

Republic of the Philippines  
Province of Davao del Norte  
CITY OF TAGUM

**BEFORE THE 4<sup>TH</sup> CITY COUNCIL**

**EXCERPT FROM THE MINUTES OF THE 51<sup>ST</sup> REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON JULY 7, 2008 AT THE SP SESSION HALL.**

**PRESENT:**

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. MARIA LINA F. BAURA,	Member
Hon. ROBERT L. SO,	Member
Hon. DE CARLO L. UY,	Member
Hon. RAYMOND JOEY D. MILLAN,	Member
Hon. VICENTE C. ELIOT, SR.,	Member
Hon. JOEDEL T. CAASI,	Member
Hon. ALAN D. ZULUETA,	Member
Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member
Hon. REYNALDO T. SALVE,	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. ALFREDO R. PAGDILAO,	Member (ABC Representative)

**ON SICK LEAVE:**

Hon. CYRIL LEONARD L. MURING,	Member (SKF Representative)
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**RESOLUTION NO. 403, s-2008**

**“A RESOLUTION AUTHORIZING THE CITY MAYOR TO SIGN FOR AND IN BEHALF OF THE CITY OF TAGUM A MEMORANDUM OF AGREEMENT AMONG THE CITY GOVERNMENT OF TAGUM, THE PHILIPPINE NATIONAL POLICE AND MOUNTAIN CLARK FIRING RANGE AND GUNSMITH.”**

**WHEREAS**, Sec. 2 of R. A. 6975 stipulates that it is the policy of the state to promote peace and order, ensure public safety and further strengthen local government capability aimed towards the effective delivery of the basic services to the citizenry through the establishment of a highly efficient and competent police force that is national in scope and civilian in character;

**WHEREAS**, among the powers and functions of the PNP is to maintain peace and order and take all necessary steps to ensure public safety;

**WHEREAS**, the Armalite Rifles for refurbishing/conversion are five (5) units infant and ten (10) units Commando;

**WHEREAS**, an amount of One Million (P1,000,000.00) Pesos under the Military Police and Equipment as approved in Supplemental Budget (SB) No. 2, s-2008 is allocated for the expenses in refurbishing/conversion of the rifles;

**NOW THEREFORE**, be it resolved by the 4<sup>th</sup> City Council of Tagum City to authorize the City Mayor to sign for and in behalf of the City of Tagum a Memorandum of Agreement among the City Government of Tagum, the Philippine National Police and Mountain Clark Firing Range and Gunsmith.

**RESOLVED FURTHER**, that the full text of the Memorandum of Agreement shall be read as follows:

**MEMORANDUM OF AGREEMENT**

**KNOWN ALL MEN BY THESE PRESENT:**

This AGREEMENT is made and entered into by and among:

The CITY GOVERNMENT OF TAGUM, a Local Government Unit organized and existing under the laws of the Republic of the Philippines, with principal office address at the City Hall, Rizal St., Tagum City, Davao del Norte, represented in this act by the City Mayor, HON. REY T. UY, in full execution of the authority granted upon him, and hereinafter referred to as "PARTY No. 1";

The PHILIPPINE NATIONAL POLICE, a government agency created and existing by virtue of and pursuant to Republic Act 6975, as amended by RA 8551, its national headquarters located at Camp Crame, Quezon City, represented herein by POLICE DIRECTOR JOSE ANTONIO C. SALVACION, CSEE, Acting Director for Logistics, PNP, and hereinafter referred to as "PARTY No. 2";

-and-

The MOUNTAIN CLARK FIRING RANGE AND GUNSMITH, a private company duly registered as single proprietorship before the Department of Trade and Industry with principal office address at 15-29 Don Jose Street, Don Bonifacio Subdivision, Balibago, Angeles City, represented herein by MR. RICARDO M. CHU, Proprietor/General Manager, and hereinafter referred to as "PARTY No. 3".

**WITNESSETH: That**

WHEREAS, Party No. 2 has an inventory of Armalite Rifles due for repair;

WHEREAS, due to the fiscal crisis, Party No. 2 has no funds to repair or refurbish the aforementioned rifles;

WHEREAS, Party No. 1 undertakes to shoulder the expenses for refurbishing/conversion of aforementioned M16 Rifles at NO COST TO THE PNP for the eventual use of the Tagum City Police Station;

WHEREAS, Party No. 3 has the expertise and experience to refurbish/convert the aforementioned rifles;

NOW THEREFORE, for and in consideration of the above premises, the parties thereby agree to undertake the following, to wit:

1. That the Party No. 1 shall pay the Party No. 3 in cash or cheque the amount of \_\_\_\_\_ (P\_\_\_\_\_) Pesos representing expenses incurred in the refurbishing/conversion of the five (5) units infant and ten (10) units Commando at P\_\_\_\_\_ and P\_\_\_\_\_ each, respectively;
11. Party No. 2 shall entrust to the Party No. 3 the aforementioned Armalite rifles for refurbishing/conversion. In case of missing or totally beyond repair spare parts, Party No. 2 shall undertake to replace them with serviceable parts on one to one basis. Said unserviceable parts shall e returned to the PNP;

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- 111. Ammunition to torture test of fifty (5) bullets per unit shall be provided by the Party No. 2, such test shall be supervised by the personnel of the Directorates for Research and Logistics, PNP who shall pass upon the worthiness of the modified units;
- 1V. Party No. 3 shall complete the refurbishing/conversion according to the aforementioned specifications within \_\_\_\_\_ (\_\_\_\_) working days from the signing of this MOA.
- V. Once the aforementioned units are finally turned over for custody and possession of the City Police Station, said units (M15 rifles) will remain issued to the latter and shall not be recalled unless it becomes Beyond Economical Repair (BER);
- VI. This agreement shall be effective upon signing by the PARTIES and shall be automatically terminated upon the acceptance of the refurbished/converted Armalite Rifles by the PARTIES involved in an appropriate ceremony.

IN WITNESS WHEREOF, the parties have hereto affixed their signatures this \_\_\_\_ day of \_\_\_\_\_, 2008 at \_\_\_\_\_, Philippines.

**CITY GOVERNMENT OF TAGUM**

Party No. 1  
Represented by:

**REY T. UY**

**PHILIPPINE NATIONAL POLICE**

Party No. 2  
Represented by:

**P/DIR. JOSE ANTONIO C. SALVACION, CSEE**

**MOUNTAIN CLARK FIRING RANGE AND GUNSMITH**

Party No. 3  
Represented by:

**MR. RICARDO M. CHU**  
Proprietor/General Manager

Signed in the presence of:  
\_\_\_\_\_ and \_\_\_\_\_

**ACKNOWLEDGMENT**

Republic of the Philippines )  
Province of Davao del Norte)  
City of Tagum . . . . .)

BEFORE ME, this \_\_\_\_ day of \_\_\_\_\_, 2008 in \_\_\_\_\_, Philippines personally appeared the following persons, to wit:

Name	Comm. Tax Cert. No.	Date Issued	Place Issued
Rey T. Uy			
P/Dir. Jose Antonio C. Salvacion, CSEE	04959723	01-10-08	Tagum City
Ricardo M. Chu			

Known to me to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free act and deed.

This instrument consisting of two (2) pages including the page on which this acknowledgment is written has been signed by the parties and their instrumental witnesses.

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(Excerpt from the Minutes of the 51<sup>st</sup> Regular Session/July 7, 2008)  
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IN WITNESS WHEREOF, I hereunto set my hand my notarial seal on the date, year and place first hereinabove written.

Doc No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Series of 2008.

**RESOLVED FINALLY**, that copies of this resolution be furnished to all offices concerned for their information and guidance.

**CARRIED AND APPROVED.**

**I HEREBY CERTIFY to the correctness of the foregoing.**

**(Sgd) REY A. BUHION**  
**Secretary to the Sanggunian**

**ATTESTED:**

**(Sgd) ALLAN L. RELLON, MPA**  
**City Vice Mayor**  
**(Presiding Officer)**

*fname: RN40308*  
*feBz\*\*\**