

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

BEFORE THE 5TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 45TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON MAY 23, 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)
Hon. JACQUELINE GRACE Q. EDULLANTES,	Member (SKF Representative)

RESOLUTION NO. 376, 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, A MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, REGION XI, FOR THE PANTAWID PASADA PROGRAM.

WHEREAS, in fulfillment of the mandates of the Local Government Code of 1991, specifically Sections 447 and 458; city and municipal government authorities have granted and continued to grant franchises relative to the operation of tricycles within their jurisdictions;

WHEREAS, a Memorandum of Agreement (MOA) between the LGU of Tagum City and the DILG Regional Office XI, Davao City stipulating therein the responsibilities of both entities in the implementation of Executive Order No. 32, s. 2011 creating the Public Transport Assistance Program (PTAP), otherwise known as Pantawid Pasada, is required for the release of funds for the said Program;

NOW THEREFORE, be it resolved by the Sangguniang Panlungsod of Tagum to authorize the City Mayor, Hon. Rey T. Uy to sign for and in behalf of the City Government of Tagum, a Memorandum of Agreement (MOA) with the Department of the Interior and Local Government, Region XI, for the Pantawid Pasada Program;

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

MEMORANDUM OF AGREEMENT

KNOWN ALL MEN BY THESE PRESENTS:

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

The **Department of the Interior and Local Government (DILG)** represented by Regional Director ANANIAS M. VILLACORTA, CESO IV, DILG Regional Office XI, with office address at Mc Arthur Highway, Matina, Davao City, herein referred to as "DILG Regional Office";

-and-

The **City Government of Tagum**, a political subdivision created under the laws of the Republic of the Philippines, with office address at the City Hall, Rizal Street, Tagum City represented by City Mayor Rey T. Uy, herein referred to as "**LGU**";

WITNESSETH, That:

WHEREAS, in fulfillment of the mandates of Section 447(a)(3)(vi) and Section 458 (a)(3)(vi) of the Local Government Code, municipal and city government authorities have granted, and continued to grant franchises relative to the operation of tricycles within their jurisdictions;

WHEREAS, it is an acknowledged fact that the public transport sector is one among those most vulnerable to the economic aftermath of oil price increases;

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WHEREAS, in keeping with the principle of compassionate government, the Office of the President issued Executive Order No. 32 s. 2011, creating the **Public Transport Assistance Program** (PTAP) as an urgent intervention aimed at cushioning the impact of high fuel prices on the marginalized sectors of society;

WHEREAS, in the language of the said Order, in the case of tricycles, the PTAP shall also subsidize a portion of their average fuel consumption;

WHEREAS, pursuant to the above-mentioned Executive Order, and its implementing Rules and Regulations, the Department of the Interior and Local Government with municipal and city governments both entities are responsible for the implementation of the PTAP;

WHEREAS, the implementation of PTAP grants a one-time tricycle transport financial subsidy to the qualified beneficiary-tricycle franchisees;

NOW THEREFORE, for and in consideration of the foregoing premises, the DILG Regional Office XI and the City Government of Tagum hereby agree to perform the following:

- A.** The DILG Regional Office XI shall:
1. Upon receipt of the sub-allotment and NTCA, through the City DILG Office, immediately effect the release of the tricycle transport financial subsidy in the form of a funding check, through the City Treasurer, the City Government of Tagum, computed based on the submitted Certified List of Tricycle Franchisees;
 2. Direct the concerned Municipal Local Government Operations Officer and City Local Government Operations Officer, through the City Director, to call for a coordination meeting with concerned city authorities, at least three (3) calendar days prior to the scheduled financial subsidy distribution to firm up administrative preparations for such event;
 3. Within five (5) calendar days prior to the distribution of the subsidy, in coordination with the LGU, take the lead in the conduct of a local government-wide information drive informing tricycle franchisees and other interest groups on the dates of, and venue in the distribution of such funds, including the required and reasonable documentary requirements such as Proof of Franchise;
 4. Require the submission by LGU, through the City DILG Office, of a Liquidation Report of Disbursement containing the List of franchisees, Franchise Numbers, Plate Numbers of Tricycles, Amounts and Date Received, and Signatures of Franchisees, duly certified correct by the head of Tricycle Franchising Board (or Task Force, Committee, Office or Unit) and City Treasurer, and duly verified correct by the concerned Field Auditor; and
 5. Submit a Regional Office Administrative cum Liquidation Report of Disbursement to, through the Financial Management Service, the Secretary within twenty (20) days after the distribution of financial subsidy.

In addition, it may call upon the Philippine National Police to ensure the expedient and orderly release of the tricycle transport financial subsidy to the beneficiaries.

- B.** The LGU shall:
1. Cause the preparation and certification of a complete List of Tricycle Franchisees, Addresses and Number of Operating Tricycles, as of March 28, 2011, 11:30AM;
 2. Cause the posting of the Certified List of Tricycle Franchisees, Addresses, Franchise Numbers and Number of Operating Tricycles in publicly accessible and conspicuous places within local government-owned buildings;
 3. Transmit to the DILG Regional Office, through the City Local Government Operations Officer, a copy of the Certified List of Tricycle Franchisees, Addresses and Number of Operating Tricycles as basis in the computation of the tricycle transport financial subsidy;
 4. Upon receipt of the sub-allotment and NTCA, cause the immediate issuance of an Official Receipt to DILG Regional Office XI, in acknowledgement of tricycle transport financial subsidy;
 5. Direct the concerned city officials or employees to attend the coordination meeting with the DILG City Local Government Operations Officer or City Director to firm up administrative preparations for the scheduled financial subsidy distribution;
 6. Within five (5) calendar days prior to the distribution of the tricycle transport financial subsidy cause, in collaboration with the City Local Government Operations Officer or City Director, the conduct of a local government-wide information drive informing tricycle franchisees and other interest groups on the date of, and venue in, the distribution of such funds, including the required and reasonable documentary requirements such as Proof of Franchise;

7. Devise a system to ensure the integrity of fund disbursements to tricycle franchisees, as well as to effect an organized and orderly distribution of tricycle transport financial subsidy to the beneficiary-tricycle franchisees, based on the Certified List of Tricycle Franchisees;
8. Within fifteen (15) days after the distribution of the tricycle transport financial subsidy, submit to the DILG Regional Office, through the City DILG Office, a Liquidation Report of Disbursements containing the List of Franchisees, Franchise Numbers, Plate Numbers of Tricycles, Amounts and Date Received, and Signatures of Franchisees, duly certified correct by the Head of the City Treasurer, and duly verified correct by the concerned Field Auditor; and
9. Provide counterpart resources through staff time, office space, necessary supplies, and other incidental fees (e.g. notarial fee), in support of the implementation of the Public Transport Assistance Program.

IN WITNESS WHEREOF, the parties have hereunto set their hands this ___ day of _____ **2011** in Tagum City.

**Department of the Interior and Local Government DILG
Regional Office XI
By:**

**ANANIAS M. VILLACORTA, CESO IV
Regional Director**

**City Government of Tagum
By:**

**REY T. UY
City Mayor**

ACKNOWLEDGEMENT

Republic of the Philippines)
Province of Dvao del Norte)
City of Tagum)

BEFORE ME, a Notary Public, personally appeared REY T. UY, with Community Tax Certificate No. _____ issued on _____, 2011 at Tagum City and ANANIAS M. VILLACORTA, CESO IV, with Community Tax Certificate No. _____ issued on _____, 2011 at Tagum City, known to me and to me known to be the same persons who executed this Instrument wherein the acknowledgement is written and they acknowledged to me that the same is their free act and deed.

WITNESS MY HAND AND SEAL, this ___ day of _____, 2011 at Tagum City, Davao del Norte, Philippines.

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Book No. ____
Series of 2011

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)**