

Republic of the Philippines PROVINCE OF CAVITE City of Bacoor

OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE ON HOUSING, LAND UTILIZATION AND URBAN DEVELOPMENT

COMMITTEE REPORT

NO. HLUUD 058 S-2024



Subject: A RESOLUTION RECOMMENDING THE TERMINATION OF THE MEMORANDUM AGREEMENT ENTERED INTO BY AND BETWEEN ICON CONSTRUCTION AND BUILDERS CORPORATION AND THE CITY GOVERNMENT OF BACOOR ON 10 JULY 2023. (PCR 490-2024 dated 22 January 2024)

Acting on the proposed resolution as abovementioned subject title during the 75th Regular Session dated 22 January 2024, the Committee Chair on Housing, Land Utilization, and Urban Development, Hon. Alde Joselito F. Pagulayan reports the following:

The City Mayor Strike B. Revilla (the City Mayor), endorsed a letter to the members of the Sangguniang Panlungsod for appropriate action. The letter, dated 17 January 2024, from the Office of the City Administrator (OCA), is relative to the request for termination of the memorandum of agreement (MOA) between Icon Construction and Builders Corporation (ICBC) and the City Government of Bacoor (the City). This pertains to the housing projects for city employees, public school teachers, uniformed personnel, and other government employees from national agencies stationed in Bacoor.

FINDINGS:

The City of Bacoor Urban Development and Housing Board (CBUDHB) issued a resolution on 12 December 2023, endorsing to the Sangguniang Panlungsod the approval of the authority of the City Mayor and chairman of the CBUDHB to terminate the MOA between the City and ICBC due to its non-performance and negligence in compliance with its obligations stated in the agreement.

On 9 January 2024, the members of the Task Force for the 4PH program convened a meeting to discuss the failure of ICBC to rectify the issues and issued a resolution recommending the termination of the MOA.

As abovestated, it is clearly shown that there were issues with the ICBC due to its non-performance and negligence in compliance with its obligations.



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RECOMMENDATION:

Upon evaluation, the committee recommends the APPROVAL of termination of the MOA entered into by and between ICBC and the City on 10 July 2023, citing non-performance and negligence in compliance with its obligations as stated in the agreement.

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

Signed this 22nd day of January 2024 at the City of Bacoor, Cavite.

Committee on Housing, Land Utilization and Urban Development

COUN. ALDE JOSELITO F. PAGULAYAN

Chairman

COUN. ADRIELITO G. GAWARAN

Vice Chairman

COUN. SIMPLICIO G. DOMINGUEZ

Member

COUN. ALEJANDRO F. GUTIERREZ

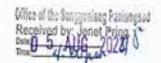
Member



Republic of the Philippines PROVINCE OF CAVITE City of Bacoor

OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE ON HOUSING, LAND UTILIZATION AND URBAN DEVELOPMENT



EXCERPT FROM THE MINUTES OF THE 75TH REGULAR SESSION NO. HLUUD 058 S-2024

Subject: A RESOLUTION RECOMMENDING THE TERMINATION OF THE MEMORANDUM AGREEMENT ENTERED INTO BY AND BETWEEN ICON CONSTRUCTION AND BUILDERS CORPORATION AND THE CITY GOVERNMENT OF BACOOR ON 10 JULY 2023. (PCR 490-2024 dated 22 January 2024)

The President Pro-Tempore, Hon, Reynaldo D. Palabrica presided over the 75th Regular Session of the 5th Sangguniang Panlungsod, on 22 January 2024. Upon the motion of Hon. Councilor Alde Joselito F. Pagulayan, the internal rules were suspended with unanimous approval from the members of the council through a show of hands.

Hon. Pagulayan subsequently proposed the approval of the abovementioned subject title, recommending the termination of the memorandum of agreement (MOA) entered into by and between Icon Construction and Builders Corporation (ICBC) and the City Government of Bacoor (the City) on 10 July 2023, citing non-performance and negligence in compliance with its obligation as stated in the agreement. This motion was unanimously seconded by the members, and the chair declared it APPROVED.

Prepared By:

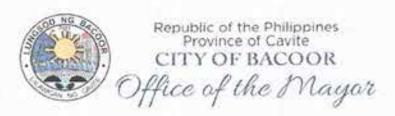
PETER ADRIAN F. BORJA Local Legislative Staff I

Attested By:

COUN. THE JOSELITO F. PAGULAYAN

Chairman

Committee on Housing, Land Utilization and Urban Development



January 17, 2024

HON. CATHERINE SARINO-EVARISTO

Acting City Vice Mayor, Bacoor Government Center Bacoor City, Cavite

THRU:

Atty. Khalid Atega, Jr.

Sangguniang Panlungsod Secretary

SUBJECT: Endorsement Letter

Dear Hon. Sarino-Evaristo:

I hereby endorse to the esteemed members of the Sangguniang Panlungsod for appropriate action the letter, dated 16 January 2024, from the Office of the City Administrator, relative to the request for termination of Memorandum of Agreement between Icon Construction and Builders Corporation and the City Government of Bacoor pertaining to the housing projects for city employees, public school teachers, uniformed personnel and other government employees from National Agencies stationed in Bacoor.

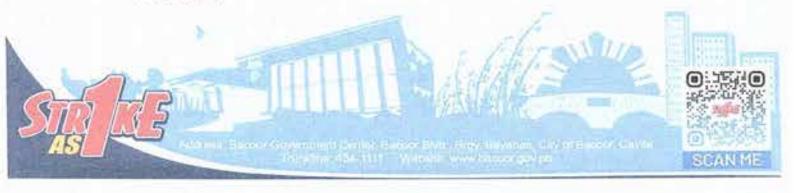
Attached herewith is the aforementioned endorsement, including its attachments, for your immediate reference.

I trust that you give this matter your utmost consideration

Sincerely yours.

STRIKE B. REVILLA City Mayor







HOUSING URBAN DEVELOPMENT & RESETTLEMENT DEPARTMENT

To:

HON STRIKE B. REVILLA

City Mayor

Thru:

ATTY, PAUL MICHAEL SANGALANG

Executive Assistant IV

Re:

REQUEST FOR ENDORSEMENT TO THE SANGGUNIANG

PANLUNGSOD: Termination of the Memorandum of Agreement between loon Construction and Builders Corporation and the City Government of

Baccor

Date:

16 January 2024

By virtue of City Resolution No. 2023-251, the City Government of Bacoor entered into a Memorandum of Agreement with Icon Construction and Builders Corporation on 10 July 2023 pertaining to the housing projects for city employees, public school teachers, uniformed personnel, and other government employees from National Agencies stationed in Bacoor.

The City of Baccor Urban Development and Housing Board (CBUOHB) on 12 December 2023, issued a resolution endorsing to the Sangguniang Panlungsod the approval of the authority of Hon. Strike B. Revilla, City Mayor and chairman of the City of Baccor Urban Development and Housing Board to terminate the Memorandum of Agreement between the City Government of Baccor and Icon Construction and Builders Corporation due to its non-performance and negligence to the compliance of its obligations stated in the Agreement.

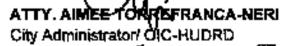
On 9 January 2024, the members of the Task Force for 4PH program convened into a meeting to discuss the failure of Icon Construction and Builders Corporation to rectify the same and issued a resolution recommending the termination of the MOA.

Attached herewith are the copies of the aforementioned resolutions issued after thorough deliberation of the City of Baccoor Urban Development and Housing Board and the Task Force for 4PH for your perusal.

In view of the above, we hereby endorse the matter to your good office for approval and endorsement to the Sangguniang Panlungsod for appropriate action.

Respectfully

Thank you.







CITY OF BACOOR URBAN DEVELOPMENT AND HOUSING BOARD

LHB 4023 Meeting Strike MPH Purpose: Date: December 12, 2023 Location: Committee: Local Housing Board Prepared by: HUDRO Time: _ 1:00 PM

PRELIMINARIES

Upon confirming the presence of a quorum, Atty. Almee Torrefranca-Neri, Admin, convened the Local Housing Board Meeting at 1:35 PM and presided the session.

Mr. Rolando Vocatan, OIC-CESD, moved for the approval of the previous meeting's minutes which has the agenda items below and Engr. Arthur San Jose supported the motion:

Termination of the loan agreement with Landbank of the Philippines amounting to P167,727,900.00

Procurement of the "Bendigosa Property" situated in Barangay Salinas, Baccor City for a Low-Cost Housing Project.

Alima Road Right-of-Way (RROW)

Selection of the Permanent and Alternate Representatives for LHB meetings

Establishment of the Appraisal Committee.

Atty. Aimee Torrefrance-Nert than delivered a brief overview addressing the pertinent issues and concerns relative to the Housing Linear Development and Resettlement Department (HUDRD) activities, alongside the proposed updates in plans intended for endorsement to the Sangguniang Panglungsod.

Engr. San Jose temporarily assumed the role of presiding officer due to Attorney Almee's departure for urgent matters.

HIGHLIGHTS OF THE MEETING

Summary of Relocation Activities

Ms. Anna Duller of HUDRD, informed the board about the relocation status for the year 2023, noting that the office had relocated a cumulative total of 551 ISFs within the year (reaching a total of 4,824 since 2015). Mr. Vocalan suggested classifying the relocated individuals based on the reasons for their relocation: Infraetructure, Mandamus Danger Zoine, and Fire Victims. Atty. Nerl expressed agreement with this proposal and instructed the housing department to deliver a comprehensive summary during the next meeting.

- II. Updates on ISF Databaso
 - NHA will facilitate BSAAC deliberation scheduled on the 3rd week of December 2023.
 - To date, the available units for allocation are as follows:
 - Relocation Site # 1
 - Location: Hyacinth Residence, Brgy Calubcob, Natc, Cavite O
 - Remaining Units: 49 Units ø
 - Remarks
 - There are still 110 pending units for allocation.
 - Relocation Site # 2
 - Location: Ciudad Kauniaran, Phase 1, Molino II, Baccor City, Cavile
 - Remaining Units: 540 Units
 - Discussion:
 - Loan Agreement with beneficiaries is still pending with NHA
 - Ongoing completion, only two buildings will be furned-over (120 units) out of the total nine buildings for the Phase 1.
 - MOA between HOA, NHA, and Becoor LGU was signed last Monday. December 2023, for the property management of CK.



Sewage Treatment Plant

- Mr. Vocalan reiterated the need to ensure the STP of CK and suggested the issuance of a resolution to inspect the buildings at cluded kauniaran prior relocation of ISFs (OBO, Zoning, Engineering), seconded by Engr. San Jose
- Ar. Baron Villanueva briefly discussed the importance and the difference between water drainage and sewage system
- A special meeting regarding the recommendation/s of Engineering, OBO and Zoning on Cluded Kauntaran shall be held after their building knapection.
- Engr. San Jose suggested that the contractor must build an STP that can cater to all the nine buildings at Ciuded Kaunlaran
- Mr. Vocalan suggested to secure the commitment of Maynillad and the developer for regular siphoning of the temporary Septic Tenk and to have an undertaking to provide an STP capable of accommodating the volume of both the current buildings and the upcoming developments once the fund is available.

Atty. Nert followed-up the securing of CTCs of Ciudad Kaunteran Titles, including the Togoto Property

- Gather Information regarding Frabelle's activities within Baccor City and ensure that the local government unit (LGU) is well-informed about and involved in their
- Atty Neri directed Ar. Macabudbud to furnish the board members a copy of the tripartite MOA of NHA, CK Developer (E.M. Cuerpo) and the Interim CK HOA (see Annex 1)
- Extend an invitation to the Interim Homeowners' Association (HOA) for a cordial meeting on December 14 or 15 to deliberate on the transfer of property management to the Baccor LGU and the shift towards electing permanent HOA membars.

Relocation Site # 3

- Location: LRT Subdivision, Brgy, Santiago, Gen.Trias City, Cavite
- Remaining Units: 670 Units
- Discussion:
 - Awaiting the response from LRTA regarding the requested grant to allocate all B60 remaining units to Baccor City
 - The first Tranche of the 60 Million was downloaded to Baccor Special Trust Fund on December 7, 2023, DOTr is requesting for the OR as proof of acceptance. (see Annex 2)
- The board urged HUDRD to send the necessary relocation reports to concerned departments (ACPOPS, CHO, etc.)

i(i. Approval of Local Shelter Plan (LSP) 2024-2032

- Ar. Lei Macabudbud from HUDRO presented the purpose and outlined the contents of the LSP (Soft copy file can be viewed at https://rb.gy/wcymil).
- Engr. San Jose emphasized the need for the LSP to provide solutions for the issue of ISFs in Baccor City, specifically addressing the increasing number of ISFs and suggested including this in the plan. The following insights were shared in line of this:
 - Engr. San Jose proposed that the LHB create a resolution urging the Sangguniang Panlungsod to implement stricter policies regarding informal settlers or barangays permitting lilegal structures in Baccor's public areas due to the daing ISF population.
 - The proposal to consolidate ACPOPS, BPSU, and CICU, as outlined in the LSP's work and financial plan aimed at anhancing the workforce for removing nulsances and illegal structures in public spaces and ensuring their maintenance, has already been implemented by City Ordinance 298-2023, which established the Department of Public Safety in the City of Baccor.
 - CO 215-2022 (Anti-squatting and informal Settler Reintegration Ordinance of Saccor), EO 56-2022 (IRR of CO 215-2022), and EO 67-2022 (ACPOPS) were cited as responses to these suggestions. However, Arty. Nerl directed the offices mentioned in Section 8 to establish rigorous IRR and formulate an implementation plan for CO 215-2022, encompassing workforce, logietics, budgetary requirements, etc. to strengthen the action against professional equatters and equatting syndicates.
 - 4. It was also suggested that the count of ISF returnees be updated for the forthcoming LHB meeting. Along with this, the importance of updating the CBMS as a key part of the Local

Shefter Plan's strategy was underscored. This update will serve as a baseline which will help the local government to identify any new structures built by the ISFs.

- 5. Moreover, Mr. Vocalan recommended that barangay Captains certify the cleared and secured status of premises within their jurisdiction after relocation and clearing programs which was further supported by the PNP Representative who proposed that barangays should be mandated to issue a monthly certification of cleared and secured areas. This measure aimed to hold barangay officials accountable and deter the facilitation of ISF proliferation. The subsequent issuance of an ordinance to support CO 215-2022 shall be drafted.
- Engineer San Jose proposed an LHB Resolution to endorse the LSP to the Sangguriang Paniungsod. Mr. Vocalan seconded the motion, and it was approved without any objections from the assembly.

IV. Approval of Relocation and Resettlement Action Plan (RRAP) 2024-2030.

Ma. Duller clarified that RRAP serves as the execution strategy for the Local Shelter Plan, specifically emphasizing relocation and resettlement programs for housing. Mr. Vocalen proposed that RRAP should function primarity as a set of guidelines, offering flexibility to accommodate unique cases as needed. Mr. Vocalen moved for an LHB Resolution endorsing the RRAP to the Sangguniang Panlangsod and the motion was seconded by Ms. Lita Gawaran, City Livelihood. With no objections from the body, the motion was approved.

V. Executive Order No. 16 Series of 2023; BCUDHB

With the changing of new members, the LHB will consult the admin for the appropriate endorsement of the LHB Executive Order reconstitution.

Vi. Other Matters

 HUDRO to secure CTCs of TCT for Alime, Dutong Bayan, Salinas and Zapota 1 and check the availability of their RROW

Atty. Nerl moved for the cancellation of the Memorandum of Agreement (MOA) with Icon Builders

regarding the Salinae 1 4PH project. There was a unanimous approval.

Coordinate with Villar group for their list of ISF recipients of their financial assistance and crosscheck

with the profiled household at Windmill City.

- Engineer San Jose highlighted Baccor's potential to enter a turnkey agreement with a Developer rather
 than pursuing a PPP for the 4PH project, a plan acknowledged by DHSUO. He also noted that
 developing the Alima property would incur substantial costs due to the embankment, suggesting the
 necessity of leveraging resources from private developers.
 - ACPOPS was requested to attend upcoming LHB meetings to provide the board with updates
 on the current progress of cleaning and securing areas previously occupied by beneficiaries of
 the relocation housing program.

ACPOPS shall be advised to prepare a schedule of their logistics, manpower and budgetary

requirements for approval of the board.

 Mr. Vocalan kindly reminded the team about the opcoming Manile Bay Waste Management meeting scheduled for December 15.

ADJOURNMENT:

The meeting ended at 3:20 in the afternoon,

Prepared by the Board Secretariat:

ELISA (N) GREGORIO HUDRO

ANNE M. DULLER

R. LEI G. MACABUDBUD, Imp

Reviewed and Approved by:

ATTY, AIMEE TORREFRANCA-NERI



Province of Cavite CTTY OF BACOOR

TASK FORCE FOR THE PAMBANSANG PABAHAY PARA SA PILIPINO HOUSING PROGRAM (by virtue of Executive Order 78)

Resolution No. 01 Series of 2024

A RESOLUTION RECOMMENDING THE TERMINATION OF THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY GOVERNMENT OF BACOOR AND ICON CONSTRUCTION AND BUILDERS CORPORATION RELATIVE TO THE HOUSING PROJECT FOR CITY EMPLOYEES, PUBLIC SCHOOL TEACHERS, UNIFORMED PERSONNEL, AND OTHER GOVERNMENT EMPLOYEES FROM NATIONAL AGENCIES STATIONED IN BACOOR WHICH WAS MADE AND ENTERED ON 10 JULY 2023 AT BACOOR CITY, CAVITE

WHEREAS, A Memorandum of Agreement was signed between the ICON Construction and Builders Corporation and the City of Baccor on July 10, 2023, relative to the Pambansang Pabahay Para sa Pilipino Housing Program;

WHEREAS, during the meeting with the Task Force on September 12, 2023, based on the Secretariat record, there was a failure on the Contractor to submit the documents specified in the Article IV of the MOA;

WHEREAS, on a letter notification dated September 12 was send to ICON Construction & Builders Corporation on stating the following conditions:

- Ten (10) days to comply with the required documents stipulated in the MOA.
- If the contractor requested for an extension, they will be given maximum of 30days for the submission of documents.
- The Task Force will recommend to the Mayor the termination of Contract should there be no compliance.

WHEREAS, on October 5, 2023, a letter response from ICON dated September 28, 2023 was received by the Office of the City Administrator, requesting for an ample time to submit the required documents:

WHEREAS, as of this date, the 4PH Secretariat has not yet received any documentation from the ICON Construction & Builders Corporation;

WHEREAS, Section 1 of Article VIII of the aforementioned Agreement provides for the circumstances where the LGU has the right to declare the Contractor in default, to wit:







Province of Cavite CITY OF BACOOR

a. Upon breach by the DEVELOPER/CONTRACTOR of a material term condition of this Agreement, including unsatisfactory performance of the services.

Section 3.A of the same provides for the causes of termination, to wit

 Failure of the Developer/Contractor to cure any cause of default stated in a Notice to Cure within the specified period;

 Failure of the Developer/Contractor to comply with any of its obligations stated in Article VII of the Agreement.

WHEREAS, Section 1 of Article IX of the same provides the Financial Deliverables of the DEVELOPER/CONTRACTOR to the LGU;

AMOUNT	DATE OF OBLIGATION
Php 5,000,000 00	Upon signing of the Agreement
Php 45,000,000.00	Within 7 days from signing of the Agreement

NOW THEREFORE, upon the motion of MR. ROLANDO VOCALAN duly unanimously seconded and approved in a meeting of the 4PH Task Force dated 9 January 2024 duly assembled at HUDRD Conference Room, Bacoor City Hall, BE IT RESOLVED AS IT IS HEREBY RESOLVED to recommend the termination of the Memorandum of Agreement between the City Government of Bacoor and Icon Construction and Builders Corporation relative to the housing project for city employees, public school teachers, uniformed personnel and other government employees stationed in Bacoor which was made and entered on 10 July 2023:

APPROVED this 9th day of January 2024, by the members of the Task Force for the implementation of the Pambansang Pabahay Para sa Pilipino Housing Program (4PH) in the City of Bacoor present/with representative:

- 1 HON STRIKE B. REVILLA City Mayor Chairperson
- 2. ATTY, JANN ROBY OTERO, DHSUD Region IV-A, Co-Chairperson_____
- 3. ATTY_AIMEE TORREFRANCA-NERI City Administrator/OIC-HUDRD. Vice Chairperson







4.	HON. ALDE JOSELITO PAGULAYAN SP Committee on Housing and Land Utilization and
	Urban Development
5.	ATTY. KIM LOFRANCO, Office of the City Legal,
6	ATTY PAUL MICHAEL SANGALANG, Office of the Mayor,
7:	ENGR. FELICITO MEJIA, Office of the Building Official
8.	ENGR. JICKY JUTBA, City Engineering Office,
Đ,	MS, EMILIANA DR. UGALDE, City Social Welfare and Development Office
10	ENGR. ARTHUR SAN JOSE. Zoning and Land Development Department.
-11	MR_ROLANDO VOCALAN, City Environment and Natural Resource Office





CITY OF BACOOR URBAN DEVELOPMENT AND HOUSING BOARD

CBUDHE RESOLUTION NO. 12 SERIES OF 2023

SANGGUNIANG TO ENDORSING RESOLUTION PANLUNGSOD THE APPROVAL OF AUTHORITY OF THE HONORABLE STRIKE B. REVILLA, CITY MAYOR AND CHAIRMAN OF THE CITY OF BACOOR URBAN DEVELOPMENT AND HOUSING BOARD, TO TERMINATE THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY GOVERNMENT OF BACOOR AND ICON CONSTRUCTION AND BUILDERS CORPORATION RELATIVE TO THE HOUSING PROJECT FOR CITY EMPLOYEES, PUBLIC SCHOOL AND PERSONNEL, TEACHERS, UNIFORMED FROM NATIONAL AGENCIES EMPLOYEES -GOVERNMENT STATIONED IN BACOOR WHICH WAS MADE AND ENTERED ON 10 JULY 2023 AT BACOOR CITY, PROVINCE OF CAVITE

WHEREAS, Section 7 of City Ordinance No. 2013-025 states that the Board have the following functions:

Formulate poticies and operational guidelines pertinent to the implementation
of the city's shelter program;

Accredit originators for socialized housing projects to be put up in the city;

3. Review, approve and/or disapprove the city's housing project proposals;

 Perform such other functions as may be necessary for the successful implementation of the housing program and projects of the city;

WHEREAS, the Department of Human Settlements and Urban Development (DHSUD) leunched its flagship program in the year 2022: "Pambansang Pabahay Para sa Pilipino (4PH) Program" which aims to service the housing needs of the Philippines for over six million families by 2028;

WHEREAS, under Section 17 of Republic Act No. 7160 known as the Local Government Code of 1991, local government units shall provide basic services and facilities, including infrastructure facilities intended primarily to service the needs of its constituents and projects for low-cost housing;

WHEREAS, Republic Act No. 10160, also known as the Charter of City of Baccor, mandates the City Government to provide basic services and ensure the provision of adequate facilities for its residents;

WHEREAS, by virtue of City Resolution No. 2023-291, the City Government of Baccor entered into a Memorandum of Understanding with the Department of Human Settlements and Urban Development with regards to the Pambansang Pabahay Para sa Pilipino (4PH) Program;

WHEREAS, the City Government of Baccor by virtue of City Resolution No. 2023-259 entered into a Memorandum of Agreement with Icon Construction and Builders





ENGR. JICKY JUTSA City Engineer Member ATTY. KIM LOFRANCO OCLS Member DR. IVY MARIE YRASTORZA City Health Officer Member	D. HOLDE HISTOR Offic Socience addresses
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DR. IVY MARIE YRASTORZA City Health Officer - Member	r. KIM LOFRANCO OCLS - Member
	VY MARIE YRASTORZA City Health Officer - Member
MR. REGINALDO REVILLA City Local Government Operations Officer	REGINALDO REVILLA City Local Government Operations Officer
MS. BABYLYN PAMBID Bacoor Schools Division Superintendent	BABYLYN PAMBID Becoor Schools Division Superintendent
PLTCOL JOHN PAOLO CARRACEDO Chief of Police, Baccor PNP	COL JOHN PAOLO CARRACEDO Chief of Police, Bacoor PNP
MS. LEOVINA MANZANO -Federation of the Urban Poor HOA in Bacoor City	LEOVINA MANZANO -Federation of the Urban Poor HOA in Bacoor City Years

Prepared By:

ATTY. AIMEE TORREFRANCA-NERI City Administrator / OIC-HUDRD / CBUDHB Secretariat

Approved By:

HON, STRIKE B. REVILLA City Mayor/ CBUDHB Chairman

