



OFFICE OF THE SANGGUNIAN BAYAN

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EXCERPT FROM THE MINUTES OF THE 5th REGULAR SESSION OF THE 15TH SANGGUNIAN BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT THE SANGGUNIAN BAYAN SESSION HALL ON FEBRUARY 4, 2009.

PRESENT:

HON. HILARIO B. PAUSANOS, JR.

HON. EVELIO E. CORDOVEZ

HON. ALEX D. PAYANGGA

HON. MIGUEL D. DEMATA

HON. VICTORIO G. DAGUNLAY

HON. WARLEO A. GOAYAN

HON. DIOSDADO N. DITONA

HON. RONULFO D. GANAS

HON. VISMINDA Q. DUMOTAN

HON. RAUL S. MIAOZA

HON. LESTER REY L. ARAÑA

Presiding Officer

Municipal Vice Mayor

Majority Floor Leader

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

Sangguniang Bayan Member

SK Federation Rep.

ABSENT:

NONE

RESOLUTION NO. 2009 – 14

(5th Regular Session)

RESOLUTION AUTHORIZING THE MUNICIPAL MAYOR, HON. ROGELIO N. QUIÑO, TO INITIATE A CRIMINAL ACTION FOR ESTAFA AGAINST THE PROJECT CONSULTANT – DEVELOPMENT AND EXPANSION OF THE MANOLO FORTICH WATER SYSTEM, ENGR. CHRISTOPHER AVILA.

WHEREAS, it was a fact that this Local Government Unit made an undertaking for the Development and Expansion of the Manolo Fortich Water System Project with the LT GERSAN Construction as the Contractor. Thereto, Engr. Christopher Avila was appointed as the Project Consultant. As such he was tasked to supervise and oversee the progress of the project and more importantly commissioned to protect the interest of this Local Government Unit.

WHEREAS, in the course of the filing of appropriate charges by this Local Government Unit against the Contractor – LT GERSAN Construction, it was discovered that the contractor with the consent of the Project Consultant, Engr. Christopher Avila, used another Program of Works, different from the one presented during the bidding process.

WHEREAS, clearly one of the failures of the Expansion and Development of the Manolo Fortich Water System Project was attributed to the connivance of the Project Consultant, Engr. Christopher Avila with LT GERSAN Construction. There was gross manifestation that the Project Consultant failed to perform his duties and knowingly consented to the unlawful act of the contractor.

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WHEREAS, this Local Government Unit thru its legal consultant deems it fit and proper to implicate Engr. Christopher Avila in the case and a criminal action for estafa be filed against him,

NOW THEREFORE, on motion of Hon. Evelio Cordovez and unanimously seconded by the members present, it was RESOLVED,

AS IT IS HEREBY RESOLVED, Authorizing The Municipal Mayor, Hon. Rogelio N. Quiño, To Initiate A Criminal Action For Estafa Against The Project Consultant – Development And Expansion Of The Manolo Fortich Water System, Engr. Christopher Avila.

APPROVED: February 4, 2009. Without 3rd Reading.

CERTIFIED CORRECT:



LYDIA O. LASTIMOSA
Secretary to the Sanggunian

APPROVED:



HILARIO B. PAUSANOS, JR., M.D.
Presiding Officer
Municipal Vice Mayor