



REPUBLIC OF THE PHILIPPINES
PROVINCE OF GUIMARAS
OFFICE OF THE 8TH SANGGUNIANG PANLALAWIGAN
San Miguel, Jordan, Guimaras



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE 8TH SANGGUNIANG PANLALAWIGAN, PROVINCE OF GUIMARAS HELD AT THE SP SESSION HALL, 2ND FLOOR, GTIC BUILDING ON MARCH 19, 2019.

PRESENT:

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|--------------------------------|----------------------------------------------------|
| Hon. John Edward G. Gando - | Vice Governor and Presiding Officer |
| Hon. Cyril C. Beltran - | SP Member and Majority Floor Leader |
| Hon. David G. Gano - | SP Member and 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. Aurelio G. Tionado - | SP Member |
| Hon. Ma. Sheila G. Gange - | Ex-Officio Board Member (PCL Federation President) |

OFFICIAL BUSINESS:

Hon. Rex G. Fernandez - SP Member (OIC Governor)

ABSENT:

| | |
|-------------------------------|---------------------------------------------------------------------|
| Hon. Dan Elby C. Habaña - | SP Member |
| Hon. Karren Kaye A. Gadnanan- | Ex-Officio Board Member (SK Federation President) |
| Hon. Marilou S. Delumpa - | Ex-Officio Board Member (Liga ng mga Barangay President) (On Leave) |

RESOLUTION NO. 109

RESOLUTION AUTHORIZING GOVERNOR SAMUEL T. GUMARIN, MD, MPH TO SIGN FOR AND IN BEHALF OF THE PROVINCIAL GOVERNMENT OF GUIMARAS THE MEMORANDUM OF AGREEMENT WITH” DECEMBER AVENUE” AS REPRESENTED BY MR. DENNIS J. CAYUDITAN

WHEREAS, this province will be celebrating its 2019 Manggahan Festival Celebration and it will be engaging the services of “December Avenue” as represented by Mr. Dennis J. Cayuditan to perform in one of the programs of that celebration;

WHEREAS, this Honorable Body interposes no objection to the request to authorize the Honorable Governor to sign for and in behalf of the provincial government the Memorandum of Agreement with “December Avenue”, subject to the terms and conditions provided in the draft MOA presented before it and the utilization of funds shall be in accordance with the usual accounting and auditing rules and regulations;

NOW, THEREFORE, on motion of Honorable Cyril C. Beltran, duly seconded by Honorable Josefina G. De la Cruz, Hon. Diosdado G. Gonzaga, Honorable Aurelio G. Tionado and Honorable Ma. Sheila G. Gange;

THE 8th SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:



RESOLVED, to authorize Governor Samuel T. Gumarin, MD, MPH to sign for and in behalf of the provincial government, the following:

MEMORANDUM OF AGREEMENT

This AGREEMENT made and entered into this ___ day of ___ 2019 by and between:

HON. SAMUEL T. GUMARIN, MD. MPH., with address at PROVINCIAL CAPITOL BUILDING, SAN MIGUEL, JORDAN, GUIMARAS, representing the PROVINCE OF GUIMARAS hereinafter referred to as the FIRST PARTY.

and

DECEMBER AVENUE represented by MR. DENNIS J. CAYUDITAN, with address at DOOR 9 YUSAY-PEREZ APARTMENT 14 AGUINALDO STREET, BACOLOD CITY, NEGROS OCCIDENTAL 6100 hereinafter referred to as SECOND PARTY.

WITNESSETH that :

Whereas, the FIRST PARTY agreed to engage the services of December Avenue in one show only with the following detail:

EVENT : MANGGAHAN FESTIVAL 2019
 PROVINCE OF GUIMARAS
 VENUE : PROVINCIAL CAPITOL GROUNDS
 DATE : MAY 19, 2019

Now, therefore the FIRST PARTY and the SECOND PARTY by these present do hereby enter into this Agreement whereby the FIRST PARTY engages the services of the SECOND PARTY under the following terms and conditions :

01. SECOND PARTY shall provide the following :
 - a. Performance for 45 minutes Standard Set
 - b. Instruments such as bass guitar, lead guitar, drum sticks and other needed instruments;
 - c. CD or USB in MP3 format
02. The SECOND PARTY guarantees the complete appearance and performance of the Band in one show in consideration of :
 - a. FOUR HUNDRED SIXTY-FIVE THOUSAND PESOS (Php 465,000.00) ONLY as Talent Fee
 - b. Payable by the FIRST PARTY in CASH
 50% Down Payment amounting to Php 232,500.00 ONLY
 50% Full Payment amounting to Php 232,500.00 before the show starts
03. The FIRST PARTY shall provide the following for the band :
 - a. Airfare. Round-trip ticket with 20 kilos baggage allowance per person per way
 - b. Hotel accommodation
 - c. Said venue should be rain proof with stage, electrical supply and back drop for the performance
 - d. Technical requirements to follow
 - e. Ample security to safeguard the well-being of the band
 - f. Food and drinks for the band and its entourage (no pack meals)
 - g. Unlimited mineral water for the band during their performance on stage
04. This Contract deemed valid and effective only upon receipt of the signed contract and shall be deemed terminated immediately after the Band has rendered.

06. In the event the FIRST PARTY cancels the engagement or is unable to perform its obligations under this contract for reason not attributable to the Band and provided that the reasons for the cancellation are not considered fortuitous events or acts of God, the FIRST PARTY forfeits to the SECOND PARTY any and all payments already made.

07. The SECOND PARTY agrees that the Band will perform their best ability expected of the professional Band to the performance or services to be rendered. The Band agrees to refrain from using foul or obscene languages during performance;

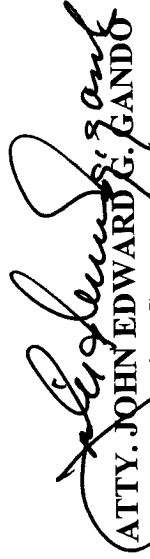
08. That in case the engagement is cancelled by reasons or as a consequences of fortuitous events or acts of God, or other acts thought unforeseen, and cannot be reasonably prepared for the parties. Both parties shall agree to a renewed date that shall in no cause be more than thirty (30) days from the date of original engagement. The parties shall exercise utmost obligate and good faith in fixing the date of engagement with due regard to the schedule of the artist and the purposed of the FIRST PARTY in holding the engagement.

RESOLVED FURTHER, to send a copy of this resolution to the Honorable Governor, December Avenue, Mr. Dennis J. Cayuditan, Provincial Budget Office, Treasurer, Accounting, COA and all other concerned offices for information and appropriate action.

APPROVED. March 19, 2019.

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 March 19, 2019.

Attested:


ATTY. JOHN EDWARD G. GANDÓ
Vice Governor
Presiding Officer


LORENA MINERVA-ITUCAS
Secretary to the Sangguniang Panlalawigan

Approved:


SAMUEL T. GUMARIN, MD, MPH
Governor