



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Item No.: **12**

Date: **10 2025 JUN**

Province of
Legal Office

[Signature]
Date: **5/19/25**

2nd INDORSEMENT

May 9, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 04 series of 2024 of the Sangguniang Bayan of MacArthur, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 04 series of 2024 entitled: **“An Ordinance institutionalizing the CDD approach in the identification, prioritization, resource allocation of locally funded programs and adopting some of the activities in the CEAC as a strategy in pursuing and attaining development goals in the Municipality of MacArthur, Leyte.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Section 3(g)¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 109(b)(1)² of the same, subject to the recommendation that the first paragraph be omitted for being clerical errors not related to the proposed Ordinance. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (g) The capabilities of local government units, especially the municipalities and barangays, shall be enhanced by providing them with opportunities to participate actively in the implementation of national programs and projects;

² (1) Mobilize people's participation in local development efforts;

Republic of the Philippines
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Palo, Leyte
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[Handwritten signature and date 5.8.25]

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
08 May 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 04, series of 2024 of the Municipality of MacArthur, Leyte**, entitled: **An Ordinance institutionalizing the Community Driven Development (CDD) approach in the identification, prioritization, resource allocation of locally funded programs and adopting some of the activities in the Community Empowerment Activity Cycle (CEAC) as a strategy in pursuing and attaining development goals in the Municipality of MacArthur, Leyte.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

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Office of the Sangguniang Bayan



ENDORSEMENT
May 07, 2025

Respectfully submitting to the Honorable Provincial Board for consideration and approval the herein Municipal Ordinance No. 04, Series of 2024, entitled AN ORDINANCE INSTITUTIONALIZING THE COMMUNITY DRIVEN DEVELOPMENT (CDD) APPROACH IN THE IDENTIFICATION, PRIORITIZATION, RESOURCE ALLOCATION OF LOCALLY FUNDED PROGRAMS AND PROJECTS AND ADOPTING SOME OF THE ACTIVITIES IN THE COMMUNITY EMPOWERMENT ACTIVITY CYCLE (CEAC) AS A STRATEGY IN PURSUING AND ATTAINING DEVELOPMENT GOALS IN THE MUNICIPALITY OF MACARTHUR, LEYTE.


MARIE STEPHANIE DE LA CRUZ- PULGA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR
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Municipal Ordinance No. 04 Series of 2024

AN ORDINANCE INSTITUTIONALIZING THE
COMMUNITY DRIVEN DEVELOPMENT (CDD)
APPROACH IN THE IDENTIFICATION,
PRIORITIZATION, RESOURCE ALLOCATION
OF LOCALLY FUNDED PROGRAMS AND
PROJECTS AND ADOPTING SOME OF THE
ACTIVITIES IN THE COMMUNITY
EMPOWERMENT ACTIVITY CYCLE (CEAC) AS
A STRATEGY IN PURSUING AND ATTAINING
DEVELOPMENT GOALS IN THE MUNICIPALITY
OF MACARTHUR, LEYTE

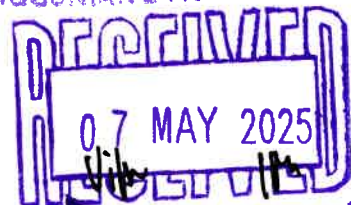


Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

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Office of the Sangguniang Bayan

SANGGUNIANG PANLALAWIGAN



PROVINCE OF LEYTE

Attested:

HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

HON. RAUL E. MUNDALA
SB Member

HON. GWENDOLYN M. BERISO
SB Member

HON. VICTORIANO T. LAZAR
SB Member

HON. JONATHAN T. BARQUIN
SB Member

HON. TRINA C. BURAWIS
SB Member

HON. LEONARDO R. LERIA JR.
SB Member (Absent)

HON. IRENEO G. REMANES JR.
SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. JOSE A. BARANDA
ABC President (Absent)

HON. RALPH MARTIN P. EGOS
SKF President (Absent)

Approved:

HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: APRIL 30, 2025

EXCERPT FROM THE MINUTES OF THE 124TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MACARTHUR, LEYTE HELD ON 31 MARCH 2025 AT THE MUNICIPAL SESSION HALL.

PRESENT:

Honorable Jesus A. Baranda	Vice Mayor, Presiding
Honorable Raul E. Mundala	SB Member
Honorable Gwendolyn M. Beriso	SB Member
Honorable Victoriano T. Lazar	SB Member
Honorable Jonathan T. Barquin	SB Member
Honorable Trina C. Burawis	SB Member
Honorable Ireneo G. Remanes Jr.	SB Member
Honorable Xandrix P. Pantin	SB Member

ABSENT:

Honorable Leonardo R. Leria Jr.	SB Member
Honorable Jose A. Baranda	ABC President
Honorable Ralph Martin P. Egos	SKF President

MUNICIPAL ORDINANCE NO. 04
Series of 2024

AN ORDINANCE INSTITUTIONALIZING THE COMMUNITY DRIVEN DEVELOPMENT (CDD) APPROACH IN THE IDENTIFICATION, PRIORITIZATION, RESOURCE ALLOCATION OF LOCALLY FUNDED PROGRAMS AND PROJECTS AND ADOPTING SOME OF THE ACTIVITIES IN THE COMMUNITY EMPOWERMENT ACTIVITY CYCLE (CEAC) AS A STRATEGY IN PURSUING AND ATTAINING DEVELOPMENT GOALS IN THE MUNICIPALITY OF MACARTHUR, LEYTE

SPONSORED BY : Honorable Trina C. Burawis

There is a need to amend Section 8 to specify the source of fund for the implementation of the Ordinance compliant to the provision of Section 335 Chapter 4 of the Local Government Code.

Section 335. No public money or property shall be appropriated or applied for religious or private purposes.

WHEREFORE, on motion of Honorable Trina C. Burawis duly seconded by en masse, be it

Attested:

HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

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SB Member

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HON. VICTORIANO T. LAZAR
SB Member

HON. JONATHAN T. BARQUIN
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HON. TRINA C. BURAWIS
SB Member

HON. LEONARDO R. LERIA JR.
SB Member(Absent)

HON. IRENEO G. REMANES JR.
SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. JOSE A. BARANDA
ABC President(Absent)

HON. RALPH MARTIN P. EGOS
SKF President (Absent)

Approved:

HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: APRIL 30, 2025

Ordained by the Sangguniang Bayan of the Municipality of MacArthur, Leyte in regular session assembled that:

SECTION 1. DECLARATION OF POLICY- It is declared policy of the Municipality to promote participation, transparency and accountability in the identification, prioritization, resource allocation, implementation and sustainability monitoring of locally funded programs and projects including operation and maintenance of the same. Towards this end, the Community Driven Development (CDD) approach is hereby institutionalized and some of the activities in the Community Empowerment Activity Cycle (CEAC), specifically Participatory Situation Analysis, Barangay Assembly, Resource Allocation through counter parting. Project Development through Project Preparation Team. Project Implementation through the community volunteers and sustainability monitoring through Local Project Monitoring Team. Project sustainability and Operation and Maintenance are hereby adopted as the strategies in continually pursuing and attaining development goals.

SECTION 2. DEFINITION OF TERMS- As used in this Ordinance, the following terms shall mean.

Institutionalize- to make into an established law, custom, practice, system, etc.

Community Driven Development (CDD)- is an alternative development strategy where the community especially the poor people are tapped and developed as initiators and collaborators of resources for said transformation. It is an approach that aims at giving the people control over decisions and resources for the development at the local level.

Barangay Assembly- is a gathering of all persons who are actual residents of the Barangay for at least six (6) months, fifteen (15) years of age or over, citizens of the Philippines, and duly registered in the list of Barangay assembly (See 397, R.A. 7160)

Participatory Situation Analysis (PSA)- is a method of collective information sharing and analysis that can be used for a variety of purpose, including but not limited to strengthening organization, design and implementation of programs and projects, monitoring and evaluation and drafting community development plans. As a research method, the purpose of PSA is to mobilize local communities to share information about local conditions from their own perspectives

Sustainability Evaluation- a mechanism

Attested:

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ABC President(Absent)

HON. RALPH MARTIN P. EGOS
SKF President (Absent)

Approved:

HON. RODIN T. BABANTE
Municipal Mayor

Date Approved: April 30, 2025

SECTION 3. SUSTAINABILITY MECHANISM– the following activities are hereby adopted and institutionalized under the following components.

3.1 LOCAL DEVELOPMENT PLANNING

- Mandatory conduct of Municipal Orientation Program Launching to the Expanded Municipal Development Council (EMDC) and Municipal Inter-Agency Committee (MIAC) in all incoming programs, projects from NGAs and NGOs;
- Convergence of stakeholders in all programs entering into MOA in the municipality and other concerned agencies;
- Continue transparency mechanism in the barangay through regular reporting in the barangay assembly and consultatively involving 80% if not all households in decision-making for development;
- Adoption of the Participatory Situation Analysis process in the identifying the priority needs of the barangays;
- Strengthening community-based organization participation in development planning through expansion of the Municipal Development Council.

3.2 BUDGET FORMULATION

- Strengthening the Barangay Development Council (BDC) and expanding its membership to include the Barangay Representation Team (BRT) Chairperson and Barangay Sub-Project Management Committee (BSPMC) Chairperson and Operation and Maintenance (O&M) Groups President Chairman as regular member of the Barangay Development Council (BDC) to participate in local planning;
- Expansion of the Municipal Development Council (MDC) with the inclusion of the Barangay Sub-Project Management Committee (BSPMC) Chairperson and Operation and Maintenance (O&M) Groups President Chairman as regular member of the Expanded Municipal Development Council (EMDC) to participate in the formulation of the development plan and be funded in the Annual Investment Plan of the Local Government Unit (LGU);
- Integration of unmet needs of barangays to Municipal Development Plan (MDP) and Local Development and Investment Plan (LDIP);
- Creation of Technical Working Group (TWG) Committee composed of all the MIAC members Department Heads who will scrutinize review all documents (proposals, technical documents, social and environmental safeguards and other documents) of all proposed projects (regardless of fund source) for implementation in the municipality;
- Strict implementation of "No Social and Environmental Safeguards, NO Project to be Implemented";
- Yearly allocation of funds for operation and maintenance of completed projects regardless of fund source;

Attested:

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Concurred:

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SKF President (Absent)

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Municipal Mayor

Date Approved: APRIL 30, 2025

- g. Mandatory appropriation of O&M fund in all implemented projects reflected in the AIP.

3.3 BUDGET EXECUTION

- Strict involvement of women in all project (regardless of fund source) implementations in the barangay regardless of what mode of implementation (by Contract or Community Force Account);
- Strengthening of Full Disclosure Policy in all barangays;
- Policy formulation on the involvement of women in paid labor force in the entry project implemented in the community and with contract of agreement for By-Contract sub-projects prior to awarding/funding.

3.4 PERFORMANCE ASSESSMENT


- Conduct of Functionality Audit (FA) and Final Inspection (FI) to all completed sub-projects (regardless of fund sources) prior to turn-over or acceptance of the Barangay/Operation and Maintenance Groups that will maintain the completed projects;
- Conduct Sustainability Evaluation (SE) through the Local Project Monitoring Team, Multi-Stakeholders Inspectorate Team (MSIT) and the Barangay Stakeholders Inspectorate Team (BSIT) every six (6) months after completion of projects (regardless of fund source) and a year (12 months) thereafter and conduct of regular community monitoring;
- Install the Property, Plant and Equipment Book across all barangays and in the municipality.

SECTION 4. REQUIREMENTS AND SANCTIONS- In order to ensure the sustainability and institutionalization of the Community Driven Development (CDD) approach and the good practices experienced during the KALAHI CIDSS implementation, the following requirements and sanctions shall be strictly imposed:

4.1 No project of the barangay shall be included in the Comprehensive Development Plan and other lists of projects for funding allocation unless the project has been identified during the PSA workshop and validated by the community barangay assembly through Barangay Assembly and Consultation Meeting- compliance of this requirements shall be proven by the minutes of the proceedings of the PSA workshop and the barangay assembly and the attendance of the participants during the barangay assembly;

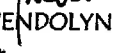
4.2 No request for funding assistance by a barangay from the MLGU for the implementation of its prioritized project shall be granted unless the barangay will provide a counterpart either in cash or in kind. Availability of the cash of the barangay for the project shall be known through a resolution of the Sangguniang Barangay indicating in the said

Attested:


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Concurred:


HON. RAUL F. MUNDALA
SB Member

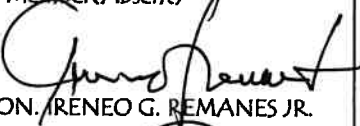

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ABC President (Absent)

HON. RALPH MARTIN P. EGOS
SKF President (Absent)

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: APRIL 30, 2025

resolution the type of in-kind contribution. If the counterpart is through labor, a labor matrix shall be prepared indicating the amount that the laborer or worker shall contribute;

4.3 All requests by the barangay for the implementation of project through counter parting scheme shall be accompanied by the Program of Work, technical plan and design;

4.4 Request for financial assistance by a barangay from other sources other than MLGU shall be endorsed by the Sangguniang Bayan if it is accompanied by the Program of Work, technical plans and design and resolution of the Sangguniang Bayan;

4.5 In implementing projects using counter parting scheme between the MLGU and the BLGU, cash counterpart of the MLGU shall be transferred to the BLGU account. The BLGU shall take the lead in the implementation of the project. However, said counter parting engagement shall be covered by a Memorandum of Agreement by and between the MLGU and the BLGU. The MOA shall outline the implementation guidelines to ensure that funds are protected from misuse and that the desired accomplishment of the project shall be attained. Conditions in the MOA may include the inspectorate authority of the MLGU as to physical accomplishment through the Municipal Engineer and as to the financial transaction for the accountant to be allowed to evaluate financial documents including disbursement vouchers and its supporting papers;

4.6 No implementation of a priority project of a barangay utilizing a counter parting scheme between the barangay and the MLGU shall be undertaken if the fund allocated for the specific project by the BLGU, MLGU and the community including in-kind contribution will not be able to produce a project that can be utilized for its desired purpose after the fund has been established;

4.7 The Barangay Officials shall take the lead in the implementation of a priority project of the barangay through counter parting scheme. However, organized volunteer groups shall be tapped such as Project Implementation Team, Monitoring and Inventory Team, and Bids and Awards Committee to assist in the implementation of the project;

4.8 Procurement Procedures under R.A. 9184 shall strictly be observed.

SECTION 5. Allocation of Local Counterpart Contribution (LCC) of the MLGU in its Annual Budget – In order to ensure that the local counter parting scheme in the implementation of the priority projects shall be

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HON. JURENO G. REMANES JR.
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HON. XANDRIX P. PANTIN
SB Member

HON. JOSE A. BARANDA
ABC President(Absent)

HON. RALPH MARTIN P. EGOS
SKF President (Absent)

Approved:

HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: APRIL 30, 2025

undertaken, the MLGU shall allocate in kind or in cash if deemed necessary as Local Counterpart Contribution (LCC). This allocation shall be utilized solely for the counter parting engagement with the different barangays in the municipality.

SECTION 6. Prioritization by the Municipal Development Council - Considering the meager resources of both the barangay and the municipal government that can be utilized in implementing priority projects of the barangay, prioritization shall be undertaken as an option to maximize the utilization of fund for projects that have a greater impact to the community. For this purpose, the Municipal Development Council, being the highest planning body of the municipality, shall conduct the prioritization of projects of the different barangays for the purpose of allocating funds from LCC of the municipal government.

SECTION 7. Scope and Coverage of the Ordinance- The ordinance shall cover only projects locally funded through counter parting scheme between the MLGU, BLGU and the community. It shall not cover projects in the locality funded from the outside sources unless, however, the funding agency or entity shall allow to implement the project in the way it is desired in this ordinance in which case a corresponding MOA shall be enacted.

SECTION 8. Continuing engagement of the Municipal Inter-Agency Committee (MIAC) in CDD activities - The MIAC composed of heads of departments of the Local Government Unit and the National Government Agencies shall continue to exist and perform. Technical Assistance shall continue to be provided to barangays in order to sustain the good practices and CDD technology.

SECTION 9. Transparency and Accountability of Mechanism- In order to promote transparency and accountability, transparency billboard shall be constructed within the project site, indicating thereof the nature of the project, total project cost, duration of the project and the counterpart contribution of participating entities. During the implementation of the project, the physical accomplishment and financial report shall not only be reported during Barangay Assemblies but will also be posted in the Barangay Hall and other conspicuous places so that the public may know and be informed of the project implementation status.

SECTION 10. Creation of a Community Driven Development (CDD) Unit and Designation of a CDD Focal Person in the MLGU- The Local Chief Executive is hereby authorized to create a Community Driven Development (CDD) Unit and to designate a CDD Focal Person whose basic function is to ensure that community driven development approach is continuously being practiced by the communities and the

Attested:

HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

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HON. RALPH MARTIN P. EGOS
SKF President (Absent)

Approved:

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Municipal Mayor

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CDD principles and objectives are being adhered along the area on local development planning, local development investment programming, budgeting and financial arrangement monitoring and evaluation and sustainability mechanism.

SECTION 11. Authority of the Municipal Development Council (MDC) to formulate Implementing Rules and Regulations (IRR) of this Ordinance – The Municipal Development Council (MDC) is authorized to formulate the implementing rules and regulations of this ordinance which shall include but not limited to the setting of the criteria for the prioritization, resource allocation based on the available funds of the barangay.

SECTION 12. Repealing Clause – All ordinances, local laws, rules and regulations inconsistent herewith are hereby repealed or modified accordingly.


Section 5. EFFECTIVITY– This ordinance shall take effect after the approval from the Sangguniang Panlalawigan and the requirements of posting prescribed in RA 7160 is complied with.

ENACTED by the Sangguniang Bayan in session assembled on March 31, 2025, at Municipal Session Hall, Legislative Building, MacArthur, Leyte, Philippines.

Approved unanimously.

SO ORDAINED.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


MARIE STEPHANIE DE LA CRUZ- PULGA
Secretary to the Sanggunian



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Office of the Sangguniang Bayan

CERTIFICATE OF POSTING

THIS IS TO CERTIFY that Municipal Ordinance No. 04, Series of 2024 of the Sangguniang Bayan of MacArthur, Leyte, duly enacted on March 31, 2025 and approved last April 30, 2025 has been posted since May 6, 2025 at the bulletin board of the Legislative Building, at Poblacion Public Market, and at Palale I Outpost pursuant to Section 511 of R.A. 7160.


MARIE STEPHANIE DE LA CRUZ- PULGA
Secretary to the Sanggunian