

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

**BEFORE THE 5<sup>TH</sup> CITY COUNCIL**

**EXCERPT FROM THE MINUTES OF THE 32<sup>ND</sup> REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON FEBRUARY 21, 2011 AT THE SP SESSION HALL.**

**PRESENT:**

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. DE CARLO L. UY,	Member
Hon. MARIA LINA F. BAURA,	Member
Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member
Hon. ROBERT L. SO,	Member
Hon. JOEDEL T. CAASI,	Member
Hon. OSCAR M. BERMUDEZ,	Member
Hon. ALAN D. ZULUETA,	Member
Hon. GETERITO T. GEMENTIZA,	Member
Hon. TRISTAN ROYCE R. AALA,	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. ALFREDO R. PAGDILAO,	Member (ABC Representative)

**ABSENT:**

Hon. JACQUELINE GRACE Q. EDULLANTES,	Member (SKF Representative)
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**RESOLUTION NO. 263, s-2011**

**“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 TO RENEW THE MEMORANDUM OF AGREEMENT WITH THE BARANGAY MAGUGPO WEST FOR THE MAINTENANCE OF COMFORT ROOMS AT THE NEW PUBLIC MARKET, TAGUM OVERLAND TRANSPORT INTEGRATED TERMINAL (TOTIT), PUBLIC AUCTION CENTER AND BAGSAKAN.”**

**WHEREAS**, letter dated January 24, 2011 of Hon. Rey T. Uy, endorsed the Memorandum of Agreement between the City Government of Tagum and the Barangay Magugpo West;

**WHEREAS**, the City Government of Tagum has established an Economic Enterprise at the New Public Market, Tagum Overland Transport Integrated Terminal (TOTIT), Public Auction Center and Bagsakan.

**WHEREAS**, the establishment has its own comfort rooms within the premises;

**WHEREAS**, the Barangay Magugpo West was granted the authority to maintain the said comfort rooms by virtue of the Memorandum of Agreement executed by and between the City Government of Tagum and Barangay Magugpo West thru Resolution No. 974, s-2009 of the City Council, the term of management will be for three (3) years unless extended by the will of both parties;

**WHEREAS**, the abovementioned Memorandum of Agreement had already expired;

**WHEREAS**, the Barangay Magugpo West requested for the renewal of the Memorandum of Agreement since it has contributed much to the operation of the barangay;

**WHEREAS**, in order to have an efficient delivery of services to the public and to make the maintenance of the comfort rooms legitimate, the City Government of Tagum decides to renew the Memorandum of Agreement;

**NOW THEREFORE**, be it resolved by the Sangguniang Panlungsod 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 to renew the Memorandum of Agreement with the Barangay Magugpo West for the maintenance of comfort rooms at the New Public Market, Tagum Overland Transport Integrated Terminal (TOTIT), Public Auction Center and Bagsakan.

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

**MEMORANDUM OF AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

This Memorandum of Agreement made and entered into by and between:

The **CITY GOVERNMENT OF TAGUM**, a public corporation with office address at Rizal St., Tagum City, Davao del Norte, Philippines, represented herein by its City Mayor, Honorable Rey T. Uy, who is of legal age, Filipino, married and a resident of Tagum City, hereinafter referred to as the **FIRST PARTY**;

-and-

The **BARANGAY MAGUGPO WEST**, a barangay located within the territorial jurisdiction of the City of Tagum, with office address at Sto. Niño, Magugpo West, Tagum City, represented herein by its Barangay Captain, Honorable Allan T. Pereyras, who is of legal age, Filipino, married and a resident of Magugpo West, Tagum City, hereinafter known and referred to as the **SECOND PARTY**.

**WITNESSETH:**

WHEREAS, the FIRST PARTY has established an Economic Enterprise consisting of the New Tagum Public Market, Tagum Overland Transport Integrated Terminal (TOTIT), Public Auction Center and Bagsakan, all located within the Barangay of the Second Part;

WHEREAS, the four (4) establishments each have their own facilities and comfort rooms within their respective premises, which at present, is not being undertaken and maintained by a legitimate caretaker;

WHEREAS, in order to have an efficient delivery of services to the public and to make the maintenance of the comfort rooms legitimate, the FIRST PARTY has awarded the said maintenance of the comfort rooms to the SECOND PARTY;

WHEREAS, the above-mentioned award is evidenced by a Memorandum of Agreement signed by the parties on March of 1998 and was renewed in the year 2009;

WHEREAS, the term of the Memorandum of Agreement between the said parties has already expired and the SECOND PARTY, through Barangay Resolution No. 001, series of 2011, requested for a renewal of the Agreement to which the First Party has consented to;

NOW THEREFORE, for and in behalf of the foregoing, the FIRST PARTY and the SECOND PARTY agree to the following terms and conditions:

1. That the SECOND PARTY will undertake the management of all the comfort rooms of the Economic Enterprise, namely: the New Public Market, TOTIT, Auction Center and Bagsakan at Sitio Sto. Niño, Magugpo West and the Second Party shall be responsible for the cleanliness of the entire premises;
2. That the SECOND PARTY shall collect a specified amount from the users of the comfort rooms;
3. That the SECOND PARTY shall be responsible for the payment of the electric and water bills of the said premises;
4. That the FIRST PARTY shall likewise collect a rental fee for the comfort rooms from the SECOND PARTY in the amount of Twelve Thousand (P12,000.00) Pesos per month, payable within the first five (5) days of every month;
5. That the SECOND PARTY shall be given an option to enter into an agreement with another party who shall manage the comfort rooms subject to the usual accounting and auditing rules and procedures.
6. That the term of this Agreement shall be for a period of three (3) years, unless extended by the will of BOTH PARTIES.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_ day of \_\_\_\_\_, 2011 at Tagum City, Davao del Norte, Philippines.

**CITY GOVERNMENT OF TAGUM**  
First Party

**BARANGAY MAGUGPO WEST**  
Second Party

Represented by:  
**HON. REY T. UY**  
City Mayor

Represented by:  
**HON. ALLAN T. PEREYRAS**  
Barangay Captain

Signed in the presence of:

\_\_\_\_\_ and \_\_\_\_\_

**ACKNOWLEDGMENT**

Republic of the Philippines )  
Province of Davao del Norte )  
City of Tagum )  
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**BEFORE ME**, Notary Public for and in the Province of Davao del Norte, personally appeared Hon. Rey T. Uy with his Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at Tagum City, Philippines and Hon. Allan T. Pereyras with his Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at Tagum City, Philippines, known to me to be the same persons who executed the foregoing instrument, consisting of three (3) page/s, including the page on which this acknowledgment is written, and they acknowledge to me that the same is their free act and deed.

**IN WITNESS WHEREOF**, I have hereunto set my hands this \_\_\_ day of \_\_\_\_\_, 2011 at Tagum City Philippines.

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Book No. \_\_\_\_\_  
Series of 2011

**RESOLVED FURTHERMORE**, that copies of this resolution be furnished to Barangay Magugpo West and to all offices concerned for their information and guidance

**CARRIED AND APPROVED.**

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

**REY A. BUHION**  
Secretary to the Sanggunian

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

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