

## MEMORANDUM OF AGREEMENT

### FOR THE IMPLEMENTATION OF THE NATIONAL GREENING PROGRAM (NGP), A DENR-LGU PARTNERSHIP WITHIN THE PROVINCE OF PALAWAN

This Memorandum of Agreement (MOA) is entered by and between:

The **DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES** herein represented by its Regional Executive Director **OSCAR C. DOMINGUEZ**, with Regional Office address at 1515 L&S Bldg., Roxas Blvd., Ermita, Manila, herein referred to as DENR;

And

The **PROVINCIAL GOVERNMENT OF PALAWAN**, represented herein by its Governor **Hon. JOSE CH. ALVAREZ** with office address at Capitol Building, Puerto Princesa City, Palawan, herein referred to as "LGU Palawan";

#### WITNESSETH

**WHEREAS**, the DENR by virtue of Executive Order No. 192, is the lead national government agency tasked with environmental management and protection;

**WHEREAS**, the DENR by virtue of Executive Order No. 26 And its Implementing Rules and Regulations, engages the services of Private Sectors, Civil Society Organizations, Non- Government Organizations, People's Organizations/ Indigenous People, Local Government Units and other Government Entities in the implementation of the National Greening Program (NGP) with area coverage of 100 hectares and above;

**WHEREAS**, the DENR recognizes the possible impact of an organized intensive countrywide environmental protection, conservation and restoration;

**WHEREAS**, as part of this effort, there is a need for cooperation of the local government in the promotion, education and formulation of management plans for such protection of the environment;

**WHEREAS**, the Provincial Government of Palawan, by virtue of R.A. 7160, otherwise known as the "Local Government Code of 1991", shares with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdictions;

**WHEREAS**, in support of the NGP under E.O. 26 and to promote pro- poor and livelihood development programs covering the residents of Southern Palawan;

**WHEREAS**, these pro- poor and livelihood development programs must take into account the restoration of timber and agro- forestry resources, ecosystems and biodiversity resources conservation;

**WHEREAS**, the DENR Secretary authorized the Regional Executive Director of DENR- RIV-B (MIMAROPA) to enter into a Memorandum of Agreement (MOA) with the LGU of Palawan for the implementation of the National Greening Program (NGP) as its commitment to LGU Palawan involving the development of 3,200 hectares of agro- forestry areas;

**WHEREAS**, the current administration of the Provincial Government of Palawan has for its main projects the development of cacao and coffee plantations in relation for Livelihood Program intended for its citizens;

**WHEREAS**, the SangguniangPanlalawigan of Palawan authorized the Governor thru a Provincial Board Resolution to enter into a Memorandum of Agreement (MOA) with the DENR- IVB for the implementation of the National Greening Program (NGP).

**NOW THEREFORE**, the parties hereby agree on the following terms and conditions:

## **ARTICLE I**

### **PROJECT COVERAGE, SCOPE AND OBJECTIVES**

That the parties herein agree to cooperate for the joint implementation of the National Greening Program (NGP) as indicated in the attached Approved Work and Financial Plan (WFP) for FY 2014- 2016 as Annex "A" for DENR and Annex "B" for LGU Palawan.

**Section 1.Objective.** This Partnership Agreement intends to do seedling production and accelerates/ hasten the establishment of agro- forestry plantation from 2014- 2016 under the National Greening Program, through the engagement of the services of People's Organization, Local Government Units and Other Government Entities, herein referred to as partners.

**Section 2.Scope and Coverage.** The DENR- PENRO and LGU- Province shall engage the services of the partners for Comprehensive Site Development (CSD) of the initial agroforestry areas identified covering the Three Thousand Two Hundred (3,200) hectares located in the Municipalities of Southern Palawan.

## **ARTICLE II**

### **FUNDING**

**Section 3.** To execute this undertaking under the Agreement, the DENR has initially released Php 30 Million to cover the Survey, Mapping and Planning (SMP) of 3,200 hectares, seedling production/ procurement of 300,000 seedlings of indigenous forest trees; seedlings of cacao and 500,000 seedlings of coffee. The remaining Php 70 Million shall be made available upon release by the DENR Central Office involving activities under the revised Work and Financial Plan which forms part of this MOA marked as Annex "A".

The Provincial Government of Palawan shall make available and release its counterpart fund within the three- year period commencing from the signing of this MOA or not later that the second year of implementation. The WFP of the Provincial Government of Palawan shall bear the conformity of the DENR covered by a duly approved Work and Financial Plan for the same project which forms part of this MOA marked as Annex "B".

## **ARTICLE III**

### **RESPONSIBILITIES OF THE PARTIES**

**A. The DENR- RIVB (MIMAROPA) shall:**

1. Review, evaluate and approve the Work and Financial Plan (WFP) of the DENR;



2. Provide technical assistance in the implementation of the agro- forestry project in order to ensure the timely and efficient execution of the activities reflected in the approved WFP;
3. Request the DBM for the issuance of the Notice of Cash Allocation (NCA) to the DENR- RIVB and the latter to cause the full transfer of the same to the Provincial Government of Palawan in accordance with the approved cash allocation to be submitted by the LGU of Palawan thru PENRO Palawan. The cash allocation shall be in accordance with the approved WFP.

**B. The Provincial Government of Palawan shall:**

1. Effectively manage the funds consistent with the approved WFP under Comprehensive Site Development (CSD) pursuant to MC NO. 2013- 06 and FMD Bulletin No. 6, in cooperation with the PAMB and other stakeholders where the project is located;
2. Issue an official receipt to acknowledge the receipt of the funds released for the project from the DENR;
3. Follow the Commodity Road Map of the NGP to determine the appropriate species and design of the Agroforestry Project;
4. Contract out the Survey, Mapping and Planning (SMP) activities covering 3,200 hectares of agro-forestry and upland areas to technically qualified and competent contractor at the expense of the LGU of Palawan duly supervised, validated and accepted by DENR- RIVB in accordance with RA 9184; Submit GIS generated maps of the project area and geo-tagged pictures showing the project area before planting;
5. Submit GIS- based maps and geo- tagged photos indicating the status of the accomplishment of the planning activities including the survival rate of seedlings from the start of the project to date;
6. Assign a Project Manager who will oversee and monitor the Project Implementation during its whole duration;
7. Submit to NGP Monthly, Quarterly and Notarized Annual Report;
8. Comply with the provisions of R. A. 9184 and other existing rules and regulations on procurement;
9. Submit quarterly financial utilization and liquidation reports duly signed by the Provincial Treasurer/ Chief Accountant and verified by the LGU Resident Auditor of COA together with the corresponding quarterly and annual physical accomplishment reports as required by the existing procedural guidelines and standards of government budgeting, accounting and auditing rules and regulations;
10. Open separate bank account for the project to an authorize government bank and set- up prescribed books of account for the purpose of fund monitoring of the project.

**C. Both Parties shall:**

1. Assign the required personnel to monitor the compliance by the project beneficiaries within the approved Work and Financial Plan (planting/ caring/protection of planted trees);
2. Tap a Third Party Validator to be chosen and contracted out by the Provincial Government of Palawan at its expertise, with the acceptance of DENR Region IVB to assess and evaluate the implementation of the Project consistent with the approved Work and Financial Plan; and
3. Work closely with the PAMB of Mt. Matalingahan and endeavor to secure clearance/ endorsement of support for the agro- forestry project.

**ARTICLE IV**

**REPEALING CLAUSE**

All provisions in the Memorandum of Agreement dated MAY 23 2014 2014, which are inconsistent herewith are hereby repealed.

## ARTICLE V

### EFFECTIVITY

This Agreement shall take effect upon signing thereof by the parties and shall remain in force until the completion of the PROJECT unless mutually terminated earlier by the said parties.


Either party to this MOA may terminate this agreement upon mutual consent in the event of default by the other party of any of its foregoing obligations.

IN WITNESS WHEREOF, the PARTIES hereto affixed their signature at ~~PUERTO PRINCESA CITY, PALAWAN~~ this \_\_\_\_ day of ~~MAY 23 2014~~

#### PROVINCIAL GOVERNMENT OF PALAWAN

  
JOSE CH. ALVAREZ  
Governor

#### DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

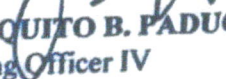
  
OSCAR C. DOMINGUEZ  
OIC- Regional Executive Director/  
DENR Region IVB

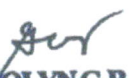
#### WITNESSES:

  
JUAN C. DELA CRUZ  
PENRO  
DENR PENRO Palawan

  
NELSON P. DEVANADERA  
EXECUTIVE DIRECTOR, PCSDS

  
RUBY C. BAUTISTA  
CHIEF, FINANCE DIVISION  
DENR Region IVB

  
FRANQUITO B. PADUGA  
Planning Officer IV  
OIC, Provincial Planning and Dev't Office  
Provincial Government of Palawan

  
GWENDOLYN C. BAMBALAN  
RTD for PAWCZMS  
DENR Region IVB




**ACKNOWLEDGEMENT**

**BEFORE ME**, Notary Public, personally appeared Governor JOSE CH. ALVAREZ exhibiting his \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_; and Regional Executive Director OSCAR C. DOMINGUEZ, exhibiting to me his \_\_\_\_\_ ID \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_; both known to me to be the same persons who executed the foregoing instrument and that they acknowledge to me that the same is their free act or voluntary deed.



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DOC.No.: 321  
PAGE No.: 66  
BOOK No.: 154  
SERIES OF 20 14

  
**ATTY. RICHARD S. JAGMIS**  
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PTR No. 895587 / 12-05-13 / PALAWAN  
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