

**DRAFT MUNICIPAL ORDINANCE NO. 2021 - \_\_\_\_\_**

Author : Hon. Joel D. Basañes II  
Co-Authors : All Members Present

---

---

**AN ORDINANCE AUTHORIZING THE PROPOSED BORROWING OF THE MUNICIPALITY OF MONKAYO, PROVINCE OF DAVAO DE ORO WITH ANY STABLE BANKING INSTITUTION IN THE AMOUNT OF ONE HUNDRED FIFTY TWO MILLION FIVE HUNDRED THOUSAND PESOS (P152,500,000.00) TO FUND FOR THE PURCHASE OR ACQUISITION OF HEAVY EQUIPMENT.**

Be it enacted by the Sangguniang Bayan of Monkayo, Davao de Oro, in Session assembled, that :

SECTION 1. The Municipal Mayor, in representation of Municipality, hereinafter referred to as the Municipality of Monkayo, is hereby authorized to enter into HEAVY EQUIPMENT LOAN CREDIT/FACILITY with any stable banking institution in accordance with Section 297 of Republic Act No. 7160 or the Local Government Code, in the amount of ONE HUNDRED FIFTY TWO MILLION FIVE HUNDRED THOUSAND PESOS (P152,500,000.00) under the terms and conditions herein set forth and such other terms and conditions as may be agreed upon with any person, corporation or entity for the purpose of funding priority project/s, and subject to the requirements under Section 123 of Republic Act No. 7653 as implemented by the Bangko Central ng Pilipinas Circular NO. 402. In this connection, the Municipal shall have full power and authority to represent the Municipality of Monkayo in negotiating the terms and conditions for the said borrowing and in signing, executing and delivering such agreements, contracts, deeds, papers and documents as may be necessary and proper for the full and total implementation of the authority herein granted;

SECTION 2. The said priority project/s is/are herein specified as THE PURCHASE OR ACQUISITION OF HEAVY EQUIPMENT is hereby certified to be a local infrastructure and/or other socio-economic development projects in accordance with the approved local development plan and public investment program for the period 2017-2022 or for the current year 2021 of the Municipality of Monkayo and is supported by a final feasibility study prepared by the Office of the Municipal Planning and Development Office (MPDO).

SECTION 3. Consistent with the covering loan contract, deeds and assignment, mortgage contracts, and such other agreements as maybe entered into by the Municipality of Monkayo in connection with the borrowing, the features, terms and conditions shall be as follows and are hereby approved:

3.1

PROJECT NAME	1. PURCHASE OF HEAVY EQUIPMENT - 1. Acquisition of Various Brand New Heavy Equipment  ➤ Five (5) Units 10-Wheeler Dump Truck ➤ Two (2) Units 4 x 4 Dumptruck ➤ One (1) Unit Self-Loader Truck with Boom
--------------	--

	<ul style="list-style-type: none"> <li>➤ One (1) Unit Road Roller/Vibratory Compactor</li> <li>➤ One (1) Unit Motor Grader</li> <li>➤ One (1) Unit 6-Wheeler Boom Truck with Basket Detachable</li> <li>➤ One (1) Unit 6-Wheeler Water Tanker</li> </ul>
PROJECT COST	P152,500,000.00
TERM OF PAYMENT	Maximum of Ten (10) years with 1 year grace period on principal
PURPOSE	Infrastructure Development Program
MANNER OF PAYMENT	Quarterly (auto-debit against LGU Deposit at LBP/Deed of Assignment of IRA)
INTEREST RATE	Fixed at 4% per annum up to December, 2022, and may avail the interest subsidy under the "Bayanihan 2".
COLLATERAL	Deed of Assignment of IRA
WAIVED CHARGES/FEEES	Waiver of bank processing fee, handling Fee, Appraisal & Inspection Fee; Commitment Fee; and the 2% Pre-payment Fee

SECTION 4. The Municipality of Monkayo hereby appropriates the entire proceeds of the borrowing exclusively to finance the HEAVY EQUIPMENT ACQUISITION/PROCUREMENT and other financial obligations relative thereto.

SECTION 5. Any Ordinance or parts thereof, inconsistent with this enactment is hereby repealed or amended accordingly.

SECTION 6. This Ordinance shall take effect upon its publication and compliance with all procedures required under Republic Act No. 7160 of an ordinance for its validity, including the affixation of signatures of the Sangguniang Bayan Members, in concurrence thereto, composing at least a majority thereof, out of the total of eleven (11) members, on all the pages of this ordinance.

RESOLVED FURTHER, that the copies of this Ordinance be furnished the Honorable Mayor, the Municipal Accountant and the Municipal Auditor, all of this Municipality of Monkayo and the Bangko Sentral ng Pilipinas for their information and appropriate action.

ENACTED AND PASSED this \_\_\_\_th day of \_\_\_\_\_, 2021 at Monkayo, Davao de Oro, Philippines.

CARRIED.

I HEREBY CERTIFY to the correctness of the above-quoted ordinance.

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
 \_\_\_\_\_ AT MONKAYO, COMPOSTELA VALLEY.

