

Republika ng Pilipinas  
LALAWIGAN NG TIMOG DABAW  
STA. CRUZ

TANGGAPAN NG SANGGUNIANG BAYAN  
7<sup>th</sup> REGULAR SESSION  
March 3, 2014

**RESOLUTION NO. 070-14**

Authored and Sponsored by: **HON. ALAN B. ANGUB**

Co-Sponsored by: Hon. Ronald R. Cruda  
Hon. Fernando C. Ugdoracion  
Hon. Alvin Rey C. Almendras  
Hon. Lolita P. Legaspi  
Hon. Alain Michael C. Almendras

**ENACTING AN ORDINANCE AMENDING SECTION 3 OF MUNICIPAL ORDINANCE NO. 06, SERIES OF 2012 RE: AUTHORIZING THE PROPOSED BORROWING OF THE MUNICIPALITY OF STA. CRUZ, PROVINCE OF DAVAO DEL SUR FROM THE DEVELOPMENT BANK OF THE PHILIPPINES, DIGOS BRANCH, DIGOS CITY IN THE AMOUNT OF NINETY MILLION PESOS (Php90,000,000.00) TO FUND THE CONSTRUCTION OF NEW PUBLIC MARKET OF THIS MUNICIPALITY, TO CHANGE THE MANNER OF PAYMENT FROM MONTHLY TO QUARTERLY**

**WHEREAS**, the previous members of the Sangguniang Bayan of Sta. Cruz, Davao del Sur enacted municipal ordinance entitled, an ordinance authorizing the proposed borrowing of the Municipality of Sta. Cruz, Davao del Sur from the Development Bank of the Philippines (DBP), Digos Branch, Digos City in the amount of Php90,000,000.00 to fund the Construction of New Public Market of this municipality;

**WHEREAS**, there is a need to amend the loan terms and conditions stipulated in the aforementioned municipal ordinance specifically on the manner of payment to conform with the repayment scheme as embodied in Term Loan Agreement entered into and executed by the LGU-Sta. Cruz, Davao del Sur and the DBP;

**WHEREAS**, such amendment is in conformity with the provisions and requirements set forth under DBP and Banko Sentral ng Pilipinas (BSP) policies;

**WHEREAS**, the Body after thorough discussions and consultations with the Legal Officer of this municipality and the DBP Manager, had recommended to amend certain provision of said municipal ordinance specifically the mode of payment from monthly to quarterly, the latter is favorable to the LGU;

**WHEREFORE**, on motion of Hon. Alan B. Angub, duly seconded by Hon. Ugdoracion, it was

**RESOLVED**, as it is hereby resolved by the Sangguniang Bayan of Sta. Cruz, Davao del Sur, assembled in session to enact the following amendatory ordinance, to wit:

**MUNICIPAL ORDINANCE NO. 03**  
Series of 2014

**AMENDING SECTION 3 OF MUNICIPAL ORDINANCE NO. 06, SERIES OF 2012 RE: AUTHORIZING THE PROPOSED BORROWING OF THE MUNICIPALITY OF STA. CRUZ, PROVINCE OF DAVAO DEL SUR FROM THE DEVELOPMENT BANK OF THE PHILIPPINES, DIGOS BRANCH, DIGOS CITY IN THE AMOUNT OF NINETY MILLION PESOS (Php90,000,000.00) TO FUND THE CONSTRUCTION OF NEW PUBLIC MARKET OF THIS MUNICIPALITY, TO CHANGE THE MANNER OF PAYMENT FROM MONTHLY TO QUARTERLY**

Be it ordained by the Sangguniang Bayan of Sta. Cruz, Davao del Sur, in session assembled that:

**SECTION 1** - There shall be amendment to Section 3 of Municipal Ordinance No. 06, series of 2012 specifically on the manner of payment of the loan;

**SECTION 2** - That Section 3 of the said ordinance shall be amended and shall be read as follows:

<b>Borrower</b>	:	Municipality of Sta. Cruz
<b>Amount</b>	:	Ninety Million Pesos (P=90,000,000.00)
<b>Purpose</b>	:	To partly finance construction of Public Market: Simple Breakdown of project cost: a. Total Stall Area (3,059.28 sq. m) – P60M b. Circulation and Facilities (2,039.52 sq.m.)- P40M
<b>Term</b>	:	Fifteen (15) years inclusive of Two (2) years grace period on principal.
<b>Manner of Payment</b>		
<b>Interest</b>	:	Payable quarterly in arrears
<b>Principal</b>	:	Payable in 52 equal quarterly principal installments to commence on the 9 <sup>th</sup> quarter from initial drawdown.
<b>Interest rate</b>	:	Variable Rate, based on applicable PDSTF or BSP O/N Rate, whichever is higher, plus spread, reviewable monthly.
<b>Collateral/Guarantee/Security</b>	:	1. Deed of Continuing Assignment of IRA and with Holdout provision equivalent to one (1) quarterly amortization in favor of DBP while the loan is outstanding. 2. CAR insurance coverage based on estimated cost of the entire project when completed. After the completion of the project, appropriate insurance coverage shall be placed with GSIS by DBP and the policy to be endorsed in favor of the bank, including all other insurable mortgaged properties.
<b>Front-end Fee</b>	:	0.5% of the approved amount.
<b>Commitment Fee</b>		0.5% p.a. based on the undisbursed loan amount to start 45 days from date of notice of approval or upon completion of full documentation, whichever comes earlier, up to full availment.
<b>Guarantor</b>	:	None
<b>Guarantee Fee</b>	:	None
<b>Other Conditions</b>	:	1. Borrower to maintain a deposit ADB of at least 5% of outstanding loan balance, otherwise, additional 1.0% p.a. service fee shall be collected on the account. 2. Procurement process shall be in accordance with RA 9184

**SECTION 3** - That all other provisions of Municipal Ordinance No. 06, series of 2012 which are not affected by this amendment shall remain in full force and effect.

**SECTION 4** - This amendatory ordinance shall take effect immediately after its approval.

**APPROVED.**

CERTIFIED CORRECT:

**BENBENUTO L. CASPI, JR.**  
Secretary to the Sanggunian

ATTESTED:

**CAROLINO A. RUIZ**  
IP Mandatory Representative  
(Temporary Presiding Officer)

APPROVED: \_\_\_\_\_

**ATTY. JOEL RAY L. LOPEZ**  
Municipal Mayor

CONFORME:

**ALVIN REY C. ALMENDRAS**  
SB Member

**ALAN B. ANGUB**  
SB Member

**LOLITA P. LEGASPI**  
SB Member

**FERNANDO C. UGDORACION**  
SB Member

**RONALD R. CRUDA**  
SB Member

**ALAIN MICHAEL C. ALMENDRAS**  
ABC President