

MEMORANDUM OF AGREEMENT

**FOR THE IMPLEMENTATION OF THE NATIONAL GREENING PROGRAM (NGP)
PROJECT OF THE PROVINCE OF PALAWAN**

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

The **DEPARTMENT OF ENVIRONMENT 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, hereinafter 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, hereinafter 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) amounting to Php

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 1,800 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 areas and geo-tagged pictures showing the project areas before planting;
5. Submit GIS-based maps and geo-tagged photos indicating the status of the accomplishment of the planting 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 NGP Monthly, Quarterly and Annual Reports, duly notarized;
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 the 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 authorized 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. Contract out the SMP activities covering 1,800 hectares of agro-forestry areas to technically qualified and competent contractor at the expense of the LGU of Palawan duly supervised, validated and accepted by DENR-RIVB;
3. Tap a Third Party Validator to be chosen and contracted out by the Provincial Government of Palawan at its expense, 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
4. 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**

Any revision, amendment and/or repeal of the provision(s) of this Memorandum of Agreement (MOA) after its effectivity shall be subject to mutual consent or agreement by both parties.

70 Million as its commitment to LGU Palawan involving the development of 1,800 hectares of agro-forestry areas;

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 2013-2016 marked as Annex "A" hereof;

Section 1. Objective. This Partnership Agreement intends to do seedling production and accelerate/hasten the establishment of agro-forestry plantation from 2013-2016 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 of the initial agroforestry areas identified covering Two Thousand Seven Hundred (2,700) hectares located in the Municipalities of Bataraza and Quezon of Southern Palawan.

ARTICLE II FUNDING

Section 3. To execute this undertaking under the Agreement, the DENR shall released Php 70 Million to cover the Survey, Mapping and Planning (SMP) of 2,700 hectares; seedling production/procurement of 275,000 seedlings of indigenous forest trees; 850,000 seedlings of cacao; and 850,000 seedlings of coffee as shown in the attached approved Work and Financial Plan which forms part of this MOA marked as Annex "A" hereof.

Funding for Plantation Maintenance and Protection for CY 2015 and CY 2016 covering a total area of 4,100 hectares shall be the counterpart of the Provincial Government of Palawan.

ARTICLE III RESPONSIBILITIES OF THE PARTIES

A. The DENR-RIVB (MIMAROPA) shall:

1. 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.
2. 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 LGU 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.

**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 may terminate this agreement (MOA) 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 _____ this _____ day of _____


**PROVINCIAL GOVERNMENT OF
PALAWAN**


JOSE CH. ALVAREZ
Governor
Province of Palawan

**DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES**


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


WITNESSES:


JUAN C. DELA CRUZ
PENR Officer
DENR-PENRO, Palawan


NELSON P. DEVANADERA
Executive Director
PCSDS


RUBY C. BAUTISTA
Chief, Finance Division
DENR, Region 4B


FRANQUITO B. PADUGA
OIC, Provincial Planning & Dev't Office
Provincial Government of Palawan


GWENDOLYN C. BAMBALAN
RTD for AWCZMS
DENR, Region 4B

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES }
 PROVINCE OF PALAWAN }
 PUERTO PRINCESA CITY } SS.

SEP 29 2014

BEFORE ME, this ___ day of _____, 2014 in _____ personally
 appeared the following:

Name	Complete Evidence of Identity	Date/Place of Issuance
OSCAR C. DOMINGUEZ	34428254	01-02-14 / MANILA
JOSE CH. ALVAREZ	08612711	03-17-14 / San Vicente, Va.

Known to me and to me known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free and voluntary act and deed as well as that the entities herein represented.

This instrument refers to a Memorandum of Agreement, which consist of five (5) pages, including this acknowledgement page, and which is signed by the parties and their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL on the date and at the place first written above.

Doc. No. 308
 Page No. 43
 Book No. V
 Series of 2014

ATTY. ADELINA B. BENAVENTE-VILLENA
 Notary Public for the Province of Palawan
 Roll of Attorneys No. 43182
 IBP Lifetime No. 09621
 PTR No. 356681; 01/03/2014; Palawan
 JCLL Compliance No. IV-0C20087; 5/16/13

