

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Manila

1st SPECIAL TESDA BOARD MEETING

18 October 2001, Thursday, 8:30 A.M.
TESDA Board Room, 7/F TESDA Administration Building
East Service Road, Taguig, Metro Manila

RESOLUTION NO. 2001-08

DENYING THE DEMAND OF PROVI FOR THE REASON THAT ITS CONTRACT WITH TESDA
HAD NO PRIOR AUTHORITY FROM THE BOARD

WHEREAS, Section 8, paragraph 3 of Republic Act No. 7796 entitled the Technical Education and Skills Development Act of 1994 gives the Board the sole power to enter into, make, execute, perform and carry-out domestic and foreign contracts subject to existing laws, rules and regulations, specifically as to the alleged contracts with Professional Video, Inc. amounting to =P=39,475,000.00;

WHEREAS, during the 32nd TESDA Board Meeting, 06 July 2001, Board Resolution No. 2001-01 Defining the Power of the Chairperson of the TESDA Board and the Director General of the TESDA Secretariat to Enter into, Make and Execute Domestic and Foreign Contracts in Behalf of the TESDA Board was approved;

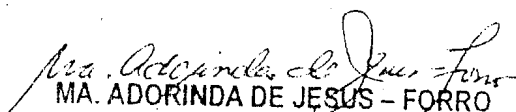
WHEREAS, PROVI has filed Civil Suit No. 68527 against TESDA for collection of the sum of =P=35,735,500.00 and an administrative case in the Ombudsman for Misconduct and Violation of R.A. 6713 Section 5 (a) against the Director General and other TESDA officials;

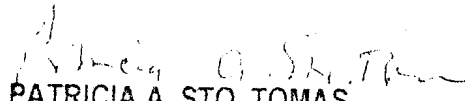
WHEREAS, after having thoroughly been informed of the facts and the contracts involved in these cases, the Board, in plenary session, has discussed and appreciated the factual and legal issues here and arrived at the conclusion that the Director General and the other respondents in the administrative case were correct in preventing injury or prejudice to TESDA by taking the steps that they did in good faith;

WHEREAS, the Board made a careful perusal of the contracts entered into by and between PROVI and TESDA;

WHEREFORE, be it resolved as it is hereby resolved, that the Board finds that the contract or contracts of PROVI with TESDA on which it bases its demands had no prior authority from the Board, and therefore TESDA should not pay the demands of PROVI in its civil case.

ADOPTED this 18th day of October 2001.


MA. ADORINDA DE JESUS - FORRO
Board Secretary VI


PATRICIA A. STO. TOMAS
Secretary, Department of Labor and Employment
Chair, TESDA Board

RAUL S. ROCO

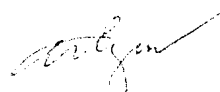
Secretary, Department of Education, Culture and Sports
Co-Chair, TESDA Board

MANUEL A. ROXAS III


Secretary, Department of Trade and Industry (DTI)
Co-Chair, TESDA Board

LEONARDO Q. MONTEMAYOR

Secretary, Department of Agriculture (DA)
TESDA Board Member

 18/10/01
JOSE D. LINA, JR.

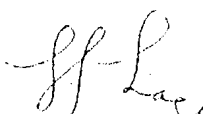
Secretary, Department of Interior and Local Government (DILG)
TESDA Board Member

 18/10/01
ESTRELLA F. ALABASTRO

Secretary, Department of Science and Technology (DOST)
TESDA Board Member

DR. ESTER A. GARCIA

Chairperson, Commission on Higher Education (CHED)
TESDA Board Member

 18/10/01
LUCITA S. LAZO

Director General, Technical Education and Skills
Development Authority (TESDA)
TESDA Board Member

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