



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao
SEVENTH CITY COUNCIL



EXCERPTS FROM THE MINUTES OF THE 51st REGULAR SESSION
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON AUGUST 07, 2017, 9:00 A.M., MONDAY,
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Danilo L. Baccay	City Vice Mayor, Regular Presiding Officer
Hon. Jude T. Bayona	Sangguniang Panlungsod Member
Hon. Kendrick S. Calubaquib	-do-
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Imogen Claire M. Callangan	-do-
Hon. Mary Marjorie P. Martin-Chan	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-

ABSENT:

Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member (on Official Leave)
Hon. Anthony C. Tuddao	Sangguniang Panlungsod Member
Hon. Jose G. Velasco	-do-

CITY RESOLUTION NO. 244-2017

A RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT (MOA) BY AND BETWEEN THE TUGUEGARAO CITY GOVERNMENT AND MS. JOYMA M. MENDOZA FOR THE OPERATION OF THE PRESYO AGAWID/BARATILYO 2017

WHEREAS, Tuguegarao City shall conduct Presyo Agawid/Baratilyo 2017 from August 1, 2017 to September 15, 2017 by virtue of City Resolution No. 218-2017 approved on the 46th Regular Session of the Sangguniang Panlungsod held on July 03, 2017;

WHEREAS, one of the provisions of the said Resolution provides that the Memorandum of Agreement (MOA) shall be subject for the ratification/approval of the Seventh City Council;

WHEREAS, in compliance therewith, the City Mayor, Hon. Bienvenido C. De Guzman II, endorsed to the Seventh City Council the said MOA for the Presyo Agawid/Baratilyo by and between the Tuguegarao City Government and Ms. Joyma M. Mendoza for ratification.

NOW, THEREFORE, RESOLVE, as it is hereby **RESOLVED**, to ratify the Memorandum of Agreement (MOA) by and between the Tuguegarao City Government and Ms. Joyma M. Mendoza for the operation of the Presyo Agawid/Baratilyo, to wit:

A G R E E M E N T

KNOW ALL MEN BY THESE PRESENTS:

This AGREEMENT, made and entered into in the City of Tuguegarao, Province of Cagayan, Philippines, by and between –

THE CITY GOVERNMENT OF TUGUEGARAO, represented by City Mayor HON. BIENVENIDO C. DE GUZMAN II, hereunder referred to as the FIRST PARTY,

-and-

MS. JOYMA M. MENDOZA, of legal age, Filipino citizen, and of No. 02 Bayabas Street, Barangay San Gabriel, Tuguegarao City, doing business under the name and style Gem's Prints and Designs, hereinafter referred to as the SECOND PARTY,

WITNESSETH: THAT –

WHEREAS, Tuguegarao City celebrates its fiesta every 16th of August;

WHEREAS, it has been a tradition to hold a "Presyo Agawid/Baratilyo" (flea market) at this time of the year;

WHEREAS, in order for an orderly and smooth "Presyo Agawid/Baratilyo", its operation is granted to an individual or entity, under certain terms and conditions;

WHEREAS, pursuant to City Resolution No. 218-2017 (dated July 03, 2017) of the Sangguniang Panlungsod of Tuguegarao; the SECOND PARTY qualified and submitted the bid amount of P1,700,000.00.

NOW, THEREFORE, for and in consideration of the foregoing premises, the FIRST PARTY and the SECOND PARTY have mutually agreed and covenanted, as they hereby AGREE and COVENANT as follows:

1. **Contract Price:** The SECOND PARTY shall pay the FIRST PARTY the amount of P1,700,000.00 to conduct the "Presyo Agawid/Baratilyo" 2017 of Tuguegarao City;
2. **Mode of Payment:** The SECOND PARTY may pay in lump sum the amount of P1,700,000.00 upon the execution of this contract to the City Treasurer; or, make a down payment of 30% of the negotiated price or P510,000.00, and the balance payable on or before August 31, 2017, and provide a security/surety/cash bond, to answer for the balance; and, in case of default, to pay a one percent (1%) per day penalty until the balance is fully paid;
3. "Presyo Agawid/Baratilyo" 2017 shall be held for a period of forty-five (45) days only, from August 1, 2017 to September 15, 2017;
4. **Obligations of the SECOND PARTY –**
 - a. Secure a Mayor's Permit;
 - b. Install and dismantle the stalls;
 - c. Pay electric and water bills;
 - d. Maintain cleanliness and sanitation within the premises;
 - e. Provide Portable Toilets to be used by the exhibitors;
 - f. Prohibit the use of flammable materials such as LPG and firewood within the place of operation;
 - g. Provide six (6) pieces ten-pounder fire extinguishers and coordinate with the Fire Marshal of Tuguegarao City for the site locations thereof within the "Presyo Agawid/Baratilyo" area; and,
 - h. To pay a penalty of P50,000.00 per day for not totally clearing the streets after September 17, 2017.
5. **Obligations of the FIRST PARTY –**
 - a. Re-route the flow of traffic within the vicinity of the area of operation of the "Presyo Agawid/Baratilyo" 2017, which area of operation is – Gonzaga Street (from corner Bonifacio Street to Del Rosario Street); Gomez Street (from corner Bonifacio Street to Del Rosario Street); and portion of Del Rosario Street (from corner Gomez Street to Gonzaga Street), starting July 27, 2017 (5 days allowance to close the streets pursuant to City Ordinance No. 18-2017, and for the SECOND PARTY to put up the stalls) until September 17, 2017 (2 days allowance for the SECOND PARTY to dismantle the stalls and clear the streets);
 - b. To make available a fire truck within the premises round-the-clock;
 - c. To relocate affected vendors within the area of operation;

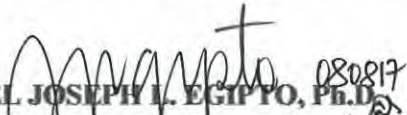


- d. To provide parking spaces for tricycles; and,
 - e. To insure public safety, peace and order within the premises.
6. The FIRST PARTY and the SECOND PARTY are hereby enjoined to strictly observe and abide by all the foregoing terms and conditions of this AGREEMENT.

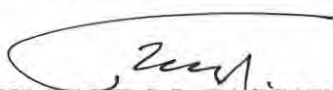
On motion of Hon. Raymund P. Guzman, duly seconded by Hon. Gilbert S. Labang and without any objection, **CITY RESOLUTION NO. 244-2017** was **APPROVED** under suspended rules.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
Secretary to the Sanggunian

ATTESTED:


HON. DANILO L. BACCAY
City Vice Mayor
Presiding Officer
Date: 08-09-17