



Republic of the Philippines
 Province of Cavite
 City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S	TITLE OF PROPOSED MEASURE	CONTROL NUMBER
Committee on Environment and Natural Resources	MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF NATURAL RESOURCES- ENVIRONMENTAL MANAGEMENT BUREAU (DENR-EMB) FOR THE SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF SOLID WASTE MANAGEMENT EQUIPMENT FOR USE OF THE CITY GOVERNMENT.	PCR 118-2022
VENUE Sangguniang Panlungsod Session Hall		DATE/TIME October 10, 2022/ 1:00 PM

**COMMITTEE REPORT
 NO. ENR 006-S-2022**

During the 15th Regular Session of the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite, the Committee on Environment and Natural Resources Chairman Hon. Levy M. Tela moved for the approval of a resolution authorizing the City Mayor to sign a proposed Memorandum of Agreement and Deed of Donation with the Department of Environment and Natural Resources because its terms and conditions are advantageous to the local government of Bacoor.

The motion was unanimously approved by all of the members of the city council. The Presiding Officer declared the motion **APPROVED**.

WE HEREBY CERTIFY that the contents of the foregoing report are true and correct.



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

Signed this 23rd day of November, 2023, at the City of Bacoor, Cavite

Committee on Environment and Natural Resources

HON. LEVY M. TELA
Chairman

HON. REYNALDO M. FABIAN
Vice-Chairman



HON. REYNALDO D. PALABRICA
Member



HON. ADRIELIO G. GAWARAN
Member



Republic of the Philippines
Province of Cavite
City of Bacoor

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5th SANGGUNIANG PANLUNGSOD


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MINUTES OF COMMITTEE HEARING
NO. ENR 006-S-2022


The Regular Session started at 1:00 PM. The Presiding Officer Vice Mayor Hon. Rowena Bautista-Mendiola referred the subject matter to Hon Levy M. Tela Chairman on Committee on Environment and Natural Resources. Hon. Tela said the Memorandum of Agreement and Deed of Donation with the Department of Natural Resources- Environmental Management Bureau (DENR-EMB) for the supply, delivery, installation, testing and commissioning of solid waste management equipment consisting of biodegradable waste shredder and composter to support Local Government Units (LGUs)

Hon. Tela moved for the approval of the said Resolution and was unanimously seconded by all the members present.

Prepared by:


ELEYA B. SOMBRANO
Clerk

Attested by:


HON. LEVY M. TELA
Chairman



PCR 118-2022 - MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF NATURAL RESOURCES-ENVIRONMENTAL MANAGEMENT BUREAU (DENR-EMB) FOR THE SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF SOLID WASTE MANAGEMENT EQUIPMENT FOR USE OF THE CITY GOVERNMENT.



Republic of the Philippines
Province of Cavite
CITY OF BACOOR

Office of the Mayor

October 4, 2022

HON. ROWENA BAUTISTA-MENDIOLA
Vice Mayor, City of Bacoor
Bacoor Government Center
Bacoor City, Cavite



THRU: Atty. Khalid Ataga, Jr.
Sangguniang Panlungsod Secretary

SUBJECT: Request for Authority to Enter Into and Sign the Memorandum of Agreement and Deed of Donation with DENR-EMB relative to biodegradable waste shredder and composter

Dear Hon. Bautista-Mendiola:

Per Indorsement Letter No. 136, Series of 2022 issued by the Office of the City Legal Service, I respectfully request the esteemed members of the Sangguniang Panlungsod to perform the appropriate action that will grant me the authority to enter into and sign the abovementioned Memorandum of Agreement and Deed of Donation with the DENR-EMB for the supply, delivery, installation, testing and commissioning of solid waste management equipment consisting of biodegradable waste shredder and composter to support local government units (LGUs).

Attached herewith is the Indorsement from the Office of the City Legal Service, Memorandum of Agreement and Deed of Donation for your immediate reference.

Respectfully yours,


STRINE B. REVILLA
City Mayor



BACK



MEMORANDUM OF AGREEMENT

SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF SOLID WASTE MANAGEMENT EQUIPMENT CONSISTING OF BIODEGRADABLE WASTE SHREDDER AND COMPOSTER TO SUPPORT LOCAL GOVERNMENT UNITS (LGUs)

KNOW ALL MEN BY THIS PRESENT:

This Memorandum of Agreement entered into at Quezon City, Philippines, this ___ day of _____, 202_ by and between:

The **DENR-ENVIRONMENTAL MANAGEMENT BUREAU**, a National Government Agency created and existing under the laws of the Republic of the Philippines, with principal office address at DENR Compound, Visayas Avenue, Diliman, Quezon City, herein represented in this Agreement by its **Regional Director, ENGR. WILLIAM P. CUÑADO**, hereinafter referred to as the "EMB"

and

The **CITY GOVERNMENT OF BACOOR**, a local government unit created and existing under the laws of the Philippines, with office address at Bacoor Government Center, Bacoor Boulevard, Barangay Bayanan, City of Bacoor, Cavite, represented in this Agreement by its duly elected **CITY MAYOR, Hon. STRIKE B. REYLLA**, hereinafter referred to as the "LGU".

WITNESSETH:

WHEREAS, the EMB is the lead agency in the implementation of Solid Waste Management (SWM) in the country in coordination with other partners and stakeholders to provide guidance and technical assistance on concerns on waste management strategies and options to LGUs;

WHEREAS, Solid Waste Management is a pervasive problem and a looming crisis in many areas in the Philippines, focusing for decades on collection and hauling and not on waste treatment and disposal, thus it has become very expensive;

WHEREAS, many well-meaning projects, laws, rules and regulations have achieved little so far with Local Government Units (LGUs) facing a massive challenge in managing rapid and largely unplanned urban growth;

WHEREAS, Section 8 of RA 9003 states that the Department shall provide technical and other capability building assistance and support to the LGUs in the development and implementation of local solid waste management plans and programs;

WHEREAS, after 19 years of implementation of RA 9003 or the Ecological Solid Waste Management Act of 2000, continuing challenges exist in solid waste collection, establishment of material recovery facilities (MRF), the lack of enforcement of the basic requirements of RA 9003 and poor solid waste diversion;

WHEREAS, the City Government of Bacoor, Province of Cavite, has shown interest to participate in the project and has agreed to fulfill its requirements under the Terms and Conditions hereunder stipulated.



WHEREAS, the City Government of Bacoor, Province of Cavite, has been selected as one of recipients of Bin-waste Shredder and Composter in a manner consistent with the Technical Specifications and the provisions of this Agreement.

WHEREAS, the City Government of Bacoor, Province of Cavite, by virtue of Sangguniang Panlungsod Resolution No. ____, Series of 202__, vesting the authority to the Local Chief Executive to enter into an agreement for the implementation of the project,

WHEREAS the qualified LGLs shall be part of this Project, and that the local target groups shall actively cooperate and participate to the Project;

NOW, THEREFORE, for and in consideration of the foregoing, certifies and the mutual covenants hereinafter set forth, the Parties to this Agreement hereto agree as follows:

AGREEMENT

ARTICLE I

Scope and Purposes

Section 1. Scope. The parties hereto agree that this Memorandum of Agreement (MOA) shall cover all matters in relation with the project for the Supply, Delivery, Installation, Testing and Commissioning of Solid Waste Management Equipment consisting of Biodegradable Waste Shredder and Composter to Support Local Government Units (LGUs).

Section 2. Purposes. This Agreement is entered into for the following purposes, to wit:

- a. The improvement of the SWM in the country through the implementation of Republic Act 9003 with the provision of Biodegradable Waste Shredder and Composter to the qualified LGUs;
- b. The enhancement of the target LGU's capacity to address issues concerning solid waste management in their areas of jurisdiction, and
- c. To contribute toward social and economic development in the country.

ARTICLE II

ROLES AND RESPONSIBILITIES

Section 3. Responsibilities of DENR-EMB

The DENR-EMB shall:

- a) Provide biodegradable shredder and a composter set to the qualified LGU in order to improve its compliance to the RA 9003 specifically on the increase of waste diversion of solid wastes.
- b) Ensure that the implementation of the project shall be in accordance to this Agreement.



- c) Ensure validation of LGU submitted reports;
- d) Establish a monitoring and evaluation scheme associated with the implementation of the project.
- e) Monitor the implementation of the project particularly during the preparatory activities, installation and commissioning of the equipment
- f) Revoke the MOA and withdraw the shredder machine and composter from the City that fails to utilize them without valid reasons as to why it remained non-operational after 3 months upon receipt of the said equipment.

ARTICLE III

Section 4. *Responsibilities of the City Government of Bacoor*

The LGU shall

- a) Provide a suitable site for the installation of the said equipment with a maximum area of 100 square meters, with a shed measuring at least 10 meters in length x 10 meters in width x 4 meters in height and a single-phased power supply.
- b) Assign at least three (3) permanent personnel to manage the operation of the equipment;
- c) Ensure that the equipment are continuously utilized on a daily basis;
- d) Prepare proper documentation and submit monthly reports to the LMB on the results of the output of biodegradable waste and compost generated.
- e) Ensure the sustainability of the project implementation through proper utilization and maintenance of the equipment.
- f) Guarantee proper and effective operation of the equipment, and
- g) In case of equipment malfunction/breakdown, provide/allocate enough funds to cover the expenses for repairs and other incidental costs to restore the immediate operation of the equipment.

ARTICLE IV

GENERAL PROVISIONS

Section 5. *Warranties.* Each party to this Agreement represents and warrants that it has secured the requisite full and complete authority to enter into, to perform and to be bound by the terms hereof.

Section 6. *Entire Agreement.* Parties hereto agrees that they both read this Agreement in its entirety, understand the provisions contained and agrees to be bound thereby.

Section 7. *Supplemental Agreement.* The parties herein may enter into a supplemental agreement as may be necessary in the course of or in furtherance of the purposes of this Agreement.



Section 8. Amendments. Any amendments, addendum or modification or supplement to this Understanding must be in writing with the consent of both parties.

Section 9. Effectivity. This Understanding shall take effect immediately upon signing by the parties and shall continue to be in full force and effect until terminated.

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Agreement and affixed their signatures on the date and place provided below.

**DENR-ENVIRONMENTAL
MANAGEMENT BUREAU**

CITY GOVERNMENT OF BACOR

By:

By:

ENGR. WILLIAM P. CUSADO
Director

Hon. STRIKE B. REVILLA
City Mayor

SIGNED IN THE PRESENCE OF:

ROLANDO VOCALAN
CENRO



ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)

) S.S.

BEFORE Me, a Notary Public in _____ on _____
personally appeared the following:

Name	Government ID	Valid Until
<u>Engr. William P. Cuñado</u>	_____	_____
<u>Hon. Strike B. Revilla</u>	_____	_____

identified by me through competent evidence of their identity bearing their respective photographs and signatures to be the same persons who executed this instrument and acknowledged to me that the same is their voluntary act and that of the corporations they represent.

This instrument refers to a Memorandum of Agreement, which consists of five (5) pages, including the page wherein this acknowledgment is written, and which is signed by the parties and their witnesses.

WITNESS MY HAND AND SEAL, on the date and at the place mentioned above.

Notary Public

Doc. No. ____;
Page No. ____;
Book No. ____;
Series of 202__.