Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 11TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 24 SEPTEMBER 2007, 9:30 A.M. AT THE SANGGUNIAN SESSION HALL.

Present:

Councilor Cesar T. Baticos	- Presiding Officer Pro-Tempore
Councilor Agustin L. Cusi	- Member
Councilor Jocelyn G. Solabo	- Member
Councilor Angeles D. Bautista	- Member
Councilor Hernan C. Erorita	- Member
Councilor Bernabe S. Mortel	- Member
Councilor Edren Y. Faderon	- Member
Councilor Napoleon M. Dimapilis	- Member
Councilor Larry V. Salazar	- President, Liga ng mga Barangay
Councilor King Philip B. Dimapilis	- Mun. SK Federation President

Absent:

Vice Mayor Violeta L. Dimapilis	- Sick Leave

RESOLUTION NO. 064
Series of 2007

RESOLUTION AUTHORIZING HON. JACKSON CINCO DY, MUNICIPAL MAYOR TO ENTER INTO A CONTRACT OF SERVICES WITH QUALIFIED CONSULTANTS / SPECIAL ASSISTANTS AND JOB ORDERS FOR THE IMPLEMENTATION OF SPECIAL PROGRAMS AND PROJECTS IN THE MUNICIPALITY OF ROXAS, ORIENTAL MINDORO SUBJECT TO RATIFICATION OF THE SANGGUNIANG BAYAN AND ALL LAWS AND EXISTING LEGAL RULES AND REGULATIONS

WHEREAS, Section 22 (6) (c) of the Local Government Code provides for that no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the Sanggunian concerned;

WHEREAS, Section 77 of Republic Act 7160 provides that the local chief executive may employ emergency or casual employees or laborers paid on a daily wage or piece-work basis and hired through job orders for local projects authorized by the Sanggunian concerned;

WHEREAS, Rule XI of CSC Memorandum Circular No. 40, series of 1998, as amended provides as follows:

"Rule XI – Contracts of Service/Job Orders

"Section 1. Contracts of Service/ Job Orders, as distinguished from those covered under Sec. 2 (e) and (f), Rule III of these Rules, need not be submitted to the Commission. Services rendered thereunder are not considered government services.

"Section 2. Contracts of Service/ Job Orders refer to employment described as follows.

"a. The contract covers lump sum work or services such as janitorial, security or consultancy services where no employer-employee relationship exists;

"b. The job order covers piece of work or intermittent job of short duration not exceeding six months on a daily basis;

"c. The contracts of service or job orders are not covered by Civil Service Law, rules and regulations but covered by COA rules;

"d. The employees involved in the contracts or job orders do not enjoy the benefits enjoyed by government employees, such as PERA, COLA and RATA."

WHEREAS, consultants in the guise of special assistants and will render consultancy services to the municipal government shall be covered by RA 9184 which provides that consultants shall be hired on the basis of their proven expertise, experience and capability;

WHEREAS, Memorandum Circular No. 26 and 27 series of 1997 of the Civil Service Commission prohibits the designation of consultants, contractuals and non-career employees to positions exercising control or supervision over regular and career personnel;

WHEREAS, in order that contracts of services and job orders be regulated and so as not to circumvent existing Civil Service law, rules and the constitutional mandate of merit and fitness in hiring personnel a proper review of contracts of this nature and the exercise of oversight functions are incumbent to local legislative body;

WHEREAS, in the light of the foregoing and after a careful evaluation and tedious deliberations this body agreed to authorize the Municipal Mayor Jackson Cinco Dy to enter into a contract of services/job orders for two (2) months only effective upon the approval of this resolution with the following persons to wit.

1. Rogelio Fallaria, Jr.
2. Lee Baculinao
3. Benito Ballesteros
4. Tomas C. Maulion
5. Puncho Salonga
6. Ariel Safas
7. Santiago Cano
8. Gerry Merez
9. Domingo Francisco
10. Lenie Fabellon
20. Clarence G. Gado
21. Cristy Neypes
22. Ma. Theresa A. Apostol
23. Semproso F. Role, Jr.
24. Agustin E. Garcia
25. Emmanuel F. Espirito
26. Jimson M. Talaga
27. Gerson D. Agustin
28. Mervin M. Paylago
29. Magtanggol A. Altovar

11. Jesper Limque
12. Larry Mariano
13. Danilo Tambuon
14. Opiniano Manlolo
15. Lauro F. Garcia
16. Ariel P. Ramilo
17. Vincent A. Fubila III
18. Michelle Sanque
19. Jescherian G. Dela Cruz
30. Ramil M. Miguel
31. Jimry G. Gan
32. Felomina M. Polinario
33. Lizyl V. Fabro
34. Lordelyn G. Palapus
35. Ma. Jessica S. De Guzman
36. May A. Lolong
37. Monroe E. Estrada

NOW THEREFORE, on motion of Councilor Jocelyn G. Solabo and duly seconded by Councilor Hernan C. Erorita, Councilor Bernabe S. Morrel and Councilor Napoleon M. Dimapilis:

BE IT RESOLVED to authorize as it hereby authorizes Hon. Jackson Cinco Dy to enter into a contract of services with qualified consultants/ special assistants and job orders for the implementation of special programs and projects in this municipality subject to ratification of the Sangguniang Bayan and all laws and existing legal rules and regulations.

RESOLVED FURTHER to send copies of this resolution the Hon. Mayor Jackson Cinco Dy and all municipal offices concerned for their information, action and reference.

RESOLVED FINALLY to send copies of this resolution the Commission on Audit, Calapan City, Oriental Mindoro for their information and reference.

Adopted : 24 September 2007

CERTIFIED CORRECT:

FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:

CESAR T. BATICOS
Presiding Officer/Pro Tempore'

APPROVED:

JACKSON CINCO DY
Municipal Mayor