

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

BEFORE THE 4TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 144TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON MAY 24, 2010 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. REYNALDO T. SALVE,	Member	
Hon. FRANCISCO C. REMITAR,	Member	
Hon. ALFREDO R. PAGDILAO,	Member	(ABC Representative)
Hon. CYRIL LEONARD L. MURING,	Member	(SKF Representative)

ON OFFICIAL BUSINESS:

Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member	
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RESOLUTION NO. 1132, s-2010

“A RESOLUTION AUTHORIZING THE LOCAL CHIEF EXECUTIVE, HON. REY T. UY, CITY MAYOR, TO ENTER INTO AND SIGN FOR AND IN BEHALF OF THE CITY OF TAGUM A MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF AGRICULTURE REGIONAL FIELD UNIT XI THRU REGIONAL EXECUTIVE DIRECTOR, DR. CARLOS B. MENDOZA, CESO IV, FOR THE TURN OVER OF AN IRRIGATION SYTEM THRU THE PROVISION OF WATER PUMPS AND ITS ACCESSORIES IN RESPONSE TO THE PROLONGED DRY SPELL AS A SUPPORT TO THE FOOD SECURITY PROGRAM UNDER THE GMA HVCC PROJECT.”

WHEREAS, RA 8435 otherwise known as the Agriculture and Fisheries Modernization Act or AFMA aims to strengthen the Agriculture and Fishery sectors through modernization and greater participation among the Local Government Units (LGUs), farmers and fisherfolks, non-government organizations and people empowerment;

WHEREAS, the Local Government Code of 1991 allows the Department of Agriculture (DA), a National Agency, to implement nationally funded projects through joint undertakings with the Local Government Units (LGUs);

WHEREAS, for formulation and implementation of investment projects for Agricultural Development concerning production, processing and marketing are within the Strategic Agriculture and Fisheries Development Zones, (SAFDZs);

WHEREAS, three of the major thrusts of the City Government under Hon. Rey T. Uy, City Mayor, are Agricultural Productivity / Livelihood Development & Promotion, Environmental and Tourism Development and Employment Generation which shall all contribute to the attainment of sustainable food security and poverty program of the City;

WHEREAS, the Department of Agriculture through the Regional Field Unit is implementing the Ginintuang Masaganang Ani High Value Commercial Crops program in which the program's goal is to empower the private sector, particularly Small Farmers or Small Holders and Entrepreneurs in order to increase their contribution to the economic growth as well as to augment producers' incomes and enhance consumers health and welfare and the Development of New Lands for Agribusiness also known as Goal 1 in line with the thrust of Her Excellency President Gloria Macapagal Arroyo' Food Security Program;

WHEREAS, there is a need for the Sangguniang Panlungsod of Tagum to pass a resolution relative to the assistance from the Office of the Dept. of Agriculture Region XI as an immediate response and relief for our farmers suffering from the prolonged dry spell;

NOW THEREFORE, be it resolved by the Sangguniang Panlungsod of Tagum to authorize the Local Chief Executive, Hon. Rey T. Uy, City Mayor to enter into and sign for and in behalf of the City Government of Tagum a Memorandum of Agreement (MOA) with the Department of Agriculture Regional Field Unit XI thru Regional Executive Director, Dr. Carlos B. Mendoza, CESO IV, for the turn over of an irrigation system thru the provision of water pumps and its accessories in response to the prolonged dry spell as a support to the Food Security Program under the GMA HVCC project.

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

MEMORANDUM OF AGREEMENT

Provide labor and materials for Three (3) units open source pump with sprinkle irrigation system located at Tagum City

KNOW ALL MEN BY THESE PRESENTS:

This agreement made and entered into this ____ day of _____, 2010, by and between.

The **Department of Agriculture** thru the **DA-Regional Field Unit XI**, a government agency created and existing under the Republic of the Philippines with the office address at DA-RFU XI, F. Bangoy St. Davao City, represented by its Regional Executive Director Carlos B. Mendoza, hereinafter referred to as DA-RFU XI.

and

The **Local Government Unit of Tagum City** located at Rizal St., Tagum City, represented by its Mayor, Hon. Rey T. Uy, hereinafter referred to as Recipient/FO.

WITNESSETH

WHEREAS, Republic Act 8435 otherwise known as Agriculture and Fisheries Modernization Act (AFMA) aims to strengthen the Agriculture and Fisheries sector through modernization, greater participation among the Local Government Unit (LGU), farmers and fisherfolks, non-government organization and people empowerment;

WHEREAS, the Local Government code of 1991 allows the Department of Agriculture (DA), a National Agency to implement nationally funded projects jointly with the Local Government Unit's (LGU's);

WHEREAS, for formulation and implementation of investment projects for agricultural development concerning production, processing and marketing are within the Strategic Agriculture and Fisheries Development Zones.

WHEREAS, the Department of Agriculture through the Regional Field Unit is implementing the Ginintuang Masaganang Ani High Value Commercial Crops Program in which the program's goal is to empower the private sector, particularly small farmers or small holders and entrepreneurs in order to increase their contribution to economic growth as well as to augment producer's income and enhance consumer health and welfare and the development of new lands for agribusiness also known as Goal 1 in line with the trust of Her Excellency President Gloria Macapagal Arroyo's Food Security Program.

FURTHERMORE, the project implementation shall be GRANT through efficient use of resources of the DA-RFU XI;

NOW THEREFORE, for and in consideration of the mutual covenants and premises hereinafter set forth, the parties hereto agree as follows:

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ARTICLE I
SCOPE

One of the objectives of the GMA HVCC Program is to help ensure Food Security by producing available, safe, nutritious and affordable high value crops while increasing income opportunities for producers and entrepreneur's. Under the Production Support Services component of the program specific Facility/ies like establish Irrigation System will be provided to individual entrepreneur, Farmers Organizations (FO's) and or Local Government Unit's (LGU's).

ARTICLE II

RESPONSIBILITIES AND OBLIGATION OF THE PARTIES

1. The DA-RFU XI shall:

- a.) Validates the proposed site of the Irrigation System;
- b.) Extend technical services as may be needed by the LGU/FO/Recipient relative to project preparation and implementation of Irrigation System;
- c.) Construct and monitor the implementation of the said program in accordance with the Approved Program of Works, Plans and Designs and reserve the right to intervene and institute corrective measures in case of non-compliance with the stipulation of this agreement;
- d.) Have the right to transfer to other beneficiaries in case the original recipients refuse to follow the guidelines of implementation of the project.

2. The LGU/FO/Recipient shall:

- a.) Submit to **DA-RFU XI** a letter request/resolution and other documents required by the **DA-RFU XI** to avail Irrigation System;
- b.) Conduct site preparation such as preparation of legal documents and other related work activities prior to construction of Irrigation System;
- c.) Accept the project upon completion of the Irrigation System;
- d.) Responsible for the operation and maintenance of Irrigation System;
- e.) Submit reports that **DA-RFU XI** may require from time to time;

3. MISCELLANEOUS

- a.) The agreement made by the parties may be amended only in writing and signed by authorized representatives of both parties. All amendment(s), which will be appended to this agreement, shall be in writing and delivered to the address of the parties indicated herein.

IN WITNESS WHEREOF, the parties through their duly authorized representatives hereunto affixed their signatures this ____ day of _____, 2010 _____, Philippines.

Department of Agriculture
Regional Field Unit XI

Local Government Unit of Tagum
Rizal St., Tagum City

CARLOS B. MENDOZA, CESO IV
Regional Executive Director

REY T. UY
City Mayor

Signed in the presence of:

LARRY C. PINEDA
OIC – Chief RAED

MARIFLOR S. GARCIA
Regional Accountant
DA-RFU XI, Davao City

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF DAVAO DEL NORTE)
CITY OF TAGUM)
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BEFORE ME, this _____ day of _____ 2010 at _____, Philippines, personally appeared the following persons to wit:

Name	Comm. Tax Cert. No.	Place Issued	Date Issued
Carlos B. Mendoza	14029557	Davao City	Jan. 07, 2010
Rey T. Uy			

Known to me and known to be the same persons who executed the foregoing documents and acknowledged to me the same is their free and voluntary act and deed.

WITNESS MY HAND SEAL on the date and place above written.

NOTARY PUBLIC

Doc. No. _____
Page No. _____
Book No. _____
Series of 2010.

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)