



Republic of the Philippines
Province of Guimaras
8TH SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE 8TH SANGGUNIANG PANLALAWIGAN, PROVINCE OF GUIMARAS HELD AT THE SP SESSION HALL, PROVINCIAL CAPITOL ON AUGUST 9, 2016.

PRESENT:

Atty. John Edward G. Gando	-	Vice Governor/Presiding Officer
Hon. Cyril C. Beltran	-	SP Member/Majority Floor Leader
Hon David G. Gano	-	SP Member/Deputy Majority Floor Leader
Hon. Cresente P. Chavez, Jr.	-	SP Member
Hon. Diosdado G. Gonzaga	-	SP Member
Hon. Josefina G. de la Cruz	-	SP Member
Hon. Rex G. Fernandez	-	SP Member
Hon. Dan Elby C. Habaña	-	SP Member
Hon. Ramon N. Ortiz	-	Ex-Officio Member (ABC Fed. President)

LATE:

Hon. Felicito M. Gareza	-	Ex-Officio Member (PCL Fed. President)
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ABSENT:

Hon. Aurelio G. Tionado	-	SP Member
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RESOLUTION NO. 135

RESOLUTION AUTHORIZING GOV. SAMUEL T. GUMARIN, MD, MPH TO SIGN FOR AND IN BEHALF OF THE PROVINCIAL GOVERNMENT OF GUIMARAS THE MEMORANDUM OF AGREEMENT WITH THE BARANGAY COUNCIL OF STO. ROSARIO, BUENAVISTA, GUIMARAS INVOLVING THE AMOUNT OF ONE HUNDRED THOUSAND PESOS (₱100,000.00) AS FINANCIAL ASSISTANCE FOR THE COMMUNAL TOILET PROJECT OF PUROK HULOT

WHEREAS, the Honorable Governor in his letter dated 03 August 2016 has requested for an authority to sign for and in behalf of the Provincial Government of Guimaras the Memorandum of Agreement with the Barangay Council of Sto. Rosario, Buenavista involving the amount of ₱100,000.00 as financial assistance for the Communal Toilet Project of Purok Hulot;

WHEREAS, this Honorable Body interposes no objection to the said request as the intent of the Honorable Governor in providing support to the barangays is in order;

NOW THEREFORE, on motion of Hon. Josefina G. de la Cruz, duly seconded by Hon. Cyril C. Beltran and Hon. Dan Elby C. Habaña.

THE 8TH SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

RESOLVED, to authorize Gov. Samuel T. Gumarin, MD, MPH to sign for and in behalf of the Provincial Government of Guimaras, the following:

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement is entered into this ___ day of _____
2016 at the Provincial Capitol, Province of Guimaras by and between:

The Provincial Government of Guimaras, a local government unit established under existing laws of the Republic of the Philippines, with principal address at the Provincial Capitol, Brgy. San Miguel, Jordan, Guimaras, represented herein by the Provincial Governor, the HON. SAMUEL T. GUMARIN, MD, MPH hereinafter referred to as the First Party;

-and-

The Barangay Council of Barangay Sto. Rosario, a local government unit established under existing laws of the Republic of the Philippines, with principal address at Sto. Rosario, Buenavista, Guimaras, represented herein by the Punong Barangay, the HON. JASPER P. CATALBAS, hereinafter referred to as the Second Party;

WITNESSETH:

WHEREAS, under paragraph Section 16 of the Local Government Code (RA 7160), provides that: "Every local government unit shall exercise the powers expressly granted, those necessary, appropriate, or incidental for the efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants".

WHEREAS, section 17 of the same code states that:

- a. Local Government Units shall endeavour to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities or as necessary, appropriate or incidental or to efficient and effective provisions of the basic services and facilities enumerated herein.
- b. Such basic services and facilities include, but are not limited to, the following:

XXXX

- (3) For a province:
 - (vii) Infrastructure facilities intended to service the needs of the residence of the province and which are funded out of provincial funds including, but not limited to, provincial roads and bridges, inter municipal waterworks, drainage and sewerage, flood control, and irrigation systems; reclamation projects; and similar facilities.

WHEREAS, in realizing the said goals, the Provincial Government of Guimaras can support the barangays to provide the basic services and facilities;

WHEREAS, the lack of infrastructure or the deteriorated state of it in a community represents one of the most significant restraints to economic growth;

WHEREAS, the Barangay Council of Barangay Sto. Rosario, in its intent to achieve developmental projects for the benefit of its constituents and for the furtherance of economic growth, approaches the Provincial Government requesting assistance for Communal Toilet Project for Purok Hulot of said barangay;

Whereas, *THE PROVINCE, UNDER THE DYNAMIC LEADERSHIP OF ITS Governor, Hon. Samuel T. Gumarin, MD, MPH, is committed to improve the societal living conditions of Guimarasnons by providing assistance to the Second Party in support to their Communal Toilet Project for Purok Hulot;*

WHEREAS, an agreement must be forged between the provincial government and the Barangay Council as per requirement of Commission on Audit for every fund transfer to the barangay aligned with their project proposal;

NOW THEREFORE, for and in consideration of the foregoing premises, the parties hereto have agreed to enter into this Memorandum of Agreement under the following terms and conditions:

- 1.0 *The Province shall:*
- 1.1 *Provide "Fund" in the amount of One Hundred Thousand Pesos (P100,000.00) as financial assistance to the Second Party for their Communal Toilet Project for Purok Hulot.*
 - 1.2 *Ensure the compliance of documentary requirements from the Second Party for liquidation of fund transferred.*
- 2.0 *The Barangay Council of Barangay Sto. Rosario shall:*
- 2.1 *Undertake the immediate implementation of the Communal Toilet Project for Purok Hulot as represented in the approved project proposal upon release of fund by the First Party.*
 - 2.2 *Submit an accomplishment report, statement of expenditures, and necessary documentary requirements for the liquidation to the First Party, relevant to the fund released; and*
 - 2.3 *Abide with auditing rules and regulations relevant to this matter.*
- 3.0 *Modification/Amendment and Effectivity*
- 3.1 *Any amendment or modification in this agreement shall be translated in writing signed by both parties and shall form part of this agreement, and*
 - 3.2 *The term of this agreement shall take effect immediately upon the date of signing of the Memorandum of Agreement.*

IN WITNESS WHEREOF, the parties have set their hands this ___ day of _____ 2016 at the Provincial Capitol, Province of Guimaras.

*Provincial Government
(First Party)*

*Barangay Sto. Rosario
(Second Party)*

By:

By:

SAMUEL T. GUMARIN, MD, MPH
Provincial Governor

JASPER P. CATALBAS
Punong Barangay

Signed in the presence of:

Witness


Witness

SANGGUNIANG PANLALAWIGAN

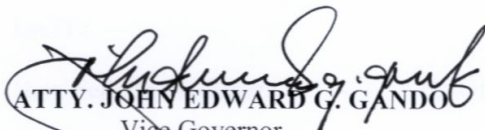
RESOLVED FURTHER, to send a copy of this resolution to the Honorable Governor, Punong Barangay Jasper P. Catalbas and all others concerned, for information.

ADOPTED. August 9, 2016.

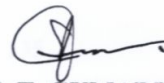
I hereby certify that the foregoing is a true and accurate copy of the resolution which was duly adopted by the 8th Sangguniang Panlalawigan of the Province of Guimaras during its regular session held on August 9, 2016.


LORENA MINIERVA-ITUCAS
Secretary to the Sangguniang Panlalawigan

Attested:


ATTY. JOHN EDWARD G. GANDO
Vice Governor
Presiding Officer

Approved:


SAMUEL T. GUMARIN, MD, MPH
Governor