



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

BOR RESOLUTION NO. 108, s. 2019

A RESOLUTION COURSED THROUGH REFERENDUM APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE VISAYAS STATE UNIVERSITY AND THE OFFICE OF THE SOLICITOR GENERAL (OSG) TO ASSIST THE UNIVERSITY 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 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 which 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 I (1) of P.D. 478 and Section 35 (9), chapter 12, title III, 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 Therefor and for Other Purposes*, provides:

Section 8. Other Benefitts. – Consistent with the provisions of Executive Order No. 292, otherwise known as the Revised Administrative Code of 1987, 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**, Assistant Solicitor General **RENAN E. RAMOS**, Senior State Solicitor **JAMES LEE CUNDANGAN**, and Head Executive Assistant **MARK JOREL O. CALIDA**, P7,000.00 each;

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 apid 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.

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 this 26th day of July 2019 at Visayas State University - Main Campus, Visca, City of Baybay, Leyte.



VSU BOARD OF REGENTS



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



HON. EDCARDO E. TULIN
Vice Chairman and President, VSU

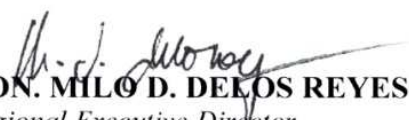
HON. EMMANUEL JOEL J. VILLANUEVA
Chair, Committee on Education, Arts & Culture
Senate of the Philippines

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


Represented by:




HON. MEYLENE C. ROSALES
OIC-Regional Executive Director
National Economic & Dev. Authority-RO8
Gov't. Center, Palo, Leyte




HON. MILO D. DELOS REYES
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. DEOGACIAS E. PERNITEZ
President, VSU Federated Alumni Assn.
VSU, Visca, City of Baybay, Leyte

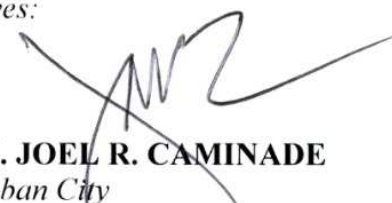


HON. CHAD CHRISTIAN WALES
Student Regent – VSU System
VSU, Visca, City of Baybay, Leyte

Private Sector Representatives:



HON. ROY BERNARD C. FIEL
Ormoc City



HON. JOEL R. CAMINADE
Tacloban City

BOR Resolution No. 108, s. 2019 - A Resolution coursed through Referendum Approving the Memorandum of Agreement between the Visayas State University and the Office of the Solicitor General (OSG) to Assist the University 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.