



Office of the Sangguniang Panlalawigan

EXCERPT FROM THE MINUTES OF THE 115th REGULAR SESSION OF THE 10th SANGGUNIAN
PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA
ON JANUARY 25, 2022.

PRESENT:

FAUSTINO G. DY III	Vice Governor & Presiding Officer
DELFINITO EMMANUEL L. ALBANO	Member (1 st District) & Floor Leader
EMMANUEL JOSELITO B. AÑES	Member (1 st District)
ED CHRISTIAN S. GO	Member (2 nd District)
EDGAR R. CAPUCHINO	Member (2 nd District)
RAMON JUAN N. REYES, JR.	Member (3 rd District)
RANDOLPH JOSEPH P. ARREOLA	Member (3 rd District)
CLIFFORD R. RASPADO	Member (4 th District)
ABEGAIL V. SABLE	Member (4 th District)
FAUSTINO U. DY IV	Member (5 th District)
EDWARD S. ISIDRO	Member (5 th District)
ALFREDO V. ALILI	Member (6 th District)
MARCO PAOLO A. MERIS	Member (6 th District)
ANTONIO S. HUI	Member, PCL Federation President
DANTE G. HALAMAN	Member, LnB Federation President
DAX PAOLO C. BINAG	Member, SK Federation President
ADRIAN PHILIP S. BAYSAC	Member, Agricultural /Industrial Workers Labor Sector Representative
GRETCHEN F. VALDEZ	Member, Indigenous Cultural Communities Sector Representative

RESOLUTION NO. 2022-04-03

Series of 2022

A RESOLUTION FAVORABLY ENDORSING THE TERMINATION OF CONTRACT OF C. M. PANCHO CONSTRUCTION, INC. FOR THE ILAGAN-DIVILACAN ROAD REHABILITATION AND IMPROVEMENT PROJECT

Sponsor: HON. ALFREDO V. ALILI

Chairperson, Committee on Ways and Means

WHEREAS, the Provincial Government of Isabela conducted an open competitive bidding for the Contract: *"Ilagan-Divilacan Road Rehabilitation and Improvement Project"* on July 31, 2015 and awarded the Contract to the lowest bidder, C.M. Pancho Construction Inc.;

WHEREAS, as a result of several typhoons and calamities, the implementation of the project became economically, financially, and technically impractical. Thus, Audit Observation Memorandum No. (SAT-PGI) 2021-02 dated September 27, 2021 was issued by the Commission on Audit (COA), finding among others:

Par. 5 thereof, "As to the actual condition of the project, it was noted that significant portion was already destroyed due to the onslaught of various

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typhoons that occurred in the project site. Some portions of the road were either covered with boulders and/or eroded which requires significant amount in order to undertake repair or continuation of the project. It may also be mentioned that the current condition of the project is mainly caused by the adverse effects of the typhoons or natural calamities."

Par. 6, thereof, "We inquired from the Management Team and we were informed that the plan is for them to re-route the road to a different path which necessitates additional project funding and different construction activities. The plan also necessitates the conduct of new technical planning and detailed engineering."

Par. 7, thereof, "The actual status of the project indicated that it is already impractical for the PGI (Provincial Government of Isabela) to continue with the implementation of the project. Such conditions then necessitates the termination of the contract for the convenience of the Government."

WHEREAS, Section 63 of R. A. No. 9184 and its Revised Implementing Rules and Regulations authorizes the Government Procurement Policy Board (GPPB) to formulate public procurement policies, rules and regulations, and amend its IRR, whenever necessary;

WHEREAS, on December 22, 2004, the GPPB through Resolution No. 018-2004 adopted and approved the Guidelines on Termination of Contracts which established the policies and procedures relating to the whole or partial termination of government procurement contracts of goods, infrastructure projects, and consulting services;

WHEREAS, under GPPB Resolution No. 018-2004, III, B, the "Procuring Entity may terminate the Contract, in whole or in part, at any time for its convenience. The Head of the Procuring Entity may terminate a contract for the convenience of the Government if he has determined the existence of conditions that make Project Implementation economically, financially or technically impractical and/or necessary, such as, but not limited to, fortuitous event(s) or changes in law and national government policies";

WHEREAS, in the interest of public service, this Body deems it beneficial and advantageous for the Province to endorse the termination of the Contract, "*Ilagan-Divilacan Road Rehabilitation and Improvement Project*" which was awarded to C. M. Pancho Construction, Inc., in order to avert any further inconvenience to the Provincial Government of Isabela;

WHEREAS, premises considered, upon motion of Honorable Alfredo V. Alili, duly approved and seconded in a session duly assembled, it was –

RESOLVED, AS IT IS HEREBY RESOLVES, TO PASS A RESOLUTION FAVORABLY ENDORSING THE TERMINATION OF CONTRACT OF C. M. PANCHO CONSTRUCTION, INC. FOR THE ILAGAN-DIVILACAN ROAD REHABILITATION AND IMPROVEMENT PROJECT.

**A RESOLUTION FAVORABLY ENDORSING THE TERMINATION OF CONTRACT OF C. M. PANTO CONSTRUCTION, INC. FOR THE
ILAGAN-DIVILACAN ROAD REHABILITATION AND IMPROVEMENT PROJECT**

RESOLVED FINALLY, that a copy of this Resolution be furnished to the Provincial Governor, Hon. Rodolfo T. Albano III, for his guidance and information.

Approved and Adopted, January 25, 2022.

**I HEREBY CERTIFY TO THE CORRECTNESS
of the foregoing Resolution:**


ATTY. FRANCIS JAMES E. MEER
Secretary to the Sangguniang Panlalawigan

ATTESTED/ APPROVED:


FAUSTINO G. DY III
Provincial Vice Governor & Presiding Officer