



Republic of the Philippines  
Province of Cagayan  
Tuguegarao City

**OFFICE OF THE CITY SECRETARY**

September 12, 2013

**Atty. Rosalinda P. Callang**  
Secretary to the Sanggunian  
Sangguniang Panlalawigan of Cagayan  
Capitol Hills, Tuguegarao City

09-12-13  
by

CAGAYAN

**Madam:**

Pursuant to Section 54 of the Local Government Code, we are now submitting for review the attached legislative measure enacted by the Sangguniang Panlungsod of Tuguegarao City during their August 28, 2013 Regular Session, specifically:

**CITY ORDINANCE NO. 03-2013** "AN ORDINANCE GRANTING AUTHORITY TO THE CITY VICE MAYOR TO ENTER INTO A CONTRACT, MEMORANDUM OF AGREEMENT OR MEMORANDUM OF UNDERSTANDING WITH PARTNER AGENCIES / ESTABLISHMENTS / ENTITIES FOR AND ON BEHALF OF THE SANGGUNIANG PANLUNGSOD"

Thank you.

**Very truly yours,**

  
**JOEL JOSEPH L. EGIPTO**  
SP Secretary

Republic of the Philippines  
PROVINCE OF CAGAYAN  
Tuguegarao City

**SIXTH CITY COUNCIL**

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION  
OF THE SANGGUNIANG PANLUNGSOD OF TUGUEGARAO CITY, CAGAYAN HELD  
ON AUGUST 28, 2013, WEDNESDAY, AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Engelbert C. Caronan, Jr.	City Vice Mayor, Presiding Officer
Hon. Bienvenido C. De Guzman II	Sangguniang Panlungsod Member
Hon. Rosauro G. Resuello	-do-
Hon. Ronald S. Ortiz	-do-
Hon. Perla C. Tumaliuan	-do-
Hon. Noel A. Mora	-do-
Hon. Jude T. Bayona	-do-
Hon. Loreto B. Valdepeñas	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Estelita U. Dayag	-do-
Hon. Aurora A. Ave	-do-

ABSENT:

Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member
Hon. Anthony C. Tuddao	-do-
Hon. Hilario Larry S. Ting	-do-
Hon. Nadine Jerome A. Cabugos	-do-

**CITY ORDINANCE NO. 03-2013**

**AN ORDINANCE GRANTING AUTHORITY TO THE CITY VICE MAYOR  
TO ENTER INTO A CONTRACT, MEMORANDUM OF AGREEMENT OR MEMORANDUM  
OF UNDERSTANDING WITH PARTNER AGENCIES/ESTABLISHMENTS/ENTITIES  
FOR AND ON BEHALF OF THE SANGGUNIANG PANLUNGSOD**

WHEREAS, Section 456 of the Local Government Code of 1991 on the Powers, Duties and Compensation states that the Vice Mayor can exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance;

WHEREAS, it is imperative for the City Vice Mayor to enter into an agreement with partner agencies/establishments/entities to formalize and institutionalize partnerships related to the operations of the Sangguniang Panlungsod in order to effectively discharge his duties and functions and for effective legislations;

WHEREAS, the funds to be utilized for these partnerships shall come from the appropriations of the Office of the City Vice Mayor, the Sangguniang Panlungsod or the SP Secretariat as the case may be;

WHEREAS, the said partnerships shall foster closer relationship and open communication between the community and the Sangguniang Panlungsod;

WHEREAS, for these reasons, there is a need to grant authority to the City Vice Mayor to enter into a contract, memorandum of agreement and memorandum of understanding with partner agencies/establishments/entities;

RESOLVE, as it is hereby RESOLVED by the Sangguniang Panlungsod of Tuguegarao to grant authority to the City Vice Mayor to enter into a contract, memorandum of understanding and memorandum of agreement for and on behalf of the Sangguniang Panlungsod.

Now, therefore, be it ordained by the Sangguniang Panlungsod of Tuguegarao in session duly assembled, to enact:

**SECTION 1. TITLE.** This Ordinance shall be known as the Ordinance Granting Authority to the City Vice Mayor to enter into a contract, memorandum of agreement or memorandum of understanding with partner Agencies/establishments/entities for and on behalf of the Sangguniang Panlungsod.

**SECTION 2. DEFINITION OF TERMS.** As used and referred to in this Ordinance, the following terms shall mean:

1. Memorandum of Understanding – A document that expresses mutual accord on an issue between two or more parties.
2. Memorandum of Agreement or Cooperative Agreement – A document written between parties to cooperate on an agreed objective. It is generally more binding between the parties than the memorandum of understanding.
3. Contract – A meeting of minds between two persons whereby one binds himself, with respect to the other, to give something or to render something (Civil Code of the Philippines). It has the force and effect of law between the parties including third persons.
4. Agency – Any business or organization established to provide a particular service, typically one that involves organizing transaction between two parties.
5. Establishment – An economic unit that produces and/or sells goods and services and operates from a single physical location.
6. Entity – Any person, partnership, organization or business that has separately identifiable existence.

**SECTION 3. AUTHORITY.** The City Vice Mayor is hereby granted the authority to enter into contract, memorandum of agreement or memorandum of understanding with partner agencies/establishments/entities for and on behalf of the Sangguniang Panlungsod.

**SECTION 4. RESTRICTIONS.**

1. In case of service contracts or contracts requiring the disbursements of funds subject to the usual accounting, budgeting and auditing rules and procedures, the said contract must be submitted to the Sangguniang Panlungsod for concurrence.
2. Only the City Vice Mayor may enter into contract, memorandum of agreement or memorandum of understanding with partner agencies/establishments/entities for and on behalf of the Sangguniang Panlungsod.
3. The subject of the contract must only involve activities or functions that are innately attributable to the roles of the Sangguniang Panlungsod taking into consideration the provisions of the Local Government Code, other relevant laws, rules and regulations.

**SECTION 5. EFFECTIVITY.** This Ordinance shall take effect immediately upon its approval.

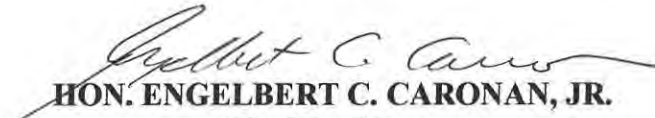
On motion of all members present, **CITY ORDINANCE NO. 03-2013** was UNANIMOUSLY APPROVED.

X-X-X


I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
**JOEL JOSEPH L. EGIPTO, Ph. D.**  
Secretary to the Sangguniang Panlungsod

ATTESTED:

  
**HON. ENGELBERT C. CARONAN, JR.**  
City Vice Mayor  
Presiding Officer

APPROVED:

  
**HON. JEFFERSON P. SORIANO**  
City Mayor  
Date approved: 2011/1/13

♥ cel ☺