

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

BEFORE THE 4TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 65TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON OCTOBER 20, 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. CYRIL LEONARD L. MURING,	Member	(SKF Representative)
Hon. ALFREDO R. PAGDILAO,	Member	(ABC Representative)

RESOLUTION NO. 509, s-2008

“A RESOLUTION AUTHORIZING THE CITY MAYOR, HON. REY T. UY, TO ENTER INTO AND SIGN FOR AND IN BEHALF OF THE CITY GOVERNMENT OF TAGUM A MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF HEALTH”.

WHEREAS, The Department of Health will release a grant proceeds amounting to Six Hundred Thirty Three Thousand Seven Hundred Twenty Three Pesos & 40/100 (P 633,723.40) only subject to the conditions set forth by the herein attached MOA and the corresponding appropriate guidelines;

WHEREAS, DOH (Davao Region) shall also provide technical assistance to the sponsor to ensure the improvement of reproductive health services in Local Communities;

WHEREAS, The sponsor shall allow DOH to reassess its performance and abide with the usual accounting and auditing rules and regulations;

NOW THEREFORE, be it resolved by the 4th City Council of Tagum to authorize the City Mayor, Hon. Rey T. Uy to enter into and sign for and in behalf of the City Government of Tagum a Memorandum of Agreement with the Department of Health.

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

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement (MOA) entered into this ____ day of _____, 2008 in ____-_____ by and between:

The **DEPARTMENT OF HEALTH (DOH)**; a National Government Agency created and existing under the laws of the Republic of the Philippines, with principal office address at San Lazaro Compound, Sta. Cruz, Manila, herein represented by _____, in his capacity as Regional Director of the Center for Health Development (CHD) Region XI _____, and hereinafter referred to as the **DOH**;

The City of Tagum, a Local Government Unit (LGU) established and existing under the laws of the Republic of the Philippines, with principal office address at Tagum City, herein represented by **Mayor Rey T. Uy**, in his capacity as City Mayor, and hereinafter referred to as the **SPONSOR**;

WITNESSETH:

WHEREAS, as reiterated in the National objectives for Health 2005-2010, the Philippines has committed to reduce maternal and child mortality by at least half on 2010;

WHEREAS, items III, section C.2.j of Republic Act. 9401, otherwise known as the General Appropriations Act (GAA) of 2007, appropriated funds for artificial family planning and mandates the DOH to allocate such funds to LGU's for the purchase of reproductive health commodities and conduct of family planning seminars in local communities, as specified by special provision no. 12 of the DOH budget in the same GAA;

WHEREAS, the president's veto message on the 2007 GAA, dated 22 March 2007, required the conditional implementation of special provision no. 12 subject to the issuance of guidelines so that DOH may determine its priority programs, possess the necessary flexibility in choosing the appropriate methods based on the needs of the community, and transfer funds to other government agencies and LGU's pursuant to the intent of the GAA;

WHEREAS, the DOH has issued the "Budget Execution Guidelines for Programs and Activities under item III, section C.2.j. of Republic Act no. 9401 in compliance to the cited President's Veto message, which stipulates that funds from the cited appropriation shall be made available to LGU's through a grant facility scheme that is managed by its National Center for Disease Prevention and Control (NCDPC) and the 16 Centers for Health Development (CHDs);

WHEREAS, the Department of Budget and Management (DBM) already issued the Special Allotment Release Order (SARO) for the said city appropriation, thus, making it valid for obligation up to December 31, 2009;

WHEREAS, to implement the Budget execution guidelines, the DOH conducted a performance assessment of provinces, highly urbanized and independent component cities, including the Autonomous Region in Muslim Mindanao (ARMM) based on criteria, such as, number of women of reproductive age, poverty rate, population size, presence of local staff designated for maternal and child health and family programs, determination of family planning commodity requirements, conduct of trainings and other information and educational activities related to reproductive health and provision of access to reproductive health services for the poor;

WHEREAS, the maximum amount of grant proceeds that the **SPONSOR** is entitled to receive by virtue of the grant facility shall be based on the results of a performance assessment;

WHEREAS, for the purpose of the grant facility under consideration, Tagum City shall be considered as an LGU represented by the City Mayor, which is entitled to receive the cumulative allocations.

WHEREAS, the grant proceeds that are to be received by the **SPONSOR** by virtue of this **MOA** is based on the level of effort that have been collectively exerted, as shown by the results of the performance assessment;

WHEREAS, as a result of the performance assessment, the **SPONSOR** is entitled to receive the amount of **Six Hundred Thirty Three Thousand Seven Hundred Twenty Three Pesos & 40/100 (P 633,723.40) only** as grant proceeds from DOH, subject to the conditions set forth under this **MOA** and the corresponding and appropriate guidelines.

WHEREFORE, for and in consideration of the foregoing premises, the **PARTIES** of this **MOA** have agreed to undertake the following:

1. The **SPONSOR** shall:
 - a. Open and maintain a **TRUST ACCOUNT** in a government depository bank or a subsidiary ledger in its books of accounts for the exclusive purpose of the grant facility under this **MOA**.
 - b. Monitor the performance of the City Health Office based on the criteria set forth in the grant and provide technical assistance to ensure improvements in assessment rating in order for them to be able to avail of the maximum amount of the grant funds within the allowable period;

- c. Allows its performance to be re-assessed by DOH; and,
 - d. Abide by the usual accounting and auditing rules and regulations;
2. That the **DOH**, through **CHD** shall:
- a. Inform the **SPONSOR** about the result of the conducted performance assessment especially on the factors that made it eligible for the grant proceeds;
 - b. Release the grant proceeds to the **SPONSOR** by virtue of this **MOA**, subject to performance of the **SPONSOR**
 - c. Effect the transfer of initial and succeeding grant proceeds to the **SPONSOR** through the **SPONSOR** Trust Account that has been opened and maintained for such purpose, subject to usual accounting and auditing rules and regulations;
 - d. Provide technical assistance to the **SPONSOR** to ensure the improvement of reproductive health services in local communities for purposes of improving their assessment ratings in order for them to be able to avail of maximum amount of the grant awards within the allowable period; and
 - e. Conduct a performance re-assessment of the **SPONSOR** in order for them to avail of the maximum grant amounts and their qualification for future grant facilities.
3. That the event the **SPONSOR** shall fail or unable to avail by October 31, 2009 of the unreleased portion of the maximum amount, the **CHD** may re-allocate the same unreleased and unutilized amount of the **SPONSOR** and its component LGU's maximum allocation for other reproductive health activities;
4. That the provisions of this **MOA** shall govern the relationship between the **DOH** and the **SPONSOR** for purposes of the grant pursuant to the Budget Execution Guidelines for the Programs and Activities under item III, Section C.2.j. of the DOH Budget in R.A. no. 9401, as mandated;
5. That this **MOA** shall take effect upon signature of both **PARTIES**.

IN WITNESS WHEREOF, the **PARTIES** have hereunto set their hands on the date and place above-written.

DEPARTMENT OF HEALTH CENTER FOR WELLNESS AND DEVELOPMENT – DR

Regional Director, CHD Region XI

CITY TAGUM

REY T. UY
City Mayor

Signed in the presence of:

MYRNA GAZMEN, MD.
Chairman, Committee on Health

MA. CONNIE D. PEREZ, MD.
PHTL – Davao del Norte

EVELYN G. ISIDRO, MPA
Administrative Officer V & OIC – MSD

Republic of the Philippines)
_____) SS.

ACKNOWLEDGEMENT

BEFORE ME, this ___day of_____ 2008 personally appeared _____with CTC No. _____ issued on _____ at _____, and __-_____ with CTC no. _____ issued on _____ at _____. Both known to be the same person who executed the foregoing MOA and they acknowledged to me that the same is their free act and deed, as well as that of the entities that they represent. This instrument consists of three (3) pages including this page, signed by the parties and their witnesses on each and every page thereof and sealed with my notarial seal.

RESOLVED FURTHERMORE, that copies of this resolution be furnished to all concerned.

CARRIED AND APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing.

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

**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:**

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

Fname: RN50908
*ffm****