



Republic of the Philippines  
**VISAYAS STATE UNIVERSITY**  
Visca, Baybay, Leyte

**BOR RESOLUTION NO. 120, s. 2020**

**A RESOLUTION COURSED THROUGH REFERENDUM APPROVING THE  
MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE VISAYAS STATE  
UNIVERSITY AND THE OFFICE OF THE SOLICITOR GENERAL (OSG) FOR THE  
OSG TO CONTINUE TO PROVIDE LEGAL SERVICES AND ADVICE TO VSU AND  
ITS OFFICIALS, AS WELL AS REPRESENT THEM IN LITIGATIONS**

**WHEREAS**, the Leyte State University' was created by virtue of Republic Act 9158 which converted the then Visayas State College of Agriculture (ViSCA) into a state university last 11 August 2001, and was later renamed Visayas State University (VSU) by virtue of R.A. 9437;

**WHEREAS**, Section 7 of R.A. 9158 specifically empowers the Board of Regents of the University to "*exercise all the powers granted to the Board of Directors of a corporation under Section 36 of Batas Pambansa Blg. 68, otherwise known as the Corporate Code of the Philippines*";

**WHEREAS**, among other powers granted to the Board of Regents is the power "*to develop consortia and other forms of linkages with local government units, institutions and agencies, both public and private, local and foreign, in furtherance of the purposes and objectives of the University as stipulated in Item (s), Section 7 of R.A. 9158*";

**WHEREAS**, VSU is in need of a Legal Counsel to provide legal advice on legal matters, Subject to DOJ Memorandum on the Issuance of Legal Opinion dated 18 May 2012;

**WHEREAS**, VSU also needs assistance to review various contracts as well as represent the University in litigations as well as its officials in cases filed against them in their official capacities;

**WHEREAS**, the University has communicated its desire to the OSG lawyers to harness their legal services pursuant to P.D. No. 478 and E.O. 292;

**WHEREAS**, both Section 1 (1) of PD. 478 and Section 35 (9), chapter 12, title 111, Book IV of E.O. 292 apply, thus:

*Departments, bureaus, agencies, offices, instrumentalities and corporations to whom the Office of the Solicitor General renders legal services, are authorized to disburse funds from its budget for Legal Services under GAA Fund and Special Trust Fund for the latter office. For this purpose, the Solicitor General and his staff are specifically authorized to receive allowances as may be provided by the Government offices, instrumentalities and corporations concerned, in addition to their regular compensation;*

**WHEREAS**, Section 8 of Republic Act No. 9417, An Act to Strengthen the Office of the Solicitor General by Expanding and Streamlining its Bureaucracy, Upgrading Employee Skills, and Augmenting Benefits, and Appointing Funds Therefore and for Other Purposes, provides:

Section 8. Other Benefits. Consistent with the provisions of Executive Order No. 292, otherwise known as the Revised Administrative Code of 1 987, the legal staff of the Office of the Solicitor General are allowed to receive honoraria and allowances from client departments, agencies and instrumentalities of the Government;

**WHEREAS**, the MOA between the VSU and the OSG provides for the payment of monthly allowances to the following OSG personnel in the following amounts: Solicitor General JOSE C. CALIDA, P8,000.00; Senior State Solicitor JAMES LEE CUNDANGAN, P7,000.00; Head Executive Assistant MARK JOREL O. CALIDA, P7,000.00; and Senior State Solicitor MARICAR TOLENTINO-MENDOZA, P7,000.00;

**WHEREAS**, the VSU undertakes to reimburse the expenses incurred by the aforesaid OSG personnel in connection with the legal services rendered by said lawyers;

**WHEREAS**, the allowances and honoraria of the OSG lawyers shall be paid through cheques payable to the Office of the Solicitor General, or directly credited or deposited to: Office of the Solicitor General Trust Fund 101, Bank Account No. 1802-1016-23, Land Bank of the Philippines, Paseo de Roxas Branch;

**NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED** to **Approve** the Memorandum of Agreement (MOA) entered into between the Visayas State University and the Office of the Solicitor General (OSG).

**IN WITNESS** of our approval thereof, we hereby affix our signatures to this resolution coursed through referendum routed on 16 September 2020 by the Visayas State University, City of Baybay, Leyte.

**VSU BOARD OF REGENTS**



**HON. J. PROSPERO E. DE VERA III**  
*CHED Chairperson and Chairperson  
VSU-Board of Regents*



**HON. EDGARDO E. TULIN**  
*Vice Chairman and President, VSU*

**HON. EMMANUEL JOEL J. VILLANUEVA**  
*Chair, Committee on Education, Arts & Culture  
Senate of the Philippines*

**HON. MARK O. GO**  
*Chair, Committee on Higher & Tech. Educ.  
House of Representatives*

*Represented by:*



**HON. MARK MICHAEL O. UNLU-CAY**  
*Ex-Officio Member, SP-City of Baybay*



**HON. CARL NICOLAS C. CARI**  
*Congressman, Fifth District of Leyte*



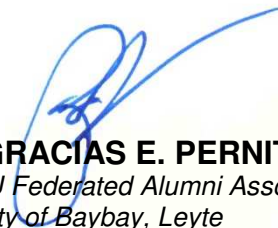
**HON. MEYLENE C. ROSALES**  
*Regional Director  
National Economic & Development Authority-RO8  
Government Center, Palo, Leyte*



**HON. ANGEL C. ENRIQUEZ**  
*Regional Executive Director  
Department of Agriculture-RO8  
Tacloban City*



**HON. DENNY J. CATINDOY**  
*Faculty Regent, VSU Faculty Association  
VSU, Visca, City of Baybay, Leyte*



**HON. DEOGRACIAS E. PERNITEZ**  
*President, VSU Federated Alumni Association  
VSU, Visca, City of Baybay, Leyte*



**HON. TISHA MARIE L. CORTEZ**  
*Student Regent, VSU System  
VSU, Visca, City of Baybay, Leyte*