



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT LOU-IS RESORT AND RESTAURANT, CAPITOL DRIVE, CITY OF BALANGA, BATAAN ON APRIL 16, 2018

PRESENT:

Hon. Jovy Z. Banzon, Acting Vice Governor and Presiding Officer

FIRST DISTRICT:

- Hon. Benjamin C. Serrano, Jr., Board Member
- Hon. Aristotle J. Gaza, Board Member
- Hon. Dexter B. Dominguez, Board Member
- Hon. Rolando Z. Tigas, Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member

SECOND DISTRICT:

- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Dante R. Manalaysay, Board Member
- Hon. Jose C. Villapando, Sr., Board Member

- Hon. Doroteo M. Austria, Board Member (FABC President)
- Hon. Danilo B. Salonga, Board Member (IPM Representative)

ABSENT:

- Hon. Ma. Cristina M. Garcia, Vice Governor (O.B.)
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President) (O.B.)

RESOLUTION NO. 191

RESOLUTION APPROVING ORDINANCE NO. 02 ENTITLED "ORDINANCE AUTHORIZING THE BORROWING OF THE PROVINCE OF BATAAN FROM THE DEVELOPMENT BANK OF THE PHILIPPINES (DBP) FOR A TERM LOAN IN THE AMOUNT OF EIGHTY-FIVE MILLION PESOS (P85,000,000.00) TO FINANCE THE PHASE 2 OF 1BATAAN INTEGRATED COMMUNICATION AND PUBLIC SAFETY SYSTEM IN THE PROVINCE OF BATAAN, HEREBY AUTHORIZING THE PROVINCIAL GOVERNOR, HON. ALBERT S. GARCIA, TO ENTER INTO LOAN AGREEMENTS WITH THE SAID BANK AND TO SIGN OTHER DOCUMENTS NEEDED FOR THIS PURPOSE AND RATIFYING THE TERMS AND CONDITIONS THEREOF".

"WHEREAS, pursuant to Section 296 of the Local Government Code of 1991, any Local Government Units may create indebtedness, and avail of credit facilities to finance local infrastructure and other socio-economic development projects in accordance with the approved local development plan and public investment program;

ALBERT S. GARCIA
Provincial Governor

"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"

SANGGUNIANG PANLALAWIGAN
BATAAN
RELEASED
RECORDS DIVISION
APR 27 2018

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WHEREAS, the Provincial Government of Bataan obtained loan from DBP in the amount of ONE HUNDRED FIFTY MILLION PESOS (P150,000,000.00) for the construction and implementation of the Integrated Communication and Public Safety Solution Phase 1 under SP Resolution No. 242 approving Ordinance No. 04 dated November 17, 2014;

WHEREAS, the Phase 1 of 1Bataan Integrated Communication and Public Safety System has been fully implemented and has proven to be exceptionally beneficial in the monitoring, emergency response, traffic control and security of the Roman Expressway;

WHEREAS, the construction of the Phase 2 of 1Bataan Integrated Communication and Public Safety Solution is necessary to cover the entire Roman Expressway from the Municipalities of Pilar to Mariveles;

WHEREAS, DBP offered to finance the construction and establishment of the Phase 2 of the 1Bataan Integrated Communication and Public Safety System to the Provincial Government of Bataan through a term loan of EIGHTY-FIVE MILLION PESOS (P85,000,000.00);

WHEREAS, the Provincial Government of Bataan is willing to avail of the term loan of EIGHTY-FIVE MILLION PESOS (P85,000,000.00) only from DBP to finance its Phase 2 of the 1Bataan Integrated Communication and Public Safety System in the Province;

NOW THEREFORE, on motion of Hon. Jovy Z. Banzon, which was seconded by Hon. Rolando Z. Tigas, Hon. Dante R. Manalaysay and Hon. Reynaldo T. Ibe, Jr., be it;

RESOLVED, as it is hereby resolved, to approve the following Ordinance:

ORDINANCE NO. 02
Series of 2018


ORDINANCE AUTHORIZING THE BORROWING OF THE PROVINCE OF BATAAN FROM THE DEVELOPMENT BANK OF THE PHILIPPINES FOR A TERM LOAN IN THE AMOUNT OF EIGHTY-FIVE MILLION PESOS (P85,000,000.00) TO FINANCE THE PHASE 2 OF 1BATAAN INTEGRATED COMMUNICATION AND PUBLIC SAFETY SYSTEM IN THE PROVINCE OF BATAAN, HEREBY AUTHORIZING THE PROVINCIAL GOVERNOR, HONORABLE ALBERT S. GARCIA, TO ENTER INTO LOAN AGREEMENTS WITH THE SAID BANK AND TO SIGN OTHER DOCUMENTS NEEDED FOR THIS PURPOSE AND RATIFYING THE TERMS AND CONDITIONS THEREOF".

BE IT ENACTED, as it is hereby enacted, by the Sangguniang Panlalawigan of Bataan, in a session assembled that:

SECTION 1. The Provincial Governor, Hon. Albert S. Garcia, in representation of the Province of Bataan, is hereby authorized, to enter into LOAN AGREEMENTS with the DEVELOPMENT BANK OF THE PHILIPPINES (DBP) in accordance with Section 297 of Republic Act No. 7160 or the Local Government Code for a term loan in the amount of EIGHTY-FIVE MILLION PESOS (P85,000,000.00) under the terms and conditions herein set forth and such other terms and conditions as may be agreed upon with DBP for the

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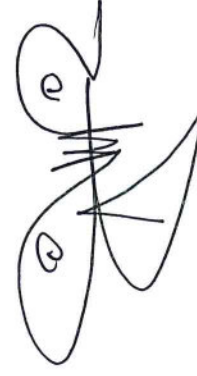






ALBERT S. GARCIA
Provincial Governor

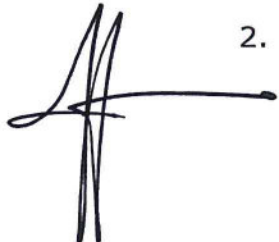


purpose of funding the Phase 2 of the 1Bataan Integrated Communication and Public Safety System and subject to the requirements under Section 123 of Republic Act No. 7653 and BSP Circular No. 402 as implemented by the Bangko Sentral ng Pilipinas. In this connection, the Provincial Governor shall have full power and authority to represent the Province of Bataan in signing, executing and delivering such agreements, contracts, deeds, papers, and documents as may be necessary and proper for the full and total implementation of the authority herein granted;

SECTION 2. The said priority project of Phase 2 of 1Bataan Integrated Communication and Public Safety Solution System is hereby certified to be a local infrastructure and/or socio-economic development project in accordance with the approved local development plan and public investment program of the Province of Bataan;

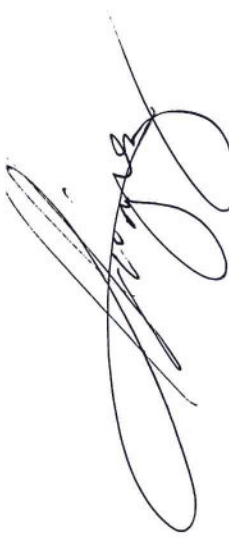
SECTION 3. Terms and conditions of the loan:

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- A. Amount: ₱85,000,000.00 or 100% of winning bid price, whichever is lower;
 - B. Purpose: To finance the supply, installation and implementation of Phase 2 of 1Bataan Integrated Communication and Public Safety System;
 - C. Term: Ten (10) years inclusive of 1-year grace period on principal repayment. Principal payable in 36 equal quarterly installments to start at the end of 5th quarter from initial drawdown;
 - D. Interest Rate: Variable rate, based on the prevailing market rate at the time of availment currently at 4.25% per annum. Interest is reviewable and payable quarterly to start at the end of the first quarter from initial drawdown;
 - E. Availability: Within 360 days from date of Notice of Approval;
 - F. Security:
 - 1. Continuing Deed of Assignment of the LGU's Internal Revenue Allotment and other local revenues to DBP with Hold-Out provision equivalent to one (1) quarterly amortization with continuing authority to debit the maturing amortization or any unpaid obligation until the loan is fully paid;
 - 2. Continuing insurance coverage on all insurable assets (hardware and software equipment of 1Bataan Integrated Communication and Public Safety System Project) based on appraised value placed through GSIS and the policy shall be endorsed in favor of DBP;
 - G. Fees and Charges:
 - 1. Front-end fee - waived;
 - 2. Commitment fee - waived;
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ALBERT S. GARCIA
Provincial Governor







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3. Prepayment penalty of 3% based on amount to be prepaid in case of loan take-out by other banks;
 4. Default charge of 24% p.a. on advances, past due principal and interest;
 5. Gross Receipt Tax (GRT) for the account of the Bank;


H. Other conditions:

1. The LGU shall observe compliance to RA 9184, otherwise known as the Government Procurement Act;
 2. The LGU shall include the appropriation for debt servicing of the proposed loan in its annual budget in accordance with the Local Government Code until the loan is fully paid;
 3. DBP's prior consent/approval whenever the LGU contracts loans from other financial institutions;
 4. LGU will conduct regular preventive maintenance of any defective hardware at their own expense;
 5. Execution of loan documents and submission of pre-release requirements;
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I. Common Conditions to all loans:

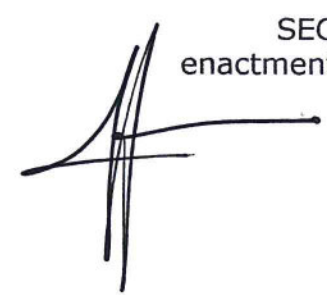
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1. Any cost overrun shall be for the account of the LGU;
 2. LGU to maintain the following financial ratios:
 - a. Current Ratio - at least 2:1
 - b. Debt-to-equity ratio - maximum of 80:20
 - c. Debt Service Center - above 1.2 times.
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SECTION 4. The foregoing terms and conditions of the loan as provided in the immediately preceding section are hereby approved and ratified;



SECTION 5. The Province hereby appropriates the entire proceeds of the borrowing exclusively to finance the above-mentioned project and the financial obligations relative thereto, provided, however, that the Provincial Governor with the concurrence of the Development Bank of the Philippines may cause the substitution of projects as listed above as the need may arise;

SECTION 6. The Province will appropriate and provide for any amount of expenses which will be incurred in the construction of the said projects which exceeds the amount of the proceeds of the loan agreement with the Development Bank of the Philippines;



SECTION 7. Any Ordinance or parts thereof, inconsistent with this enactment is hereby repealed or amended accordingly;



ALBERT S. GARCIA
Provincial Governor



SECTION 8. This Ordinance shall take effect upon its publication and compliance with all procedures required under Republic Act No. 7160 of an Ordinance for its validity, including the affixation of signatures of the Sangguniang Panlalawigan members, in concurrence thereto;

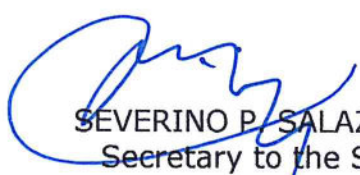
SO ORDAINED.

ADOPTED, this 16th day of April, 2018.

RESOLVED FINALLY, that copies of this resolution be furnished the Office of the Provincial Governor, Hon. Albert S. Garcia, the Development Bank of the Philippines and other parties concerned for their information and appropriate action.

APPROVED UNANIMOUSLY".

We hereby certify to the correctness of the above-quoted resolution.

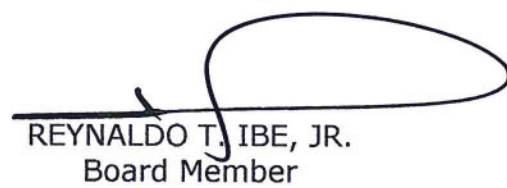

SEVERINO P. SALAZAR
Secretary to the SP


BENJAMIN C. SERRANO, JR.
Board Member


ARISTOTLE J. GAZA
Board Member


DEXTER B. DOMINGUEZ
Board Member


ROLANDO Z. TIGAS
Board Member

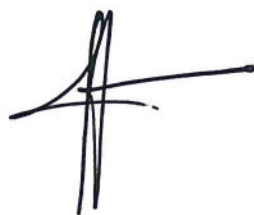

REYNALDO T. IBE, JR.
Board Member


MANUEL N. BELTRAN
Board Member


EDGARDO P. CALIMBAS
Board Member


DANTE R. MANALAYSAY
Board Member






ALBERT S. GARCIA
Provincial Governor



JOSE C. VILLAPANDO, SR.
Board Member



DOROTEO M. AUSTRIA
Board Member
(FABC President)



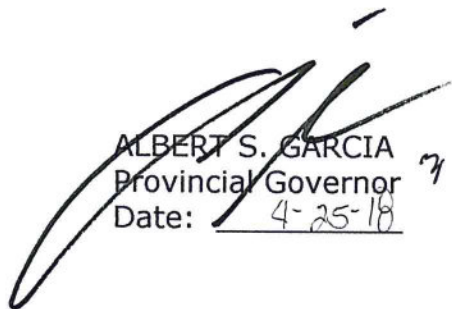
DANILO B. SALONGA
Board Member
(IPM Representative)

ATTESTED:



JOVY Z. BANZON
Acting Vice Governor
(Presiding Officer)

APPROVED:



ALBERT S. GARCIA
Provincial Governor
Date: 4-25-18

