

EXCERPTS FROM THE MINUTES OF THE 35th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF GUBAT, SORSOGON HELD ON MONDAY, OCTOBER 9, 2017 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT:

HON. SIXTO F. ESTAREJA	- Municipal Vice Mayor/P.O.
HON. JOHN PAUL E. ERLANO	- Member, Sanggunian Bayan
HON. CESAR D. ESPERIDA, JR.	- Member, Sanggunian Bayan
HON. DANILO E. ENAJE	- Member, Sanggunian Bayan
HON. KENNETH D. ESCANDOR	- Member, Sanggunian Bayan
HON. ANTHONY C. CALLOS	- Member, Sanggunian Bayan
HON. AIZA E. ENCINARES	- Member, Sanggunian Bayan
HON. RAMON E. ENTICO	- Member, Sanggunian Bayan

ON LEAVE:

HON. VALENTIN A. PURA IV	- Member, Sanggunian Bayan
HON. NELSON E. QUINONES	- Liga ng mga Barangay President

RESOLUTION NO. 155 S - 2017

A RESOLUTION AFFIRMING THE INTEREST OF THE LGU-GUBAT TO APPLY, NEGOTIATE AND BORROW FUNDS FROM THE MUNICIPAL DEVELOPMENT FUND OFFICE (MDFO) OF THE DEPARTMENT OF FINANCE (DOF) FOR THE IMPLEMENTATION OF THE “CONSTRUCTION OF MULTI-PURPOSE BUILDINGS I AND ACQUISITION OF OFFICE EQUIPMENT, FURNITURE AND FIXTURE; CONSTRUCTION OF C – SHAPE PUBLIC MARKET BUILDING – PHASE II; CONSTRUCTION OF SLAUGHTERHOUSE; AND ACQUISITION OF HEAVY EQUIPMENT.”

WHEREAS, the project of “Construction of Multipurpose Building 1 and acquisition of Office Equipment, Furniture and Fixture” is a civil works project that aims to “1. Provide a conducive workplace for local government employees, which in effect leads to effective and efficient delivery of basic services; 2. Aid in attracting investments to further encourage economic growth and development within the Municipality, and 3. Aid in improving good governance;’

WHEREAS, the “Construction of C-Shaped Public Market Building – Phase II” is a civil works project that will replace the market building destroyed by fire in 2014;

WHEREAS, the project of “Construction of Slaughterhouse” is a civil works undertaking that will adopt the latest technology in the operation of slaughterhouse and utilize bigger area to comply with state regulations to fit the needs of the growing population of Gubat;

WHEREAS, the project “Acquisition of Heavy Equipment” is acquisition of pieces of heavy equipment that are key to the successful implementation of the solid waste management program of the Municipality;

WHEREAS, the “Construction of Multi-purpose Buildings 1 and acquisition of Office Equipment, Furniture and Fixture; Construction of C-Shape Public Market Building – Phase II; Construction of Slaughterhouse; and Acquisition of Heavy Equipment”, are included in 2017 Annual Investment Program of the LGU-Gubat;

WHEREAS, due to financial constraint to finance the Construction of Multi-purpose Building 1 and acquisition of Office Equipment, Furniture and Fixture; Construction of C-Shape Public Market Building – Phase II; Construction of Slaughterhouse; and Acquisition of Heavy Equipment, the Municipality of Gubat opted to avail of credit of facility for its implementation;

WHEREAS, the local Government Code of 1991 empowers the local government units to create indebtedness, and avail of credit facilities to finance local infrastructure and other socio-economic development projects in accordance with the approved local development plan and public investment program;

WHEREAS, the Municipal Development Fund Office (MDFO). Is an office under the Department of Finance, provides financing assistance to Local Government Units (LGU’s);

WHEREAS, the Municipality of Gubat would like to access the credit financing offered by the MDFO, of which financing terms and conditions were properly conveyed and understood by this body.

NOW THEREFORE, on motion of Hon. Hon. Kenneth D. Escandor and unanimously seconded, it was;

RESOLVED, that the Municipality of Gubat shall apply, negotiate and borrow funds from the MDFO to finance the “Construction of Multi-purpose Building 1 and acquisition of Office Equipment, Furniture and Fixture; Construction of C-Shape Public Market Building – Phase II; Construction of Slaughterhouse; and Acquisition of Heavy Equipment”;

RESOLVED FURTHER, that the LGU-Gubat hereby commits to undertake the necessary acts for the implementation of the Project, as follows:

- a. Create a Project Implementation Unit (“PIU”) by providing adequate number of technical and support staff, office space and all necessary facilities and assistance for the effective and efficient management of the Project;
- b. Provide the LGU equity for the Project, when necessary;
- c. Appropriately allocate the total project costs composed of loan proceeds, equity and grant (if applicable);

- d. Appropriate funds for the amortization of loan until fully paid. The funds appropriated shall include the cost of insurance and all operation and maintenance expenses of the Project;
- e. Conduct public hearings and consultations, enact ordinances authorizing the collection of fees, charges and other impositions and carry out necessary measures in support of viability and sustainability of the Project;
- f. Authorize the MDFO to deduct from the LGU's Internal Revenue Allotment ("IRA") the amount due to MDFO in connection with the Project under the following casa: (i) default in the payment of principal amortization including interests and penalties; or (ii) any unliquidated financial obligations. The right of MDFO to deduct on the LGU's IRA shall be without prejudice to any other remedies available under Philippine law;
- g. To appropriate LGU funds to defray expenses charges and penalties contemplated in the commitment letter attached hereto, incurred by MDFO during appraisal which include administrative/travel expenses settled between the parties in case the LGU would withdraw, cancel or postpone the application.

RESOLVED FURTHERMORE, to:

- a. Authorize and empower the incumbent local chief executive, Hon. Mayor Sharon Rose G. Escoto, and her successor, for and behalf of the LGU-Gubat to:
 - i. Apply, negotiate and enter into a loan agreement with the MDFO and with partner agency/s, when necessary, and execute deeds and to do all acts necessary and proper under the premises for the effective and efficient implementation of the Project;
 - ii. Enter into agreements with qualified private individuals or corporations, after public bidding, to execute the Project; and
 - iii. Together with the Local Municipal Treasurer, to open a separate bank account to facilitate the transfer of funds due to MDFO as payment for principal amortizations, interests and any other amount owing to MDFO by the LGU in connection with the Project.

RESOLVED FINALLY, within a reasonable time from its adoption, to furnish the MDFO with a copy of this Resolution.

UNANIMOUSLY APPROVED.

I HEREBY CERTIFY TO THE
CORRECTNESS OF THE FOREGOING:

(Sgd) JOEY P. ENAJE
Secretary to the Sangguniang Bayan

Attested by:

(Sgd) HON. SIXTO F. ESTAREJA
Municipal Vice Mayor, Presiding Officer

Approved by:

(Sgd) HON. SHARON ROSE G. ESCOTO
Municipal Mayor