



Republic of the Philippines
OFFICE OF THE PRESIDENT
COOPERATIVE DEVELOPMENT AUTHORITY
5th Flr Ben-lor Bldg., 1184 Quezon Ave., Quezon City

August 3, 1992

MEMORANDUM CIRCULAR
No. 92-008

T O : ALL AREA DIRECTORS, DEPARTMENT DIRECTORS AND
DIVISION CHIEFS

SUBJECT : PROCEDURE FOR THE PREPARATION OF CONTRACTS AND
MEMORANDA OF AGREEMENTS

Quoted hereunder is Board Resolution No. 200, S-1992, dated July 29, 1992, to wit:

RESOLUTION NO. 200, 1992

"RESOLVED as it is hereby RESOLVED to approve the Procedure for the Preparation of Contracts and Memoranda of Agreements.

APPROVED."

The copy of the aforesaid resolution is hereto attached for your reference and strict compliance.


CANDELARIO L. VERZOSA, JR.
Executive Director

PROCEDURES FOR THE PREPARATION
OF CONTRACTS AND MEMORANDA OF
AGREEMENT

SECTION 1. Request for Contract or Memorandum of Agreement.
- The organizational unit within CDA requesting for the preparation of any contract or memorandum of agreement (MOA) shall submit the following to the Legal Division, Central Office or the Legal Officer in the Extension Office, as the case may be:

- (a) The complete names and addresses of the parties involved, including their Residence Certificate Numbers;
- (b) The premises or reasons for the contract or MOA;
- (c) The obligations of all the parties under the contract or MOA;
- (d) The period of such contract or MOA, if any;
- (e) A copy of a draft contract or MOA made by the other contracting parties, if any.
- (f) A copy of the authority of the contracting party to enter into contract

SEC. 2. Preparation. - The Legal Officer assigned shall prepare the necessary contract or MOA based on the suggestions of the parties involved in the contract or MOA. The Legal Officer shall take all the necessary steps in order to protect the interests of the Authority.

SEC. 3. Review of Contract or MOA. - After the preparation of the draft by the Legal Officer concerned, a copy of the draft shall be forwarded to the requesting organizational unit for their review and possible modifications. A copy may also be sent to the other contracting parties. Should there be a need to meet with such contracting parties prior to the finalization of such contract or MOA, the Legal Officer concerned may be present at such meetings in order to discuss the finer points of the agreement.

SEC. 4. Finalization. - As soon as the draft has been accepted by the parties and there are no further modifications to be made, the Legal Officer shall prepare six (6) copies of the contract or MOA for the signature of all concerned.

SEC. 5. Signatories. - (a) The Extension Office Director shall conclude any contract or MOA that concerns his jurisdictional area and whose capital expenditure does not exceed Seventy-five Thousand Pesos (P75,000.00).

(b) The Executive Director shall sign a contract or MOA for matters under his jurisdictional control and supervision and whose capital expenditure does not exceed One Hundred Thousand Pesos (P100,000.00).

(c) The Chairman, in behalf of the Board of Administrators, shall conclude any contract or MOA with national significance and import and/or whose capital expenditure exceeds the limits set in the preceding subsections.

SEC. 6. Notarization. - Immediately upon the signing of the contract or MOA, it shall be duly notarized before an officer authorized to acknowledge such instrument. No contract or MOA shall be recognized or made enforceable without such notarization.

SEC. 7. Distribution of Contracts or MOAs. - After the instrument has been notarized, the copies shall be distributed as follows:

- (a) One (1) original copy to each of the contracting parties;
- (b) One (1) original copy to the Notary Public or person making such acknowledgement;
- (c) One (1) certified true copy to the Board of Administrators care of the Board Secretary;
- (d) One (1) certified true copy to the Office of the Executive Director;
- (e) One (1) certified true copy to each organizational unit involved in the implementation of the contract or MOA.

If there are original copies and certified true copies left after the above-stated distribution, such shall be forwarded to the Extension Office Legal Officer or the Legal and Registration Department for proper safe-keeping.

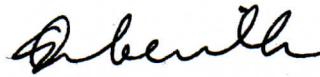
SEC. 8. Special Provisions Relating to Capital Expenditures. - (a) If a contract or MOA contains provisions relating to capital expenditures from the Authority, the Chief of the Finance Division or the Extension Office Accountant, as the case may be, shall certify as to the availability of funds to cover such expenditures.

(b) No contract or MOA with capital expenditures taken from the funds of the Authority shall be entered into if the period covered by the contract or MOA extends beyond December 31 of the current year.

SEC. 9. Effectivity. - These procedures shall take effect immediately upon approval.

APPROVED, July 29, 1992.

FOR THE BOARD OF ADMINISTRATORS:



EDNA E. ABERILLA
Chairman