



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
20th City Council

PR20CC-086

8th Regular Session

RESOLUTION NO. SP- **6854**, S-2016

A RESOLUTION RATIFYING THE AMENDMENT TO THE MEMORANDUM OF AGREEMENTS (MOAs) ENTERED INTO BY AND BETWEEN THE QUEZON CITY GOVERNMENT (LGU-QC), REPRESENTED BY THE CITY MAYOR, HONORABLE HERBERT M. BAUTSITA, AND HABITAT FOR HUMANITY OF THE PHILIPPINES FOUNDATION, INC. (HABITAT), REPRESENTED BY ITS DIRECTOR AND CHIEF EXECUTIVE OFFICER, MR. CHARLITO S. AYCO, FOR THE DEVELOPMENT OF A SOCIALIZED HOUSING PROJECT ON A PORTION OF LGU-QC PROPERTY LOCATED IN BARANGAY PAYATAS, QUEZON CITY, IDENTIFIED AS LOT 12, PCS-2491, COVERED BY TRANSFER CERTIFICATE OF TITLE (TCT) NO. 004-2012011595, CONTAINING A NET AREA OF MORE OR LESS THREE THOUSAND TWO HUNDRED FORTY SIX (3,246) SQUARE METERS, FOR THE BENEFIT OF QUALIFIED ON-SITE INFORMAL SETTLER FAMILIES (ISFs).

Introduced by Councilors FRANZ S. PUMAREN and PRECIOUS HIPOLITO CASTELO.

Co-Introduced by Councilors Lena Marie P. Juico, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Alexis R. Herrera, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Raulfo Z. Ludovica, Estrella C. Valmocina, Gian Carlo G. Sotto, Kate Abigail G. Coseteng, Jose Mario Don S. De Leon, Marvin C. Rillo, Raquel S. Malañgen, Ivy Xenia L. Lagman, Marra C. Suntay, Jose A. Visaya, Karl Edgar C. Castelo, Godofredo T. Liban II, Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Donato C. Matias, Eric Rey Z. Medina and Ricardo B. Corpuz.

WHEREAS, by virtue of Resolution No. 5768, S-2013, the City Mayor, Honorable Herbert M. Bautista, entered into a Memorandum of Agreement (original MOA) with Habitat on October 10, 2014, for the development of a socialized housing project labelled as "Bistekville-5" ✓


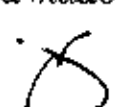

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on a portion of LGU-QC property located at Madja-as Street corner Payatas Road, Barangay Payatas, Quezon City, identified as Lot 12, Pcs-2491, covered by TCT No. 004-2012011595, containing a net area of more or less 3,246 square meters, for benefit of on-site ISFs;

WHEREAS, under the original MOA, Habitat shall construct more or less sixty (60) one-storey with loft housing units of the project, and the loan proceed of Php 450,000.00 of every taken-out housing shall be distributed to the parties as return of their contributions as follows: Share of Habitat for housing @ Php 240,000.00; Share of LGU-QC for land and land development @ Php 210,000.00, a copy of which original MOA is hereto attached as "Annex A" and made integral part thereof;

WHEREAS, prior to the ratification of the original MOA, Habitat requested for an increase of its share in the loan proceed from Php 240,000.00 to Php 300,000.00, citing additional incurred expenses due to split level of each housing unit, additional height of columns and walls due to higher land fill, and provision of additional support structures of foundations brought about by the rolling topography of the project site, as the primary reasons for its request;


WHEREAS, paragraphs VIII (8) and IX (9) of the original MOA for the development of Bistekville-5 Housing Project state that: the Parties may enter into a supplemental agreement that may arise in the course of the implementation of the agreement; and that amendment/s, addition, modification or supplemental agreement must be in writing and with the consent of the Parties thereto;

WHEREAS, upon determination by the Task Force on Socialized Housing and Development of Blighted Areas (TF Housing) that the request of the Habitat was reasonable and acceptable, and as the prevailing unit costs of the City's bidded-out socialized housing units ranges from Php 311,000.00 to Php 320,000.00, an amendment to the Memorandum of Agreement (Amended MOA) was entered into by and between LGU-QC and Habitat, adopting the new sharing scheme for the proceed of each of the taken-out housing unit as follows: Share of Habitat for housing @ Php 300,000.00; Share of LGU-QC for land and land development @ Php 150,000.00, a copy of which Amended MOA is hereto attached as "Annex B" and made integral part hereof.   

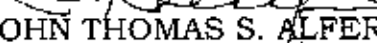
NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to ratify, as it does hereby ratify the Amended Memorandum of Agreements (MOAs) entered into by and between the Quezon City Government (LGU-QC), represented by the City Mayor, Honorable Herbert M. Bautista, and Habitat for Humanity of the Philippines Foundation, Inc. (HABITAT), represented by its Director and Chief Executive Officer, Mr. Charlito S. Ayco, for the Development of a Socialized Housing Project on a portion of LGU-QC property located in Barangay Payatas, Quezon City, identified as Lot 12, PCS-2491, covered by Transfer Certificate of Title (TCT) No. 004-2012011595, containing a net area of more or less 3,246 square meters, for the benefit of qualified on-site informal settler families (ISFs).

ADOPTED: September 13, 2016.



MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

CERTIFICATION

This is to certify that this Resolution was APPROVED by the City Council on Second Reading on September 13, 2016 and was CONFIRMED on September 26, 2016.


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III.

ACKNOWLEDGEMENT

Republic of the Philippines)
Quezon City, Metro Manila)

BEFORE ME, a Notary Public, for and in Quezon City, Metro Manila, this
MAY 26 2016, 2016, personally appeared the following:

NAME	GOVT. ISSUED I.D.	NUMBER & VALIDITY
Mr. Charlito S. Ayco	Passport	EC 1683824 - JULY 21, 2019
Hon. Herbert M. Bautista	Passport	EC 3151462 - JAN. 9, 2020

Known to me to be same persons who executed the forgoing instrument and acknowledged to me that the same is their free and voluntary act and deed as well as the free and voluntary act and deed of the entities they respectively represent.

This instrument refers to Amendment to the Memorandum of Agreement for the development of Bistekville-5 Housing Project, consisting of 4 pages including this page.

WITNESS MY HAND AND SEAL this MAY 26 2016 day of _____ at the place above written.

Doc No. 17
Page No. 35
Book No. XXXX
Series of 2016.

ATTY. GODFREDO T. CIBAN
NOTARY PUBLIC
UNTIL DECEMBER 31, 2016
PTR NO. 2080963 JAN. 4, 2016
IBP NO. 1020949 JAN. 5, 2016
ROLL NO. 295257 MAY 14, 1979
MOLÉ COMPLIANT (JAN-002016)
2ND FLOOR, LEGISLATIVE WING
QUEZON CITY HALL BUILDING
QUEZON CITY

156-D

**AMENDMENT TO THE MEMORANDUM OF AGREEMENT
(FOR THE DEVELOPMENT OF BISTEKVILLE-5)**

This Amendment to the Memorandum of Agreement (Amended MOA) for the development of Bistekville-5 Housing Project, dated as of _____, entered into by and between:

QUEZON CITY GOVERNMENT, a public corporation created pursuant to CA 502, as amended, in relation to RA 7160, as amended, with address at Quezon City Hall, Elliptical Road, Bgy. Central, Quezon City, represented herein by its Mayor, **HERBERT M. BAUTISTA**, hereinafter referred to as "**LGU-QC**",

- and -

HABITAT FOR HUMANITY PHILIPPINES FOUNDATION, INC., a non-stock, non-profit corporation organized and existing under the laws of the Philippines, with principal office address at the 3rd Floor, Paseo Condominium Building, 111 Paseo de Roxas, Legaspi Village, Makati City, Metro Manila, represented herein by its Managing Director and Chief Executive Officer, **CHARLITO S. AYCO**, hereinafter referred to as "**HABITAT**"

(The LGU and HABITAT are hereinafter collectively referred to as the "Parties" and individually as the "Party")

WITNESSETH:

WHEREAS, a Memorandum of Agreement (original MOA) for the development of Socialized Housing Project, labeled as Bistekville-5, located at Madjaas Street cor. Payatas Road, Bgy. Payatas, Quezon City, a third Bistekville Housing Project in partnership with Habitat, was entered into by the Parties herein on October 10, 2014, which MOA was registered in the Notarial Registry of Atty. Godofredo T. Liban II, identified as Doc. 467; Page No. 94; Book No. XLIV Series of 2014, which MOA was signed by the City Mayor based on the approved Council Resolution No. SP-5768, S-2013;

WHEREAS, under the original MOA, a minimum of sixty (60) **one-storey with loft** socialized housing units, with an average unit floor area of 25.60 square meters including loft area, shall be constructed by HABITAT in conformity with BP-220 Design Standards;

WHEREAS, the intended beneficiaries of the afore-cited housing units are the on-site informal settler families (ISFs) who will be selected, screened, pre-qualified and agreed upon by the parties;


HERBERT M. BAUTISTA



HERBERT M. BAUTISTA MPA MNSA
Quezon City Mayor

WHEREAS, under the original MOA, the Gross Loan Package of each one-storey with loft socialized housing unit of the project is Four Hundred Fifty Thousand Pesos (Php 450,000.00), inclusive of the Php 10,000.00 cash-out of beneficiaries for utility services applications, miscellaneous and legal expenses.

WHEREAS, under the original MOA, the loan proceed of every taken-out housing unit shall be distributed to the Parties as return of their contributions based on the agreed proportionate sharing scheme as follows:

Share of HABITAT	:	Php 240,000.00
Share of LGU-QC	:	Php 200,000.00, or less

In the event that the actual loan proceed of taken-out housing unit is less than the aforementioned gross loan proceed, HABITAT will still get its specified share.

WHEREAS, during construction of the initial 25 housing units of the project, HABITAT requested for an increase of share in the Loan Proceed from Php 240,000.00 to Php 300,000.00, citing additional incurred expenses due to split level for every housing unit and provision of additional support structures for foundations brought about by the rolling topography of the project site as primary reasons for their request;

WHEREAS, in consideration of the rationale of Habitat and the prevailing unit costs of the City's bidded socialized housing units, which ranges from Php 311,000.00 to Php 320,000.00, the Quezon City Task Force on Socialized Housing and Development of Blighted Areas (TF Housing) finds the request of Habitat for an increase share in the Loan Proceed as reasonable and acceptable.

WHEREAS, paragraphs VIII (8) and VIII (9) of the original MOA for the development of Bistekville-5 Housing Project state that: the Parties may enter into a supplemental agreement that may arise in the course of implementation of the agreement; and that amendment/s, addition, modification or supplemental agreement must be in writing and with the consent of the Parties hereto;

NOW THEREFORE, for and in consideration of the foregoing premises and of the mutual covenants and stipulations hereinafter set forth, the Parties hereby agree as follows:

1. The Loan Package of every one-storey with loft socialized housing unit of the project shall remain Four Hundred Fifty Thousand Pesos (Php 450,000.00), but not to include the Php 10,000.00 cash-out per beneficiaries for utility services applications, annotations, legal and other miscellaneous expenses.



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2. The Gross Loan Proceed of Php 450,000.00 of every taken-out one-storey with loft housing unit shall be distributed to the Parties as return of their contributions based on the agreed proportionate sharing scheme as follows:

Share of HABITAT : Php 300,000.00
Share of LGU-QC : Php 150,000.00, or less

In the event that the actual loan proceed of taken-out housing unit is less than the aforementioned gross loan proceed, HABITAT will still get its specified share.

3. All other provisions in the original MOA which are not affected or covered by this Agreement shall remain the same, binding and effective for the duration of this instrument and project implementation.
4. This Agreement shall take effect upon the ratification of the Quezon City Council.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the MOA of Bistekville-5 Housing Project to be signed and executed by their respective duly authorized signatories as of the day and year first written above.

QUEZON CITY GOVERNMENT

**HABITAT FOR HUMANITY
PHILIPPINES FOUNDATION, INC.**


By:


HON. HERBERT M. BAUTISTA
City Mayor

By:


MR. CHARLITO S. AYCO
Managing Director and CEO

SIGNED IN THE PRESENCE OF:


JADEO M. PALMA
Secretary to the Mayor

Witness of Habitat

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