

Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Palo, Leyte

Item No.: 05
Date: 16 2024 JUL

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PROVINCIAL LEGAL OFFICE
TRANSMITTAL

June 9, 2024



TO: SANGGUNIANG PANLALAWIGAN OF LEYTE

THRU:

FLORINDA JILL S. UYVICO
SP Secretary, Province of Leyte

SUBJECT: REQUEST FOR RESOLUTION AUTHORIZING THE PROVINCIAL GOVERNOR TO SIGN THE DEED OF DONATION INVOLVING FINANCIAL GRANT FROM THE OFFICE OF THE PRESIDENT

Ma'am:

Greetings! Respectfully transmitting herewith the attached pro-forma Deed of Donation from the Office of the President represented by USec Bersamin and USec Mohammadsali as Donor and the Province of Leyte as Donee involving the amount of **P17,020,000.00**. Said amount is intended for cash assistance to farmers, fisherfolks and other marginalized families/ household within the Donee's jurisdiction.

A copy of the Deed of Donation is hereto attached for the consideration of the august body.

Thus, it is respectfully requested from the august body for a Resolution to be issued Authorizing the Provincial Governor to enter and sign said Deed of Donation.

Thank you so much!

Very truly yours,


Atty. RHEA LINA U. ENAGE
Attorney IV, OIC

For:

JOSE RAYMUND A. ACOL
PGADH

DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS:

This Deed of Donation entered into this _____ day of _____, 20____ by and between:

The **OFFICE OF THE PRESIDENT**, represented herein by **UNDERSECRETARY ADRIAN CARLOS A. BERSAMIN** and **UNDERSECRETARY AL-AZREE J. MOHAMMADSALI**, with office address at Malacañang, Manila and hereinafter referred to as the **DONOR**;

- and -

The **PROVINCIAL GOVERNMENT OF LEYTE**, a local government unit of the Republic of the Philippines, with principal office address at Provincial Capitol, Tacloban City, represented herein by **GOVERNOR CARLOS JERICHO L. PETILLA**, and herein referred to as the **DONEE**;

WITNESSETH: That -

WHEREAS, the onset of El Niño phenomenon has brought below-normal rainfall condition that is now causing prolonged dry spell and drought conditions in various parts of the country;

WHEREAS, the prolonged dry spell and drought conditions have led to enormous agricultural damage and water shortages and have adversely impacted not only hapless farmers and fisherfolk but also the vulnerable and marginalized segments of the society;

WHEREAS, there is a need to extend assistance to the aforementioned farmers, fisherfolk and marginalized households severely affected by El Niño to alleviate their plight and to help them cope with the challenges in this trying time;

WHEREAS, the **DONEE** has been at the forefront in responding to various calamities adversely affecting the province and its constituents; ✓

WHEREAS, the frequency of occurrence of these calamities and the limited resources of the **DONEE** have strained its financial capacity to continue and sustain the interventions urgently needed by its constituents; ✓

WHEREAS, the **DONOR** may extend special assistance, financial or otherwise, to target individuals, communities, or group beneficiaries for public health, environment-related activities and other socio-civic purposes through the Socio-Civic Projects Funds (SCPF) being administered by the **DONOR**;

NOW, THEREFORE, for and in consideration of the foregoing and the terms and conditions herein set forth, the Parties hereby agree, as they have agreed as follows:

1. The **DONOR** hereby donates to the **DONEE** the total amount of **SEVENTEEN MILLION TWENTY THOUSAND PESOS (P17,020,000.00)**, Philippine

Currency, from the SCPF, by virtue of OP Office Order No. 02 dated 29 December 2016, and Project Design approved by the Executive Secretary;

2. The **DONEE** accepts the donation with gratitude and agrees to use the said amount to provide cash assistance to farmers, fisherfolk and other marginalized families/household within the **DONEE**'s locality subject to pertinent laws, and government accounting and auditing, rules and regulations.

3. The **DONEE** hereby states, for the purpose of giving full effect and validity to this donation, the following:

a. The donation shall be used as cash assistance to farmers, fisherfolk and other marginalized families/households severely affected by El Niño at P10,000.00 per family/household;

b. The affected farmers, fisherfolk and other marginalized families/households who will receive the financial assistance shall be jointly determined by the **DONEE** and representatives of the Regional Field Units (RFUs) of the Department of Agriculture (DA) and the Department of Social Welfare and Development (DSWD) having jurisdiction over the **DONEE**;

c. The **DONEE** shall distribute the financial assistance to the beneficiaries within thirty (30) days from receipt of the Grant in the presence of representatives from the DA and DSWD RFUs;

d. The **DONEE** shall submit to the **DONOR** a Fund Utilization Report (FUR) showing the expenses incurred and the disbursement of the donation, duly stamped and received by the **DONEE**'s Resident Auditor, within thirty (30) days from the completion of the distribution. The FUR shall be accompanied by a distribution list where the beneficiaries acknowledge their receipt of the financial assistance by affixing their signatures opposite their names;

e. No realignment of use of the donation shall be made by the **DONEE** without prior approval of the **DONOR**. Any modification or amendment with respect to the terms and conditions of the Deed shall be subject to the prior approval of the **DONOR**;

f. In case of violation of the preceding provisions, the **DONOR** shall have the right to revoke the donation, without prejudice to the filing of the appropriate administrative, criminal or civil action against the **DONEE**.

IN WITNESS THEREOF, the parties hereby sign this Deed this _____ day of _____, 2024 in Malacañang, Manila, Philippines.

OFFICE OF THE PRESIDENT

**PROVINCIAL GOVERNMENT OF
LEYTE**

ADRIAN CARLOS A. BERSAMIN
Undersecretary

CARLOS JERICHO L. PETILLA
Donee

AL-AZREE J. MOHAMMADSALI
Undersecretary

