

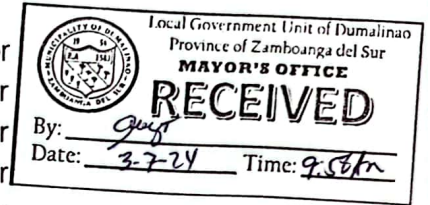


OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 63rd REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR, HELD AT SB SESSION HALL ON FEBRUARY 19 & 26, 2024.

Present:

- | | |
|-------------------------------------|-----------------|
| HON. WILFREDO L. MALONG, SR. | - Vice Mayor |
| HON. RONALDO D. ENCABO | - SB Member |
| HON. ARNOLD L. FLORES | - SB Member |
| HON. FREDERICK R. BALANDRA | - SB Member |
| HON. HERMES B. CABALES | - SB Member |
| HON. RHOLLY A. LABANG | - SB Member |
| HON. MA. GEMMA C. ALBISO | - SB Member |
| HON. ROMEO G. LIGAN | - SB Member |
| HON. JELITO R. PEÑONAL | - SB Member |
| HON. JOEL L. FAMOR | - ABC President |
| HON. JUSTONY G. SULATORIO | - SKF President |
| HON. ROMEO D. PARILA | - IPMR |



Absent:

NONE

RESOLUTION NO. 0294-2024

RESPECTFULLY REQUESTING THE LOCAL CHIEF EXECUTIVE, HONORABLE MAYOR JUNAFLORES S. CERILLES, RMT, MAGD, THROUGH THE BIDS OF AWARD COMMITTEE TO TERMINATE THE CONTRACT BETWEEN THE LOCAL GOVERNMENT UNIT OF DUMALINAO AND TOYOTA CAGAYAN DE ORO, INC., AS THE WINNING BIDDER FOR THE PROCUREMENT OF TRANSPORT VEHICLE (VAN TYPE), CYLINDER 16 VALVE AND 15 SEATERS IN THE OFFICE OF THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF DUMALINAO, ZAMBOANGA DEL SUR.

WHEREAS, presented for consideration and appropriate action is the proposed resolution of Hon. Frederick R. Balandra to respectfully request the Local Chief Executive through the BIDS of Award Committee to terminate the contract between LGU-Dumalinao and Toyota Cagayan De Oro, Inc., as the winning bidder for the procurement of transport vehicle (Van Type), cylinder 16 valve and 15 seaters in the Office of the Sangguniang Bayan of Dumalinao;

WHEREAS, Section 447, (a), (1), of Article III, Chapter III of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that the Sangguniang Bayan, as the legislative body shall pass resolutions necessary for an efficient and effective municipal government pursuant to Section 16 of this Code;

WHEREAS, the Office of the Sangguniang Bayan has endeavored to have efficient and reliable transport services in order to contribute effective functioning



and development in the community, particularly through the acquisition of transport vehicles;

WHEREAS, the Toyota Cagayan de Oro, Inc., was the winning bidder to supply the purchase of transport vehicle (Van Type), cylinder 1,6 valve and 15 seaters in the Office of the Sangguniang Bayan of Dumaliniao that was awarded on August 2, 2023;

WHEREAS, until now, the said supplier has not yet delivered the said vehicle or communicated to the Office of the Sangguniang Bayan or the concerned office in the municipality concerning the said matter;

WHEREAS, Section 68 of the 2016 Revised Implementing Rules and Regulations of Republic Act 9184, provides that the Procuring Entity may terminate the contract when outside of force majeure, the Supplier fails to deliver or perform any or all of the Goods within the period(s) specified in the contract, or within any extension thereof granted by the Procuring Entity pursuant to a request made by the Supplier prior to the delay, and such failure amounts to at least ten percent (10%) of the contract price;

WHEREAS, the August body finds it necessary to undertake the necessary procedures for the termination of the contract with Toyota Cagayan de Oro, Inc., in accordance with relevant laws, regulations, and contractual provisions;


WHEREAS, after careful review and exhaustive deliberation, and after finding the same to be proper and order;

NOW, THEREFORE, premises above-considered, on motion by **HON. FREDERICK R. BALANDRA**, the body resolved, as it hereby resolves to respectfully request the Local Chief Executive, Honorable Mayor Junaflor S. Cerilles, RMT, MAGD, through the BIDS of Award Committee to terminate the contract between the LGU-Dumaliniao and Toyota Cagayan De Oro, Inc., as the winning bidder for the procurement of transport vehicle (Van Type), cylinder 16 valve and 15 seaters in the Office of the Sangguniang Bayan of the Municipality of Dumaliniao, Zamboanga del Sur.

LET the copy of this resolution be furnished to concern offices and/or officials for reference, guidance and appropriate action.

DONE this 26th day of FEBRUARY 2024, at Dumaliniao, Zamboanga del Sur.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


DARRYLLE ANGELOU A. DALID, MPA, JD
Acting Secretary to the Sanggunian

Attested and approved by:


WILFREDO L. MALONG, SR.
Municipal Vice Mayor- Presiding Officer

