



REPUBLIKA NG PILIPINAS  
**PAMAHALAANG LUNGSOD NG MUNTINLUPA**  
 KALAKHANG MAYNILA



Sangguniang Panglungsod

RESOLUTION NO. 15-267

A RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT (MOA) ENTERED INTO BY THE HON. CITY MAYOR ATTY. JAIME R. FRESNEDI IN BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA WITH THE DEVELOPERS RAY DIVINAGRACIA TORRES AND IAN CHRISTOPHER TISANG FOR THE PROJECT INFORMATION TECHNOLOGY SERVICES FOR THE DEVELOPMENT OF THE TEXT BLAST SERVICE FOR THE MUNTINLUPA SCHOLARSHIP PROGRAM (MSP).

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Sponsored by: *Hon. Coun. Atty. Patricio L. Boncayao, Jr.*  
*Hon. Coun. Atty. Raul R. Corro*  
*Hon. Coun. Stephanie G. Teves*  
*Hon. Coun. Louisito A. Arciaga*  
*Hon. Coun. Ringo A. Teves*  
*Hon. Coun. Alexander Diaz*  
*Hon. Coun. Ma. Dhesiree G. Arevalo*  
*Hon. Coun. Luvi P. Constantino*  
*Hon. Coun. Elmer S. Espeleta*  
*Hon. Coun. Rafael T. Sevilla*  
*Hon. Coun. Vergel C. Ulanday*  
*Hon. Coun. Robert A. Abas*  
*Hon. Coun. Robert P. Baes*  
*Hon. Coun. Celso C. Dioko*

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**WHEREAS**, Section 15 of Republic Act No. 7160, otherwise known as the New Local Government Code of 1991, provides that, ***“every local government unit created or recognized under this Code is a body politic and corporate endowed with the powers to be exercised by it in conformity with law”***;

**WHEREAS**, Section 22 of the same Code states that, ***“every Local Government Unit, as a corporation, shall have the following powers:***

- 1) ***To have continuous succession in its corporate name;***
- 2) ***To sue and be sued;***
- 3) ***To have and use a corporate seal;***
- 4) ***To acquire and convey real or personal property;***
- 5) ***To enter into a contracts;***
- 6) ***To exercise such other powers as are granted to corporate, subject to the limitation provided in this Code and other laws;***

**WHEREAS**, Article 86 (b)(1)(vi) and Article 86 (b)(1)(viii) of the Local Government Code of 1991, provides that, ***“the City Mayor shall represent the city in all its business transactions and sign in its behalf all bonds, contracts, and obligations and such other documents upon authority of the Sangguniang Panglungsod or pursuant to law or ordinances”***;



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 2

Resolution No. 15-267

**WHEREAS**, Rule IX, Article 47 of the Rules and Regulations Implementing the Local Government Code of 1991, states that, "**xxx 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**, the public hearing was conducted due to the request of Ms. Karla Gabriel, OIC of Muntinlupa Scholarship Program (MSP), to the City Council the ratification of the **Memorandum of Agreement (MOA)** entered into by the **City Mayor Hon. Atty. Jaime R. Fresnedi** with the developers Ray Divinagracia Torres and Ian Christopher Tisang for the Information Technology services for the development of the Text Blast service for the Muntinlupa Scholarship Program (MSP);

**WHEREAS**, the said **Memorandum of Agreement (MOA)** was signed by the City Mayor Hon. Atty. Jaime R. Fresnedi and the developers and was notarized on September 29, 2015;

**WHEREAS**, the objective of this project is to develop a functional and user-friendly text blast system for Muntinlupa Scholarship Program that would:

- a) **Enable MSP to conveniently send announcements to its scholars through text blast;**
- b) **Provide MSP a more cost-effective communication express through the use of SMS API services;**
- c) **Provide MSP the capability to send announcements to specific recipients either by selecting scholarship types or entering specific mobile numbers;**

**WHEREAS**, the scope or work as provided in the Memorandum of Agreement (MOA) are the following:

- a) **System Design and implementation;**
- b) **System Testing**
- c) **Turn over**

**WHEREAS**, this agreement shall take effect immediately upon signing and execution thereby by all parties and shall continue to be in effect until City Government's acceptance of the developer's completed project, unless otherwise revoked or terminated earlier in the manner as provided in the MOA;

**WHEREAS**, the agreement may be terminated for any cause at the instance of either party by giving a (30) day written notice to the other prior to the intended date of termination. In this case, the termination shall be effective only upon the concurrence of both parties who shall endeavor to settle the matter extra-judicially during the period as much as practicable;



REPUBLIKA NG PILIPINAS  
**PAMAHALAANG LUNGSOD NG MUNTINLUPA**  
 KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 3  
 Resolution No. 15-267

**WHEREAS**, the cost and terms of payment of the project (*75,000 messages*) is approximately **Fifty Five Thousand Pesos (Php 55,000.00)** inclusive of taxes and fees for **one (1) year**,

**WHEREAS**, the *City Legal Office* shall issue a **certificate** that the contract involving the amount of **Fifty Five Thousand Pesos (Php55,000.00)** does not need a public bidding and complies with the Procurement Law. This certificate shall form part of this resolution;

**WHEREAS**, there is an available fund from 2015 Executive Budget;

**NOW, THEREFORE, BE IT RESOLVE, AS IT IS HEREBY RESOLVED**, by the **7<sup>th</sup> Sangguniang Panlungsod of Muntinlupa**, to ratify the **Memorandum of Agreement (MOA)** entered into by the **Hon. City Mayor Atty. Jaime R. Fresnedi** in behalf of the City Government of Muntinlupa with the developers **Ray Divinagracia Torres and Ian Christopher Tisang** for the project **Information Technology services** for the development of the **Text Blast Service** for the **Muntinlupa Scholarship Program (MSP)**.

**ADOPTED**, by the **7<sup>th</sup> Sangguniang Panlungsod of Muntinlupa** this **12<sup>th</sup>** day of **October 2015**, on its **99<sup>th</sup> Regular Session**.

**CONCURRED:**

**DISTRICT I:**

**COUN. ATTY. RAUL R. CORRO**  
 Member

**COUN. ATTY. PATRICIO L. BONCAYAO, JR.**  
 Member

**COUN. STEPHANIE G. TEVES**  
 Member

**COUN. LOUISITO A. ARCIAGA**  
 Member

**COUN. RINGO A. TEVES**  
 Member

**COUN. ALEXANDER B. DIAZ**  
 Member



REPUBLIKA NG PILIPINAS  
PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 4  
Resolution No. 15-267

DISTRICT II:

COUN. MA. DHESIREE G. AREVALO  
Member

COUN. LUVI P. CONSTANTINO  
Member

COUN. ELMER S. ESPELETA  
Member

COUN. RAFAEL T. SEVILLA  
Member

COUN. VERGEL C. ULANDAY  
Member

COUN. ROBERT A. ABAS  
Member

COUN. ROBERT P. BAES  
Member

COUN. CELSO C. DIOKO  
Sectoral Representative  
President  
Association of Barangay Captains

ABSENT:

COUN. ENGR. NEPTALI S. SANTIAGO  
Member

COUN. BAL NIEFES  
Member

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD  
Member

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.

CECILIA C. LAZARTE  
Secretary

ATTESTED:

ARTEMIO A. SIMUNDAC  
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI  
City Mayor

Date: OCT 26 2015

Norie/7<sup>th</sup> SP