating Expenses of the donated Equipment;
3. Ensure that the personnel are trained in the use/operation of the donated Equipment;
4. Ensure that the infrastructure/physical facility is ready and capable of housing the donated Equipment;
5. Designate a focal person (holding a plantilla position) who shall be authorized to receive in the health facilities;
6. Supervise the supplier in the installation of the donated Equipment;
7. Ensure that the donated Equipment are properly recorded in the books of assets of the health facility, which includes the following essential processes:
 - a. The Property/Supply Officer of the **DONEE** LGU/Health Facility, shall record the donated Equipment in the Property/Equipment Ledger Card;
 - b. The Accountant of the **DONEE** LGU/Health Facility, shall record the received equipment in the Journal Entry Voucher (JEV), on the basis of the Property Transfer Report (PTR) and shall give a copy of the Journal Entry Voucher (JEV) to the DOH-EV CHD-HFEP.
8. Ensure that the donated Equipment will be made operational and used according to their intended purpose;
9. Conduct proper inventory accounting of equipment as well as recording of equipment that has been damaged and/or lost due to "FORCE MAJEURE" such as but not limited to fire, earthquake, typhoon, material sabotage, and/or acts of public enemy.

The **DONOR** affirms that this donation is made in compliance and in accordance with the government accounting and auditing rules.

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 ~~reversed~~, the **DONEE** shall surrender the possession of the equipment, including all its accessories, to the **DONOR** within fifteen (15) working 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.

IN WITNESS WHEREOF, the Parties here under set their hands on the date and place separately mentioned.

DONOR:

DONEE:

DEPARTMENT OF HEALTH

CITY OF ORMOC

By:

By:

Amendments/Revisions

EVA KRISTINE G. PAGAL

DIANE PERIA B. SABALBERINO, MD, MPH, CEs

Director IV

HON. RICHARD I. GOMEZ
City Mayor

WITNESSES

MA. TERESA N. CAIDIC, MD, MPH
OIC, Chief LHSD

SARAH Q. HERMOSO, MD, MPH
OIC- City Health Officer II

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
Palo) S. S.

BEFORE ME, personally appeared the following persons:

Name	Competent Proof of Identity	Date/Place Issued
EXUPERIA B. SABALBERINO, MD, MPH Director IV		
HON. RICHARD I. GOMEZ City Mayor, Ormoc City		

Personally known to me be the same persons who executed the foregoing Deed of Donation for and on behalf of the entities represented herein, and they acknowledged to me that the same is their free and voluntary act and deed as well as that on the principals represented herein.

I hereby certify that this document, consisting of three (3) pages including this page on which this acknowledgment is written, has been signed by the Parties and their instrumental witnesses at the foot thereof and on each and every page of this Deed of Donation.

ORMOC CITY LEGAL OFFICE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this _____ day of _____ at _____, Philippines.

Separate Opinion

Drafted By CLO _____

Page No. _____

Book No. _____

Series of 20 _____

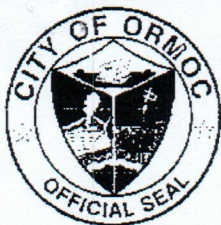
Not contrary to laws, public policy, moral

Amendments/Revisions

EVA CRISTINE G. PAGAL

Attorney-in-Fact, Ormoc City Legal Office

BY: _____ DATE: _____

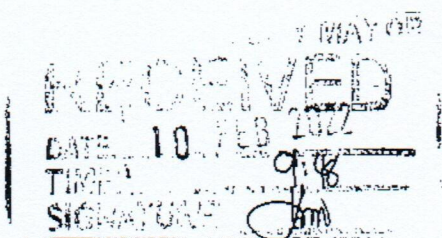


Annex B "

City Legal Office

2nd Floor New Ormoc City Hall
Aunubing St., Cogon, Ormoc City
(053) 255 2054 / 560 8050 loc. 1017

February 9, 2022



MAYOR RICHARD I. GOMEZ
Ormoc City

THRU: MA. VICTORIA LYRA P. DELA CERNA

Re: Request for Comment and Legal Opinion

Dear Mayor Gomez:

Please find below the comments of this office relative to the draft Deed of Donation (of Hematology Analyzer and Spectrophotometer), endorsed by the Ormoc City Health Officer on February 3, 2022.

1. The DONEE be indicated as:

"The **CITY OF ORMOC**, a government political subdivision, created under the laws of the Republic of the Philippines, with office address at the New City Hall, Brgy. Cogon, Ormoc City, represented in this instance by City Mayor **RICHARD I. GOMEZ**";

2. The Deed of Donation be endorsed to the Sangguniang Panlungsod for the issuance of an authority allowing the City Mayor to sign the same; and

3. The Deed of Donation, when executed, be referred to the City Health Officer, the City Accountant and the City Administrator, for their action and reference.

This opinion is rendered without prejudice to contrary opinion from competent authorities or ruling of proper court, or established evidence to the contrary. For your consideration and reference.

Most Respectfully,

JOSEPHINE A. MEJIA-ROMERO
City Legal Officer

