



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 45th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 12 DECEMBER 2011, 9:30 A. M. AT MANALO'S COMPOUND, BARANGAY PACLASAN.

Present:

Councilor Mae Arlene M. Talens	- Presiding Officer Pro- Tempore
Councilor Juanito A. Bacay, Jr.	- Member
Councilor Eduardo K. Soriano	- Member
Councilor Elsie F. Galaran	- Member
Councilor Arnel F. Fabon	- Member
Councilor Lee M. Baculinao	- Member
Councilor Juan S. Advincula	- Member
Councilor Camilo G. Ferreira	- President, Liga ng mga Barangay

Absent:

Vice Mayor Violeta L. Dimapilis	- Sick Leave
Councilor Cesar T. Baticos	- Member, Sick Leave
Councilor Mary Jennie Leigh Q. Sarmiento	- MSKF President Sick Leave

RESOLUTION NO. 068
Series of 2011

A RESOLUTION EXPRESSING THE COMMITMENTS AND UNDERTAKINGS OF THE MUNICIPALITY OF ROXAS, ORIENTAL MINDORO IN THE IMPLEMENTATION OF THE AGRARIAN REFORM COMMUNITIES 2 (ARCP 2) IN THE MUNICIPALITY.

WHEREAS, the Agrarian Reform Communities Project 2 (ARCP 2) is a six-year development project of the Department of Agrarian Reform (DAR) financed by a loan from the Asian Development Bank under Loan No. 2465-PHI and OPEC Fund for International Development (OFID) under Loan No. 1225P;

WHEREAS, the ARCP 2 shall fund development activities in selected Agrarian Reform Communities (ARCs) and ARC clusters in Southern Philippines in partnership with Local Government Units;

WHEREAS, the ARC of Roxas located in the Municipality of Roxas, Province of Oriental Mindoro is one of the qualified sites for ARCP 2 assistance;

WHEREAS, the Municipal Government of Roxas fully supports and commits itself to the improvement of household income and the quality of life of project beneficiaries in Roxas ARC.

NOW THEREFORE, be it resolved as it is hereby resolved by the Sangguniang Bayan, in a session duly assembled, that its incumbent Mayor, Hon. Jackson Cinco Dy or his successors be authorized as he is hereby authorized and empowered, for and in behalf of the Municipal Government of Roxas, Oriental Mindoro to do the following:

- (a) Support the implementation of the Agrarian Reform Community Development Plan (ARCDP) of Roxas ARC and integrate this Plan in the Municipal Development Plan.
- (b) Appropriate and/or include in the Municipality's annual budget corresponding amounts needed to undertake the ARCP 2 activities.
- (c) Provide required equity/contribution in cash and in kind for all rural infrastructure sub-projects proposed/approved for ARCP2 funding assistance.
- (d) Conduct feasibility studies and undertake detailed engineering plans for rural infrastructure sub-projects to be proposed for ARCP2 funding assistance.
- (e) Conduct necessary surveys (census of project affected persons, social surveys, etc.) related to subproject implementation.
- (f) Provide and set aside a separate trust fund and work in partnership with appropriate ARC organizations for the proper and adequate maintenance of completed and turned over ARCP2 rural infrastructure sub projects.
- (g) Observe and comply with prescribed safeguard policies by ARCP2 and existing Philippine laws on (1) environment; (2) involuntary resettlement for project affected persons; and (3) indigenous people.
- (h) Provide adequate appropriations that will allow the municipality to acquire required ROW, site or location for rural infrastructure sub-projects proposed/approved for ARCP2 funding assistance including the necessary payment of compensation and provision of other entitlements to project affected persons in lieu of a deed of donation.
- (i) Initiate expropriation proceedings of properties affected by the sub-project to be funded by ARCP2 whenever necessary, and subject to existing laws, guidelines and procedures governing the acquisition of right of way, site or location for government infrastructure projects.
- (j) Abide by the ADB and government procurement safeguard and anti-corruption policies and to enforce proper financial and fiduciary management.

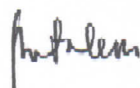
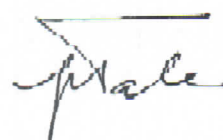
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BE IT RESOLVED that the Municipal Government of Roxas, Oriental Mindoro hereby authorizes the Municipal Mayor to undertake the following for and in behalf of the municipality:

1. Confirm, approve and ratify all previous representations and all the terms and conditions of the Memorandum of Agreement signed between the Municipality of Roxas, Oriental Mindoro and the DAR for the implementation of ARCP2 in the municipality.
2. Enter into a Memorandum of Agreement with the DAR for the implementation of project-related activities of the approved ARCDP of Roxas ARC for and in behalf of the municipality, including the MOA covering the National Government Assistance to Local Government Units (NGALGU) for the implementation of Rural Infrastructure sub projects under the Agrarian Reform Communities Project II.
3. Enter into such other Memorandum of Agreements with other parties such as other National Government Agencies (NGAs), Government Owned and Controlled Corporations (GOCCs), Private Business Entities, International and Local Non-government Organizations, etc., that may be necessary to facilitate implementation of infrastructure subprojects particularly in providing assistance to LGUs for equity/counterpart under ARCP II.
4. Enter, sign and execute the Sub-Project Agreement (SPA) and Accession Undertaking (AU) and to accede to the terms and conditions stipulated therein for the execution of rural infrastructure sub-projects approved for ARCP2 funding assistance.
5. Enter into contracts for civil works, consultancy, equipment and other agreements required in the implementation of rural infrastructure sub-projects approved for ARCP2 funding assistance.
6. Enter into a Sub-Loan Agreement (SLA) with the Municipal Development Fund Office (MDFO) of the Department of Finance (DOF) and in case of LGU default in the maintenance of sub-projects within the prescribed period by the DAR in the SPA, and pursuant to the SLA, authorize the MDFO to deduct from the monthly IRA of the municipality, the grant portion of the sub-project cost converted into loan until the said loan and any interest thereon are finally paid and settled.
7. Enter into a Memorandum of Agreement with private parties such as people's organizations and cooperatives assisted by ARCP 2 for the operation, maintenance, and management of completed and turned over ARCP 2 rural infrastructure sub-projects subject to the terms and conditions as prescribed by the Sanggunian.



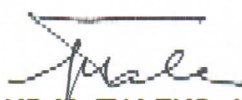
RESOLVED FURTHER, that the Municipal Government of Roxas, Oriental Mindoro shall refund the amount advanced from the grant should it fail to complete the technical requirements of the Sub-project Agreement that would give rise to the inoperability or cancellation of the sub-project.

RESOLVED FURTHER, that the DOF - MDFO be authorized as it is hereby authorized, in the event of failure to make refund the amount advanced to withhold the amount from the internal revenue allotment (IRA) of the municipality.

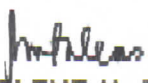
RESOLVED FINALLY, to furnish the Office of the DAR Secretary, Office of the Undersecretary for SSO/Project Implementing Officer, DAR-FAPsO, and the DOF-MDFO, with a copy of this resolution.

Adopted: 12 December 2011

CERTIFIED CORRECT:


FERDINAND Y. TALENS, MPA
Secretary to the Sanggunian

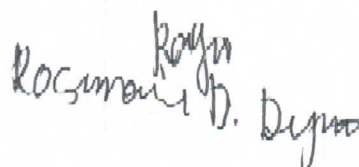
ATTESTED:


MAE ARLENE M. TALENS
Presiding Officer Pro - Tempore

APPROVED:


JACKSON CINCO DY
Municipal Mayor

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Rogemar D. Digno