



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



EXCERPTS FROM THE MINUTES OF THE 94<sup>th</sup> REGULAR SESSION  
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON JULY 31, 2018, 9:00 A.M., TUESDAY,  
 AT THE MAYOR'S OFFICE CONFERENCE ROOM

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor/Presiding Officer
Hon. Danilo L. Baccay	Sangguniang Panlungsod Member
Hon. Jude T. Bayona	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Maila Rosario T. Que	-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-
Hon. Anthony C. Tuddao	-do-
Hon. Gil G. Pagulayan	Ex Officio Member

ABSENT:

Hon. Karen L. Taguinod	Ex Officio Member
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**CITY RESOLUTION NO. 206-2018**

**A RESOLUTION RATIFYING THE AGREEMENT BY AND BETWEEN THE TUGUEGARAO CITY GOVERNMENT AND MS. MARIETTA J. SERRANO FOR THE OPERATION OF THE "PRESYO AGAWID" / BARATILYO 2018**

**WHEREAS**, Tuguegarao City shall conduct "Presyo Agawid" / Baratilyo 2018 from August 1, 2018 to September 15, 2018 by virtue of City Resolution No. 194-2018 approved on the 91<sup>st</sup> Regular Session of the Sangguniang Panlungsod held on July 10, 2018;

**WHEREAS**, City Resolution No. 204-2018 titled "*Resolution Amending City Resolution No. 195-2018 Titled "Resolution Authorizing The Acting City Mayor, Hon. Bienvenido C. De Guzman II, To Transact, Negotiate And Enter Into A Contract With The Best Terms And Conditions With Legitimate And Qualified Operators And Businessmen From Tuguegarao City For The 2018 "Presyo Agawid" / Baratilyo Subject To The Ratification Of The Seventh City Council And Existing Applicable Laws, Rules And Regulations"* provides that the Agreement shall be subject for the ratification/approval of the Seventh City Council;

**WHEREAS**, in compliance therewith, the City Mayor, Hon. Atty. Jefferson P. Soriano, endorsed to the Seventh City Council the said Agreement for the "Presyo Agawid" / Baratilyo by and between the Tuguegarao City Government and Ms. Marietta J. Serrano for ratification;

**WHEREAS**, pursuant to the said City Resolution, *if there is no taker, the City Mayor may negotiate for the best terms but not lower than One Million Seven Hundred Thousand Pesos (P1,700,000.00) and, if there is no taker, the amount of One Million Seven Hundred Thousand Pesos (P1,700,000.00) shall be divided among the interested locators.*



**NOW, THEREFORE, RESOLVE**, as it is hereby **RESOLVED**, to ratify the Memorandum of Agreement (MOA) by and between the Tuguegarao City Government and Ms. Marietta J. Serrano 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. ATTY. JEFFERSON P. SORIANO, hereunder referred to as the FIRST PARTY,

-and-

MS. MARIETTA J. SERRANO, of legal age, Filipino citizen, and of No. 69 San Diego Street, Arkong Bato, Valenzuela City, hereinafter referred to as the SECOND PARTY,

W I T N E S S E T H : T H A T –

WHEREAS, Tuguegarao City celebrates its fiesta every 16<sup>th</sup> 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. 194-2018 (dated July 10, 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 2018 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, 2018, 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” 2018 shall be held for a period of forty-five (45) days only, from August 1, 2018 to September 15, 2018;
4. Obligations of the SECOND PARTY –
  - a. To commence the “Presyo Agawid”/ Baratilyo 2018 on July 31, 2018, 12:00 midnight and end on September 15, 2018, 12:00 midnight
  - b. To secure a Mayor’s Permit;
  - c. To install and dismantle the stalls;
  - d. To pay the electric and water bills;
  - e. To maintain the cleanliness and sanitation within the premises;
  - f. To hire additional sweepers to augment the number of present sweepers;
  - g. To secure and ensure the safety of their goods and personnel;
  - h. Not to use flammable materials such as LPG and firewood;
  - i. Not to extend the time and days of operation;



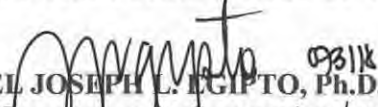


- j. To post a security/surety bond in the amount of One Hundred Thousand Pesos (P100,000.00) to guarantee the performance of the operator's obligations and to answer for whatever damages incurred in the operation of the business;
  - k. To provide six (6) pieces ten-pounder fire extinguishers and coordinate with the fire marshal for the locations; and,
  - l. To pay the corresponding penalty for violations, as provided by laws.
5. Obligations of the FIRST PARTY –
- a. To itemize all fees paid by the operator;
  - b. To re-route the flow of traffic to ensure orderliness;
  - c. To make sure that a fire truck shall always be available at the vicinity;
  - d. To provide relocation sites for street vendors;
  - e. To provide parking spaces for tricycles;
  - f. To insure public safety, peace and order in the vicinity;
  - g. To ensure police visibility and augment the number of traffic aides;
  - h. To provide a scheme in garbage collection;
  - i. To furnish the City Council a copy of the contracts or offers pertinent to this authority;
  - j. To submit a full report on the implementation of the terms and conditions provided in the instant ordinance two (2) weeks after the period of "Presyo Agawid"/Baratilyo 2018; and,
  - k. To put up an Information Center in the Office of the Market Administrator, with all the members of the Task Group.
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.

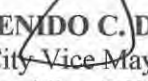
On motion of Hon. Raymund P. Guzman, duly seconded by Hon. Kendrick S. Calubaquib, with the abstention of Hon. Mary Marjorie P. Martin-Chan and without the presence of Hon. Maïla Rosario T. Que who asked permission to leave early, **CITY RESOLUTION NO. 206-2018** was **APPROVED** under suspended rules.

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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. BIENVENIDO C. DE GUZMAN II**  
 City Vice Mayor  
 Presiding Officer  
 Date: \_\_\_\_\_

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