



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF PAMPANGA  
MUNICIPALITY OF BACOLOR  
**OFFICE OF THE SANGGUNIANG BAYAN**  
Fax & Tel. No.: (045) 901-0619

EXCERPTS FROM THE MINUTES OF THE ONLINE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BACOLOR, HELD ON JUNE 16, 2021 AT SB SESSION HALL, POBLACION, BACOLOR, PAMPANGA

**PRESENT:**

Hon. Wilfredo H. Balingit	Presiding Officer/Municipal Vice-Mayor
Hon. Ron Earvin E. Dungca	Sangguniang Bayan Member/Pro Tempore
Hon. Emily Batac-Valerio	Sangguniang Bayan Member
Hon. Lucky Ferdinand V. Labung	Sangguniang Bayan Member
Hon. Joel D. Samia	Sangguniang Bayan Member
Hon. Ariel C. Sta. Cruz	Sangguniang Bayan Member
Hon. Ener C. Lampa	Sangguniang Bayan Member
Hon. Nilo M. Caballa	Sangguniang Bayan Member
Hon. Voltaire J. San Pedro	Sangguniang Bayan Member
Hon. Jo Derek P. Hizon	LnB President/Ex Officio Member
Hon. Danlohp D. Danganan	PPSK President/Ex Officio Member

**ABSENT:**

None

**Resolution No. 76, S-2021**

**A RESOLUTION AUTHORIZING HON. EDUARDO G. DATU, MUNICIPAL MAYOR, FOR AND IN BEHALF OF THE MUNICIPALITY OF BACOLOR, PAMPANGA TO ENTER INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE PHILIPPINE AMUSEMENT AND GAMING CORPORATION (PAGCOR) REPRESENTED BY ITS CHAIRMAN AND CHIEF EXECUTIVE OFFICER, ANDREA D. DOMINGO FOR THE GRANT OF FINANCIAL ASSISTANCE IN THE AMOUNT OF FIFTY MILLION PESOS (P50,000,000.00) IN FAVOR OF MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA FOR THE CONSTRUCTION OF A THREE (3) STOREY, 15-CLASSROOM SCHOOL BUILDING AT BACOLOR CENTRAL ELEMENTARY SCHOOL (BCES) LOCATED AT BARANGAY CABAMBANGAN, BACOLOR, PAMPANGA**

**WHEREAS**, Education is one of the priority trust of the Local Officials of Bacolor, Pampanga to ensure quality education necessary for the growth of an individual and the development of the society;

**WHEREAS**, Hon. Eduardo G. Datu, on his letter dated June 11, 2021 requesting for an urgent passage of a resolution authorizing him, for and in behalf of the Municipality of Bacolor, Pampanga to enter into a Memorandum of Agreement (MOA) with the Philippine Amusement and Gaming Corporation (PAGCOR) represented by its Chairman and Chief Executive Officer, Andrea D. Domingo for the grant of financial assistance in the amount of Fifty Million Pesos (P50,000,000.00) in favor of Municipal Government of Bacolor, Pampanga for the construction of a three (3) storey, 15-classroom school building at Bacolor Central Elementary School (BCES) located at Barangay Cabambangan, Bacolor, Pampanga;

**WHEREAS**, the following are the terms and conditions agreed by both parties:

1. **PAGCOR**, in compliance with the relevant government accounting and auditing rules and regulations and pertinent laws, grants by way of financial assistance to the **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA**, the total amount of **FIFTY MILLION PESOS (P50,000,000.00)** (hereinafter referred to as the **Grant**).

The **Grant** shall include all applicable taxes, fees and charges required by the government. The **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** shall hold **PAGCOR** free from liability for any and all taxes, fees and charges arising out of the **Grant**.

The **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** shall issue an Official Receipt to **PAGCOR** for the **Grant** and shall record the same as income from grants and donations or any applicable income account.

2. The **Grant** shall be utilized for the construction of a three (3) storey, 15- classroom school building at Bacolor Central Elementary School (BCES), at Barangay Cabambangan, Bacolor, Pampanga.



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Said **Grant** shall be utilized within eighteen (18) months from receipt thereof.

3. The **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** shall return to **PAGCOR** the unutilized and/or remaining portion of the **Grant**. For this purpose, **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** shall commence the construction of a three (3) storey, 15-classroom school building at Bacolor Central Elementary School (BCES), at Barangay Cabambangan, Bacolor, Pampanga within thirty (30) days from receipt of the grant and shall end after eighteen (18) months from such commencement date.
4. The **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA**, and its accountable officers shall be responsible for and in charge with receiving and utilizing the **Grant** and shall be held jointly and solidarity liable therefor.

The **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA**, and its accountable officers shall also be held jointly and solidarily liable in the event that the **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** fails to accomplish the purpose of the **Grant** and/or for any material violation of the provisions of this Agreement. Moreover, the **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** shall also be disqualified from applying for another **Grant** from **PAGCOR** in the event that they fail to accomplish the purpose of the **Grant** and/or for any material violation of the provisions of this Agreement.

5. The **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** shall, within thirty (30) days after the completion of the purpose of the grant, submit to **PAGCOR** a completion report accompanied by pictures and pertinent documents, together with a fund utilization report showing the expenses incurred and the disbursement of the grant, duly certified by the Chief Accountant and approved by the Municipal Mayor. The **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** shall also submit any and all documents and reports required by **PAGCOR** within five (5) days from notice.
6. **PAGCOR** may, on its own, revoke, rescind or decrease the **Grant**, at any time for any cause;
7. If any provision hereof is prohibited or made unenforceable under any applicable law, or by a competent court of authority, the same shall not affect any other provision of this Agreement, that are otherwise valid and enforceable.
8. No terms and conditions of this Agreement shall be deemed waived and no breach or default excused unless such waiver or excuse shall be in writing and signed by the party affected.
9. The parties, waiving for this purpose any other venue, hereby agree that the courts of the City of Manila shall be the exclusive venue of any and all actions or suits between them, to the exclusion of all other courts and venues. This exclusive venue provision shall apply even in cases for declaration of nullity of this Agreement in its entirety or in part and in cases arising after or by reason of the declaration of nullity of this Agreement in its entirety or in part.
10. The **MUNICIPAL GOVERNMENT OF BACOLOR, PAMPANGA** shall indemnify, defend and hold **PAGCOR** free from any claim, cause of action, liability, responsibility and suit, relative to the purpose of the **Grant**.

**NOW THEREFORE**, the Sangguniang Bayan of Bacolor in an online session assembled, upon unanimous motion.



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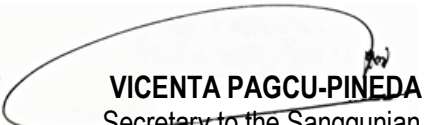
(page 3 of 3 of Resolution No. 77, S-2021)

**RESOLVED AS IT IS HEREBY RESOLVED**, to authorize Hon. Eduardo G. Datu, Municipal Mayor, for and in behalf of the Municipality of Bacolor, Pampanga to enter into a Memorandum of Agreement (MOA) with the Philippine Amusement and Gaming Corporation (PAGCOR) represented by its Chairman and Chief Executive Officer, Andrea D. Domingo for the grant of financial assistance in the amount of Fifty Million Pesos (P50,000,000.00) in favor of Municipal Government of Bacolor, Pampanga for the construction of a three (3) storey, 15-classroom school building at Bacolor Central Elementary School (BCES) located at Barangay Cabambangan, Bacolor, Pampanga;

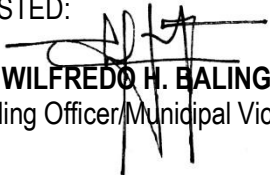
**RESOLVED FINALLY**, that a copy of this resolution be furnished Hon. Eduardo G. Datu, GEO.,MPM, Municipal Mayor and Ms. Andrea D. Domingo, Philippine Amusement and Gaming Corporation (PAGCOR) for their ready reference.

**APPROVED.**

I HEREBY CERTIFY, to the correctness of the foregoing resolution.

  
**VICENTA PAGCU-PINEDA**  
Secretary to the Sanggunian

ATTESTED:

  
**HON. WILFREDO H. BALINGIT**  
Presiding Officer/Municipal Vice-Mayor