



Republic of the Philippines
CITY GOVERNMENT OF ALAMINOS
 San Jose Drive, Poblacion, City of Alaminos, Pangasinan

EXCERPT TAKEN FROM THE JOURNAL OF THE 51ST REGULAR SESSION OF THE 9TH SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON DECEMBER 17, 2024

PRESENT:

- | | |
|---|-----------------------------------|
| Vice Mayor Jan Marianne R. Fontelera | - Presiding Officer |
| Councilor Apple Joy B. Tolentino | - Presiding Officer Pro-Tempore |
| Councilor Carolyn D. Sison | - Majority Floor Leader |
| Councilor Kelvin Theus O. Humilde | - Minority Floor Leader |
| Councilor Verna S. D. Rabago | - Assistant Majority Floor Leader |
| Councilor Raul B. Bacay | - Member |
| Councilor Dahlia M. de Leon | - Member |
| Councilor Oscar A. Boling, Sr. | - Member |
| Councilor Froebel A. Ranoy | - Member |
| Councilor Walter M. Macaiba | - Member |
| LBP Alex A. Recosana | - Ex-Officio Member |
| PPSKP Lovely V. Bernabe | - Ex-Officio Member |

ABSENT:

- | | |
|---------------------------------|------------|
| Councilor Joselito O. Fontelera | - On leave |
|---------------------------------|------------|

—oOo—

ORDINANCE NO. 2024-37

AN ORDINANCE AUTHORIZING THE BORROWING OF THE CITY GOVERNMENT OF ALAMINOS, PANGASINAN IN THE AGGREGATE AMOUNT OF TWO HUNDRED NINETY-TWO MILLION PESOS (PHP292,000,000.00) WITH THE DEVELOPMENT BANK OF THE PHILIPPINES (DBP) TO FINANCE THE FOLLOWING PROJECTS OF THE CITY FOR THE ALAMINOS CITY COLLEGE:

A. LOT ACQUISITION (PROJECT SITE)	193,447,000.00
B. CONSTRUCTION OF SCHOOL BUILDING	98,553,000.00
PHP	292,000,000.00



Sponsor:
Councilor Carolyn D. Sison

WHEREAS, in its thrust to protect and promote the right of all citizens to quality education at all levels, the Local Government Unit of the City of Alaminos, Pangasinan is continuously taking appropriate steps to make such education accessible to all;

WHEREAS, one of the major programs/projects of the City is the establishment of the Alaminos City College (ACC) pursuant to Ordinance No. 2023-15 duly enacted on 09 May 2023;

WHEREAS, to institutionalize the operation of the Alaminos City College, the City Government intends to construct a two-storey building for the purpose;

(Handwritten signatures and marks)





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(Cont. Ord. No. 2024-37, enacted on 17th day of December, 2024)

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WHEREAS, due to limited landholdings, the City Government plans to purchase additional parcels of land containing an aggregate area of Twenty-five Thousand Seven Hundred Ninety-three square meters (25,793 sq.m.) to serve as the site for the construction of the two-storey building of the Alaminos City College;

WHEREAS, due to limited available resources, the City, in its desire to realize its identified priority projects stated above, intends to borrow from a financing institution;

WHEREAS, Section 297 (a) of the Republic Act No. 7160, otherwise known as the Local Government Code of 1991 provides that, "A local government unit may contract loans, credits, and other forms indebtedness with any government or domestic private bank and other lending institutions to finance the construction, installation, improvement, expansion, operation, or maintenance of public facilities, infrastructure facilities, housing projects, the acquisition of real property, and the implementation of other capital investment projects, subject to such terms and conditions as may be agreed upon by the local government unit and the lender. The proceeds from such transactions shall accrue directly to the local government unit concerned;"

WHEREFORE, premises considered and on motion of Councilor Carolyn D. Sison, duly seconded by all members present

BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG PANLUNGSOD in a session duly assembled, that:

SECTION 1. Short Title. — This ordinance shall also be known as the *Alaminos City College Loan Ordinance*.

SECTION 2. Grant of Authority. — The City Mayor, in representation of the City of Alaminos, hereunder referred to as the "City", is hereby authorized to enter into Term Loan Agreement and Assignment of Deposit with Hold-out and Control Agreement of applicable portion of National Tax Allocation (NTA) and other local revenues with the Development Bank of the Philippines (DBP) in accordance with Section 297 of Republic Act No. 7160 or the Local Government Code, in the amount of **TWO HUNDRED NINETY TWO MILLION PESOS (P292,000,000.00)** 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 Sentral ng Pilipinas Circular No. 402. In this connection, the City Mayor has full power and authority to represent the City in negotiating the terms and conditions for the said borrowing and in signing, executing and delivering such agreements, contracts, bidding documents, deeds, papers, and other documents as may be necessary and proper for the full and total implementation of the authority herein granted;

[Handwritten signatures of Councilors and the Mayor]



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SECTION 3. Credit Information. — The City Mayor, in representation of the City of Alaminos, is also authorized to provide and obtain credit information to/from credit bureaus and other banks/creditor as required under RA 9510 and RA 10173, or the Data Privacy Act of 2012;

SECTION 4. Priority Projects. — The said priority projects herein specified as follows:

A. Lot Acquisition (site of ACC)	P 193,447,000.00
B. Construction of School Building	<u>98,553,000.00</u>
Total	P 292,000,000.00

are hereby certified to be local infrastructure and/or other socio-economic development projects in accordance with the approved local development plan and public investment program for the current year 2024 of the City of Alaminos, Pangasinan;

SECTION 5. Features, Terms and Conditions. — Consistent with the covering Term Loan Agreement, contract, deeds and assignment and such other agreements as maybe entered into by the City in connection with the borrowing, the features, terms and conditions shall be as follows and are hereby approved:

- Amount : Up to P292,000,000.00
- Purpose : To finance the LGU's projects for the Alaminos City College (ACC) of up to P292,000,000.00, broken down as follows:
 - a. Acquisition of Lot (project site)
Up to P193,447,000.00 or 100% of appraised value based on LGU Appraisal Committee Valuation Report or 100% of the Offer to Sell/Deed of Sale, whichever is lowest
 - b. Construction of School Building
Up to P98,553,000.00 or winning bid price, whichever is lower
- Term : Fifteen (15) years, inclusive of three (3) year grace period on principal payments, payable in 48 quarterly installments to commence at the end of the 13th quarter from date of initial drawdown.
- Interest Rate : Variable, based on the prevailing rate at the time of drawdown, reviewable and payable quarterly to commence at the end of the 1st quarter from date of initial drawdown, GRT shall be for the account of the LGU.
- Availability : Within one (1) year from date of signing of loan agreement

(Handwritten signatures and initials)





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- Security/Support Held :
1. The LGU shall submit a Certification by authorized signatory indicating compliance with RA No. 656 (Property Insurance Law) and such other relevant laws and regulation relative to the insurance requirement on insurable assets.
 2. Contractor's All Risk Insurance (CARI) coverage based on the estimated cost to complete the component/project shall be obtained prior to loan release. Once the component/project is completed, appropriate insurance coverage shall be placed in compliance with RA No. 656.

- Fees :
- Front-end Fee – waived;
 - Commitment Fee – waived;
 - Extension Fee – waived;
 - Prepayment penalty – 3% of the amount to be prepaid; and
 - Default Charge – 24% per annum on past due principal, interest, and advances

SECTION 6. Ratification. — That such ratification includes any and all subsequent requests by the City for modification/revision and/or amendment to be made on the project, as well as on its approved terms and conditions, and which makes the loan a statutory obligation of the City.

SECTION 7. Execution and Validity of Loan Agreements, Promissory Notes, Etc. — The City shall execute the Loan Agreements, Promissory Notes, and other documents thereto, and specifically stating that the obligations of the City thereunder, as well as the terms and conditions thereof, shall be valid and binding on the City and shall not be subject to recall by the Sanggunian for the whole term of the loan, regardless of any change in composition.

SECTION 8. Payment Allocation. — The continuing assignment of the applicable portion of the City's NTA and local revenues in favor of DBP shall be until the loan is fully paid.

SECTION 9. Debt-servicing Appropriation. — The City shall include appropriation for debt-servicing in the City's annual budget in accordance with the Local Government Code until the loan is fully paid.

SECTION 10. Condition on Additional Obligation. — The City will not incur additional obligation/indebtedness without DBP's prior consent.

[Handwritten signatures and initials]



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SECTION 11. Waiver of Rights to Confidentiality of Information. — Pursuant to the provisions of Section 2 and 3 of Republic Act No. 1405 and other laws relating to the secrecy of bank deposits, the City waives its rights to confidentiality of information by authorizing DBP, the lending/ trustee bank and all banks or financial institutions with which the City has transactions to disclose to the Bangko Sentral ng Pilipinas (BSP) all information pertaining to deposits, investments, loans, or other transactions including the history or status of dealings with said banks or financial institutions and for the BSP to make all inquiries as may be necessary regarding the same. The BSP is likewise authorized to disclose and share any such information furnished or obtained from said banks or financial institutions to the Department of Finance in relation to the performance by said Department of its functions;

SECTION 12. Appropriation of Loan Proceeds. — The City hereby appropriates the entire proceeds of the borrowing exclusively to finance the projects identified and named herein and other financial obligations relative thereto;

SECTION 13. Repealing/Amending Clause. — Any Ordinance or parts thereof, inconsistent with this enactment is hereby repealed or amended accordingly.

SECTION 14. Effectivity Clause. — 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 Panlungsod members, in concurrence thereto, composing of at least a majority thereof, out of the total of thirteen members, on all pages of this Ordinance.

APPROVED.....



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I **HEREBY CERTIFY** to the correctness of the foregoing ordinance consisting of six (6) pages including this page.


LUZ B. VALE
 Secretary

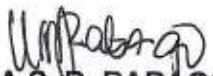
ATTESTED:


JAN MARIONNE R. FONTELERA
 City Vice Mayor/Presiding Officer


APPLE JOY B. TOLENTINO
 Presiding Officer Pro-Tempore


CAROLYN D. SISON
 Majority Floor Leader


KELVIN THEUS O. HUMILDE
 Minority Floor Leader


VERNA S. D. RABAGO
 Assistant Majority Floor Leader


RAUL B. BACAY
 Member


DAHLIA M. DE LEON
 Member


OSCAR B. BULUNG, SR.
 Member


FROEBEL A. RANOY
 Member


WALTER M. MACAIBA
 Member


ALEX A. RECOSANA, LBP
 Ex-Officio Member


LOVERLY V. BERNABE, PPSKP
 Ex-Officio Member

APPROVED BY:


ARTH BRYAN C. CELESTE
 City Mayor

12/20/2024
 Date