



PROVINCE OF SOUTH COTABATO

SANITATION THROUGH COOPERATION: “The South Cotabato Clustered Sanitary Landfill Project”

I. Executive Summary

South Cotabato is an Agri-Industrial Province and the Regional Center of SOCCSKSARGEN Region in Mindanao. It has a total land area of approximately 3,936 square kilometers covering ten (10) municipalities and one (1) city, with Koronadal City as its capital.

The province is the center of major agricultural plantations and agri-based industries in the region, and rising solid waste generation has become one of its major concerns. In a waste assessment conducted for South Cotabato, it is estimated that the province is generating approximately 996 metric tons of solid wastes per day. These wastes are either burned or disposed in creeks, gullies, drainage systems, open spaces and open dumpsites. As of February 2006, Republic Act 9003 or the Ecological Solid Waste Management Act of the Philippines requires closure of all open dumpsites and mandatory operation of Sanitary Landfills. But the requirement to put up this facility presents a big burden to most LGUs, as it requires substantial resources to comply with.

The establishment of Surallah Cluster Sanitary Landfill is a product of a multipartite collaborative endeavor geared towards protection of environment. This is an assertive move from the Province’s Local Chief Executive to assist the South Cotabato component municipalities comply mandated provisions of RA 9003. It is Holistically designed with complete functional elements of an Integrated Solid Waste Management and will specifically provide for the proper disposal of residual wastes collected from various waste generators of the six (6) cluster municipalities located in the upper valley area of the province of South Cotabato. With Surallah as the host municipality, the facility is expected to cater residual wastes of the six municipalities of the upper valley area for a period of ten (10) years. The Surallah Cluster SLF construction started in October of 2009 and was inaugurated and started operation last June 24, 2011. The construction was a product of local initiatives and cost efficient innovations. It was designed and constructed by a local team from the provincial and municipal government with technical assistance from EcoGov-USAID Project. It is being managed by a Cluster Board composed of all LCEs of the member LGUs including that of the province.

The Clustering of six LGUs’ proved to be cost efficient taking into consideration that Investment Cost for individual SLF ranges from P7.5 Million to P12 Million, amounting to an estimated cost of P54 Million for 6 LGUs. This does not include management and operation costs, With the clustering strategy, the province and the member LGUs generated a savings of at least P46 Million. More importantly, it also

facilitated compliance of all the members with the Mandates of RA 9003 to properly manage pollutions, emissions, and leachate from solid wastes. The clustering also promoted waste segregation and diversion at source in Cluster LGUs since the MOA provides that only residual wastes will be received in the Surallah Cluster SLF.

With consideration that Koronadal City was yet on planning stage of establishing own Sanitary Landfill, the Surallah Cluster Board with the intervention of the Province also accommodated through a MOA wastes of Koronadal City for almost 3 years while Municipality of Tandingan became Surallah Cluster SLF regular member. These were done to help neighboring LGUs' within South Cotabato comply with RA 9003.

The Surallah Cluster SLF has already been operating for almost 10 years. The Waste Cell #1 is about to be full and the host LGU is now starting to construct Waste Cell #2. It has now become learning site for LGUs benchmarking on the benefits of common disposal facility. It has also been declared by the National Solid Waste Management Commission as one of the best practices in solid waste management and is the first of its kind in the whole country. This only proves that clustering strategy is doable, sustainable and could be easily replicated by LGUs with common geographical structure and experiencing similar problems and issues like of South Cotabato. South Cotabato is also declared a Galing Pook Awardee for Environmental Initiatives in 2014 with this project,

II. Project Description

The South Cotabato Cluster Sanitary Landfill is a six (6) hectares common disposal facility located in Sitio Columbasinong, Barangay Colongolo, Surallah, South Cotabato. It is approximately six (6) kms. from Surallah town proper. A Cluster Sanitary Land Fill designed to cater residual wastes of the six (6) municipalities namely: Banga, Surallah, Sto. Nino, T'boli, Lake Sebu and Norala, located within the Upper Valley Areas of the Province of South Cotabato. Establishment and operation of the facility is being covered by a Memorandum of Agreement signed by the Provincial Government represented by the Provincial Governor and the six (6) LGUs' represented by each Municipal Mayor (see attached MOA).

The nearest member LGU of the cluster is the Municipality of Lake Sebu with an aerial distance of 10.0 kms. and the farthest is the Municipality of Norala (via Banga) with an approximate distance of 31.0 kms.

The South Cotabato Cluster SLF was designed to cater the existing total residual waste generation of the six municipalities of 23.50 tons per day for a period of five (5) years and expanded to another five (5) years.

The area was found to be favorable for setting up of a sanitary land fill facility based on the assessment conducted by DENR MGB XII and EMB XII which was aimed to determine the environmental conditions of site as mandated in the provisions of DAO-2001-34, IRR of RA 9003 known as “Ecological Solid Waste Management Act of 2000” (see *attached Geological Assessment of DENR-MGB*).

The facility has an initial investment cost of Php 1.5 million shouldered by the host Municipality Surallah, and Php 5 million financial assistance from the Provincial Government of South Cotabato.

Estimated Total Cost of Surallah Cluster Sanitary Land Fill Project is approximately PhP 12 Million *for the Waste Cell #1 to be fully operationalized.*

Another P10 Million more or less being earmarked this 2021 for closure of Cell #1 and development of Cell #2 to expand its operation for more years for the cluster LGUs to utilize at optimum efficiency level.

III. Implementation Procedures/Strategies

Specifically for the Surallah SLF Cluster, the Provincial Government gathered all Mayors and presented the proposed SLF clustering strategy to arrive at a participatory decision among concerned LGUs. The consultation on December 5, 2006 discussed that the proposed SLF clustering strategy was supported by Section 44 of RA 9003 citing Section 33 of the Local Government Code mandating LGUs “to consolidate their efforts, services and resources to address common SWM problems and/or establish common waste disposal facilities.” It explained the strategy’s advantages, emphasizing the benefits that could be gained from economies of scale, and its disadvantages, one of which would be complications brought about by inter-LGU arrangements. Financially, the Provincial Government provided P7.5 million for the SLF construction. This dialogue resulted in the 6 LGUs agreeing to support the strategy.

The construction of the Cluster SLF started last October 2009. It was inaugurated and started operation last June 24, 2011.

The Clustering Process was done by phase:

- Provincial mapping study to determine clustering options based on distances and availability of potential SLF sites
- Agreement among LGUs to cluster and on clustering options to include identification of host LGU
- Initial community consultation and acceptability
- Final selection of site, host LGU and cluster members
- Site acquisition

- Development of engineering design, fund sourcing and ECC application
- Site Development
- Formation of SLF Management Board and MOA among members
- SLF Operation

To properly manage biodegradable and recyclable wastes, the province conducted trainings and provided facilities for the establishment of Vermicomposting and Central Material Recovery Facilities. Recyclable Waste Fairs were also being regularly conducted once every two years where the province invites waste recycling companies that are buying wastes not commonly bought by local junk shop operators like used tires, papers and electronic wastes.

To sustain these efforts, the province institutionalized the Annual Search for the Cleanest and Greenest LGU and provided budget amounting to P2 Million as cash incentives. The province also funded P25 Million through PDIF establishment South Cotabato Health Care Waste Treatment Facility (SCHCWTF) to manage infectious/healthcare wastes generated by healthcare providers operating within the province. The very 1st government managed TSD Facility in Mindanao that started its operation in 2016 and servicing more than 23 health care providers.

With all 10 Year Integrated Solid Waste Management Plans of all component LGUs in placed, the LGUs are now properly guided in implementing and sustaining waste management within their respective localities.

IV. Project Result/Impact

The establishment and operation of Surallah SLF Cluster yield the following results and benefits:

- **Economies of scale** - With residual waste generation of cluster LGUs relatively low and considerable distances, the clustering of the 6 LGUs proved to be cost-effective taking into consideration that Investment Cost per SLF will range from P7.5 million to P12 million, amounting to an estimated total of P54 million for 6 LGUs. This does not include management and operation costs. With the establishment of the Surallah Cluster SLF, the province generated a savings of at least PhP 46 million.
- **Compliance to RA 9003** - The Ecological Solid Waste Management Act of 2000 or RA 9003 requires the closure of all waste dumps in February 2006 in the country in favor of sanitary landfill (SLF) disposal facilities. The clustering helped all member LGUs in complying with this mandate.
- **Flexibility** - Commercial and industrial establishments within 6 cluster LGUs with own collection and transport systems are now also disposing their residual wastes in the Surallah SLF. Only residual wastes are accommodated from these establishments with corresponding tipping fees.

- **Proper management of emissions and leachate from residual wastes** - Availability of Surallah SLF for immediate use by cluster LGUs ensured proper management of approximately 23.5 tons/day of residual wastes. With SLF cluster regularly monitored, pollution from emissions and leachate from residual wastes were reduced.
- **Promotion of waste segregation and diversion at source in cluster LGUs** - Since the MOA provides that only residual wastes will be received in the Surallah SLF, cluster LGUs were motivated to fully enforce proper waste segregation at source and effectively implement waste diversion strategies, including composting at source and recovery of recyclable wastes.
- **Sustainability of disposal facility** - With tipping fees collected from cluster LGUs, and Maintenance and Operating Manual in placed, financial resources to sustain operation and maintain engineering structure in good condition is secured.
- **Surallah Cluster SLF as learning site** - Since construction and operation of SLF is very costly, Surallah SLF have become a learning site as other LGUs from around the country explore the benefits of sharing a common disposal facility. We are proud that this facility is the first of its kind (as cluster SLF) in the whole country.

The Surallah Cluster SLF project is the first and only provincial-led Cluster SLF in the Philippines. It is also the only SLF that caters purely residual wastes necessitating component LGUs to observe proper waste segregation, diversion, and management in compliance to RA 9003 and it is noteworthy to mention the major innovations and initiatives introduced in the implementation of the project.

1. The in-house Design and Monitoring Team – To cut the cost on consultancy and construction, the Cluster SLF was designed by a team from the Provincial and Municipal Government trained under the EcoGov program of the USAID. The construction was done by administration under the Municipal Engineering Office of the Municipality of Surallah, supervised and monitored by a design team composed of employees from the Provincial Environment Management Office, Provincial Engineering Office, DENR-EMB, DENR-EMB and MLGU Surallah. The team also conducted the initial environmental impact assessment, topographic mapping and hydro-geological study as part of the site selection and preparation.

2. The Cost and Revenue Analysis - One of the major innovations introduced to this project is the conduct of the cost and revenue analysis prior to construction and operation of the SLF. A Technical Working Group was created and was tasked to conduct cost and revenue analysis to look into the financial and economic details of the project to ensure cost efficiency, recovery and sustainability of the project.

3. Development of an SLF Operations and Maintenance Manual – A technical team was created and was tasked to develop an SLF Operations and Maintenance Manual. The document intends to provide the facility operations team, the Provincial

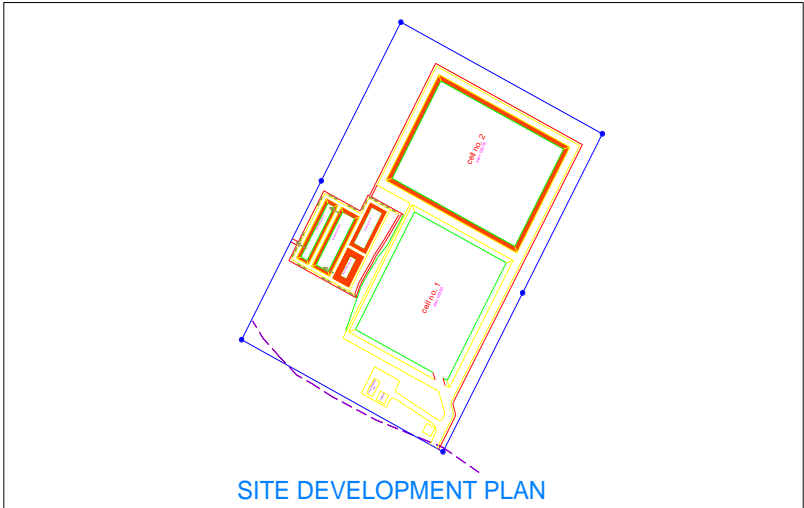
Government of South Cotabato, and the participating cluster municipal Local Government Units (LGUs) information on how the facility should be safely operated and maintained.

1. **The Cluster Board** - In accordance with the MOA, a Board was created composed of all the LCEs of the member LGUs, a representative of the provincial government and host Barangay, whose primary role is to formulate rules and regulations of disposal, use and maintenance of the SLF, monitoring and evaluation in connection with the operation and maintenance of the SLF. The board also determines sanctions to be imposed to parties who will withdraw from or violate any provision of the MOA.

Learnings from the PLGU-MLGU Clustering Partnership

- ❖ The South Cotabato experience demonstrates that provincial governments could be an effective assistance provider to component LGUs on waste management (i.e. capacity building, financial support and providing incentives);
- ❖ PLGUs can effectively act as facilitator in making decisions that require inter-LGU actions (such as the decision of LGUs to have a cluster SLF);
- ❖ Transparent and participatory decision-making builds better relationship between and among PLGUs, MLGUs, and national agencies such as DENR and EMB;
- ❖ Environmental Management transcends political boundaries;
- ❖ These could only happen with effective inter-local cooperation and strong political leadership and support

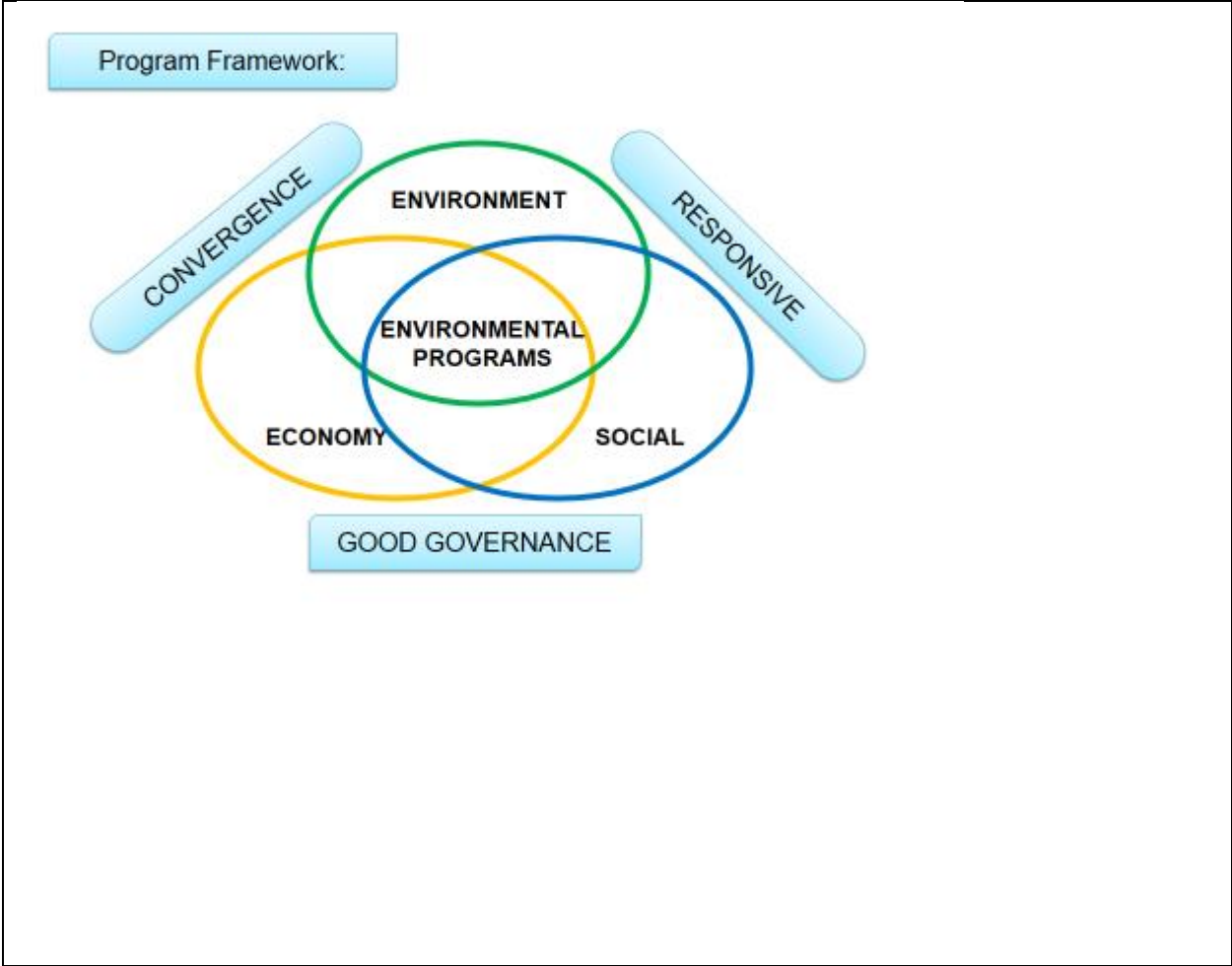
V. Annexes (photos; copies of MOUs/MOAs, if any; project proposals, others)



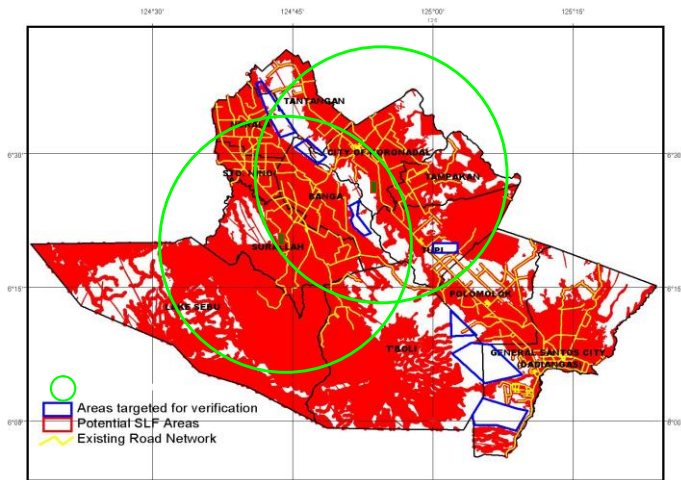
SITE DEVELOPMENT PLAN

REPUBLIC OF THE PHILIPPINES PROVINCE OF SOUTH COTABATO MUNICIPALITY OF SURALLAH	PROJECT / USER: #000001 CONSTRUCTION OF SANITARY LANDFILL	DESIGNED BY: LARRY D. PALZANAR LARRY D. PALZANAR LARRY D. PALZANAR	ENGINEER APPROVED BY: XXXXXXXXXXXXXXXXXXXX RMD RMD RMD ENGR. BERNARDO S. DOMATORIO, JR. ENGR. BERNARDO S. DOMATORIO, JR. ENGR. BERNARDO S. DOMATORIO, JR.	APPROVED BY: DANIEL ANTONIO FUENTES DANIEL ANTONIO FUENTES	SEAL DESIGN: DANIEL ANTONIO FUENTES	SHEET NO.
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Clustering Scenario for South Cotabato



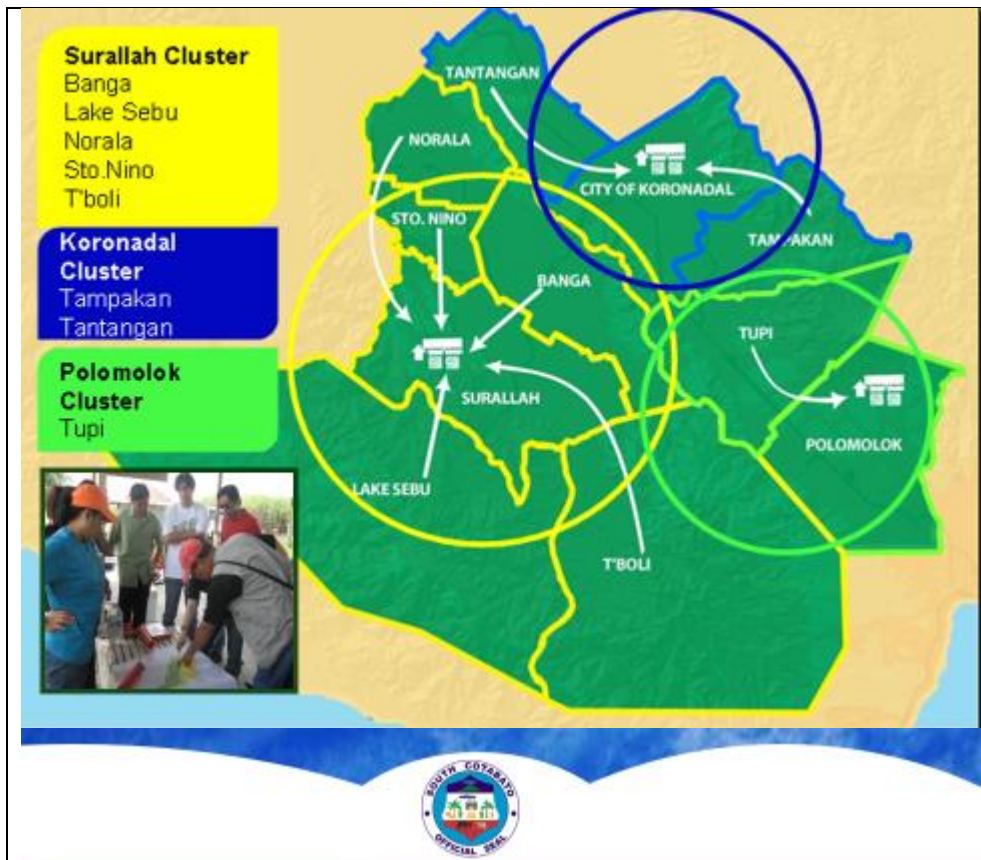
Basic Profile:

LGU Name: Province of South Cotabato
Income Class: 1st
Population: 801,354
Total Land Area (in has): 370,590.00
No. of Barangays: 199
No. of Households: 165,151

Financial Profile:

IRA Share: Php 728,511,973.00
Local-Sourced Revenues: Php 122,835,486.37
Other Revenues: Php 6,294,605.00
Total LGU Income: Php 857,642,064.37



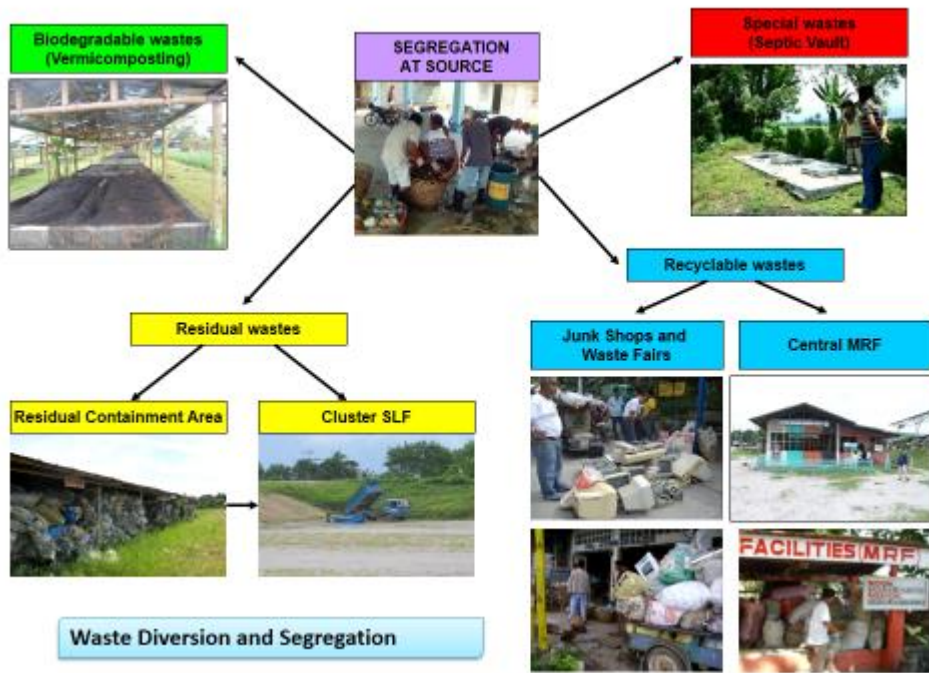


Partnership, a step towards a solution:

PLGU = Php 6,500,000
 MLGU Surallah = Php 5,700,000
 SLF Cost = **Php12,200,000**



SURALLAH CLUSTER SANITARY LANDFILL FACILITY







SOUTH COTABATO RECYCLABLE WASTE FAIR





MUNICIPAL 10 YEAR INTEGRATED SOLID WASTE MANAGEMENT PLANS

RES. NO. 246 - page 2 -

WHEREAS, the provincial government has seen the need to localize the protection of the environment through various initiatives and strategies to support the effort of the national government and other concerned organizations and entities;

WHEREAS, with the phasing-out of Executive Order No. 118 signed by then President Joseph Estrada establishing the Annual Gawad Pangulo sa Kapaligiran, integrating the Clean and Green Program and Linis Bayan, renders a high impact to lower LGUs;

WHEREAS, the Provincial Government of South Cotabato is committed to continue, localize and expand, to include other categories such as mandates of RA 9003, otherwise known as Ecological Solid Waste Management Act, the Clean Water Act and other relevant laws/ordinances in support to the cleaning and greening program of the province;

WHEREAS, to motivate and encourage municipal/barangay local government units in the implementation of the program in their respective areas, the province shall provide financial assistance in the form of incentives/awards to the best performing LGUs through establishing an Annual Search for the Cleanest and Greenest Municipality/City including various Special Awards;

WHEREFORE, premises considered, on motion of the Hon. Jose M. Madanguit, and on unanimous sponsorship, the Body

RESOLVED, as it is hereby resolved, to enact the following ordinance:

ORDINANCE NO. 08

AN ORDINANCE INSTITUTIONALIZING THE PROVINCIAL CLEAN AND GREEN PROGRAM OF SOUTH COTABATO

Section 1. Institutionalizing. The institutionalizing of the Provincial Clean and Green Program of South Cotabato is hereby mandated.

Section 2. Statement of Policy/Purposes. It is the policy of the Provincial Government of South Cotabato to protect, preserve and conserve the environment to ensure the rights of the people to sustainable development, balanced ecology and an environment that is livable and healthy for its constituents.

Republic of the Philippines
Province of South Cotabato
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
City of Koronadal

RECEIVED 12/27/09
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EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF SOUTH COTABATO, HELD IN ITS SESSION HALL, CITY OF KORONADAL, ON WEDNESDAY, NOVEMBER 25, 2009

PRESENT:

Hon. Elorido U. Ogena,	Vice Governor - Presiding Officer
Hon. Dardanilo N. Dar,	SP Member
Hon. Jose R. Falcon,	SP Member
Hon. Rene B. Jumilla,	SP Member
Hon. Samuel L. Ladot,	SP Member
Hon. Jose M. Madanguit,	SP Member
Hon. Romar A. Olivares,	SP Member
Hon. Elmo B. Tolosa,	SP Member
Hon. Relly A. Leysa,	SP Member - Ex-Officio Member
Hon. Jinky B. Avance,	PCL President
	SP Member - Ex-Officio Member
	SK President

ABSENT:

Hon. Franklin C. Bona,	SP Member
Hon. Cecile E. Dief,	SP Member
Hon. Clemente C. Tubo,	SP Member
Hon. Patricio M. dela Cruz,	SP Member - Ex-Officio Member
	FABC President - On-Site Learning

RESOLUTION NO. 246

Author: Hon. Jose M. Madanguit
Co-Authors: Hon. Romar A. Olivares
Hon. Elmo B. Tolosa
Hon. Rene B. Jumilla
Hon. Jose R. Falcon

A RESOLUTION ENACTING ORDINANCE NO. 08, SERIES OF 2009, INSTITUTIONALIZING THE PROVINCIAL CLEAN AND GREEN PROGRAM OF SOUTH COTABATO

WHEREAS, part of the overall efforts to create greater awareness and sharper understanding of environmental management within the purview of sustainable development is a need to generate multi-sectoral advocacy recognition and support to the nurturing nature and environment;



Section 3. Establishing the Awards. There is hereby established an Annual Search for the Cleanest and Greenest Municipality/City in South Cotabato including Special Awards integrating hereto the criteria on Solid Waste and Wastewater Management as part of the Provincial Clean and Green Program.

Section 4. Creation of the Technical Search and Awards Committee. There is hereby created a Search and Awards Committee on Clean and Green Program composed of the following:

- Honorary Chairperson - Provincial Governor
- Chairman - Sangguniang Panlalawigan Member, Chairman, Committee on Environmental Protection
- Co-Chairman - Provincial Environmental Management Officer
- Vice Chairman - NGO (a member of PDC)
- Members - Provincial Director, DILG
- Provincial Planning and Development Coordinator
- Head - Arts, Culture, Tourism & Sports
- Provincial Health Officer
- Division Superintendent, Department of Education
- Provincial Information Officer
- President, South Cotabato Chamber of Commerce
- President, Notre Dame of Marbel University
- President, South Cotabato Tri-Media Association

Membership may be expanded subject to the concurrence of the members of the committee.

The said members shall assign and authorize their permanent alternate representative during the conduct of the evaluation.

The Department of Interior and Local Government (DILG) shall provide secretariat services to the committee.

Section 5. Tasks and Functions of the Committee. The Provincial Technical Search and Awards Committee shall perform the following functions:

- 5.1 Prepare plans of actions and annual budget for the operationalization of the Provincial Clean and Green Program;

- 5.2 Formulate and/or review guidelines, policies and criteria for the contest and submit the same to the Provincial Governor for approval;
- 5.3 Initiate and coordinate necessary activities for the implementation of the search and awards within the province;
- 5.4 Evaluate, select and award the best performing municipality/city based on the approved guidelines and criteria.

Section 6. Evaluators. The role of the permanent alternate or representative shall be the following:

- 6.1 Must attend all meetings, evaluation, awarding and other activities called for by the committee in case his/her department head will not be able to attend; and
- 6.2 Submit evaluation reports on time as required by the committee.

Section 7. Secretariat. The Department of Interior and Local Government shall provide secretariat services to the committee and shall perform the following roles:

- 7.1 Shall coordinate all the activities of the committee with concerned LGUs, organizations and agencies;
- 7.2 Shall keep record of all meetings and activities of the committee;
- 7.3 Consolidate, finalize and submit evaluation results; and
- 7.4 Perform other roles as requested by the committee.

Section 8. Awards. To give recognition to the best performing city/municipalities on the clean and green program, the following major and special awards shall be awarded annually during the celebration of the Tinakal Festival.

Major Awards:

- First Prize
- Second Prize
- Third Prize
- Fourth Prize
- Fifth Prize

Special Awards:

- Best Public Market
- Best Public Plaza and Parks
- Best Material Recovery Facility
- Best Municipal Nursery
- Best Support System
- Best Barangay

The committee will decide on additional awards or prizes as deemed necessary.

Section 9. Funding. The amount of Two Million Two Hundred Thousand Pesos (P2,200,000.00) is appropriated yearly for:

- a. Incentives and Awards - Two Million Pesos (P2,000,000.00)
- b. Operational and Other Expenses of the Committee - Two Hundred Thousand Pesos (200,000.00)

Section 10. Repealing Clause. All provisions of existing ordinances that are inconsistent with the provisions of this ordinance shall be deemed amended or repealed.

Section 11. Effectivity. This ordinance shall take effect immediately after its approval and publication.

I HEREBY CERTIFY to the correctness of the foregoing resolution.



ATTY. ELIORDO U. OGENA
Vice Governor
Presiding Officer

ATTESTED:

FELICITAS F. BIGCAS,
Secretary to the Sanggunian

APPROVED: DEC 0 2007

DAISY P. AVANCE-FUENTES
Provincial Governor



**MEMORANDUM OF AGREEMENT
SURALLAH CLUSTER SANITARY LANDFILL (SLF) FOR
SUSTAINABLE SOLID WASTE MANAGEMENT**

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement is executed this ___ day of _____, 2020 by and among:

The **PROVINCIAL GOVERNMENT OF SOUTH COTABATO**, a local government unit created and existing under the laws of the Republic of the Philippines, represented in this agreement by the Honorable Governor **REYNALDO S. TAMAYO** duly authorized under Sangguniang Paliwalungan Resolution No. 415 JUNE 23 2020 and hereinafter referred to as **SOUTH COTABATO LGU**;

The **MUNICIPAL GOVERNMENT OF SURALLAH**, a local government unit created and existing under the laws of the Republic of the Philippines, represented in this agreement by the Honorable Mayor **ANTONIO O. BENDITA** duly authorized under Sangguniang Bayan Resolution No. 190 JUNE 23 2020 and hereinafter referred to as **SURALLAH LGU**;

The **MUNICIPAL GOVERNMENT OF STO. NINO**, a local government unit created and existing under the laws of the Republic of the Philippines, represented in this agreement by the Honorable Mayor **SULPICIO F. VILLALOBOS** duly authorized under Sangguniang Bayan Resolution No. 093 JUNE 23 2020 and hereinafter referred to as **STO. NINO LGU**;

The **MUNICIPAL GOVERNMENT OF NORALA**, a local government unit created and existing under the laws of the Republic of the Philippines, represented in this agreement by the Honorable Mayor **CLEMENTE B. FEDOC** duly authorized under Sangguniang Bayan Resolution No. 92 JUNE 23 2020 and hereinafter referred to as **NORALA LGU**;

The **MUNICIPAL GOVERNMENT OF TBOLI**, a local government unit created and existing under the laws of the Republic of the Philippines, represented in this agreement by the Honorable Mayor **DIBU S. TUAN** duly authorized under Sangguniang Bayan Resolution No. 7 JUNE 23 2020 and hereinafter referred to as **TBOLI LGU**;

The **MUNICIPAL GOVERNMENT OF BANGA**, a local government unit created and existing under the laws of the Republic of the Philippines, represented in this agreement by the Honorable Mayor **ALBERT D. PALENCIA** duly authorized under Sangguniang Bayan Resolution No. 2 JUNE 23 2020 and hereinafter referred to as **BANGA LGU**;

The **MUNICIPAL GOVERNMENT OF LAKE SEBU**, a local government unit created and existing under the laws of the Republic of the Philippines, represented in this agreement by the Honorable Mayor **FLORE S. GANDAM** duly authorized under Sangguniang Bayan Resolution No. 04 JUNE 23 2020 and hereinafter referred to as **LAKE SEBU LGU**;

The **MUNICIPAL GOVERNMENT OF TANTANGAN**, a local government unit created and existing under the laws of the Republic of the Philippines, represented in this agreement by the Honorable Mayor **BENJAMIN V. FIGUEROA JR.** duly authorized under Sangguniang Bayan Resolution No. 08 JUNE 23 2020 and hereinafter referred to as **TANTANGAN LGU**;

The **DOLE PHILIPPINES INC. UPPER VALLEY OPERATION-PINEAPPLE**, a private organization organized under the existing laws of the Republic of the Philippines with office address at Brgy. Tubala, Surallah, South Cotabato, represented by its Senior Manager **MR. JEFFREY A. JESSWANI** hereinafter referred to as **Dole Upper Valley Operations**;

The **DOLE PHILIPPINES INC. STANFILCO**, a private organization organized under the existing laws of the Republic of the Philippines with office address at **DOLE PHILIPPINES INC. STANFILCO**, Surallah, South Cotabato, represented by **MR. A. BORDEN** hereinafter referred to as **Dole Stanfilco**;

The **SUMFRU PHILS. CORPORATION**, a private organization organized under the existing laws of the Republic of the Philippines with office address at **SUMFRU PHILS. CORPORATION**, Surallah, South Cotabato, represented by **JOY O. RABELLO** hereinafter referred to as **SUMFRU PHILS.**

DO HEREBY CERTIFY THAT

WHEREAS, Section 37 of Republic Act (RA) 9003 otherwise known as the Ecological Solid Waste Management Act of 2000 mandates that within three (3) years after the effectivity of the said law, all open dumpsites shall have been closed or converted into a controlled dumpsites;

WHEREAS, the same provision of the law further mandates that within five (5) years after the effectivity of the law, no controlled dumpsite shall be allowed to operate and, in lieu thereof, sanitary landfill shall be the primary alternative disposal facility;

WHEREAS, the establishment, operation and maintenance of sanitary landfill would necessarily require a sizable amount of financial resources due to technical and environment requirements and criteria to be met for its establishment, not to mention possible land acquisition cost that may be incurred;

WHEREAS, the massive financial requirement for sanitary landfill establishment, operation and maintenance may not be practical and/or affordable for many local government units particularly those belonging to the lower class municipalities;

WHEREAS, Section 33 of Republic Act 1150, otherwise known as the Local Government Code of 1991, allows local government units through memorandum of agreement to coordinate or coordinate their efforts, services and resources for purposes commonly beneficial to them;

WHEREAS, for the foregoing purposes, LGUs are permitted pursuant to Sec. 300 of the Code, upon approval of the Sangguniang Bayan, to jointly or severally contract loans, credits and other form of indebtedness;

WHEREAS, Section 44 of RA 9003 mandates local government units to coordinate their efforts, services, and resources for purposes of jointly addressing common solid waste management problems and/or establishing common waste disposal facilities;

WHEREAS, because of the contiguous geographic location of the parties they enjoy a commonality in experience and resources which, when consolidated, will allow realization of these common goals;

WHEREAS, the Municipality of Surallah has an existing Sanitary Landfill, established with the technical assistance and financial assistance of 6.5 million provided by the Provincial Government of South Cotabato;

WHEREAS, there was a MOA signed by the host and cluster members in 2016 and will expire in November 2019 thus, there is an urgent need to renew the agreement;

WHEREAS, there are existing agricultural industries within the Upper Valley Area generating a considerable amount of residual wastes;

NOW, THEREFORE, for and in consideration of the foregoing premises and of the mutual covenants hereinafter set forth, the parties hereto hereby agree and bind themselves as follows:

Section 1: Name of Cluster. The parties hereto hereby agree to consolidate their efforts in the management and disposal of the solid waste generated in their respective municipalities. For this purpose, the municipalities which are parties hereto further agree to form a Cluster of LGUs to be known as the **Surallah Cluster Sanitary Landfill**.

Section 2: Core Principles. "In entering into the Cluster and in the administration and execution of this Agreement, the eight (8) LGUs shall advance and maintain:

- a. The consensual nature of the Agreement and collegial character of the Cluster;

- b. The local autonomy of each of the component LGUs of the Cluster;
- c. The common and collective benefit of the LGUs of the Cluster; and
- d. The integrated and sustainable solid waste management of the Cluster, its individual member LGUs and of the Nation;

Section 3. Operation and Management of Common Solid Waste Disposal Facility.

- A. Surallah LGU is the host LGU to accommodate the residual solid wastes generated by the LGUs who are parties to this agreement.
- B. As host LGU, Surallah LGU, at its own expense or through other means, shall maintain and operate a sanitary landfill that will also serve as host disposal facility for the residual solid wastes generated by other parties of this agreement in accordance with the design criteria and specifications provided for by law;
- C. The municipalities which are parties herein, has a BOARD that will monitor, evaluate, make sanctions, and other related measures on the operation of the sanitary landfill and shall administer the Local Solid Waste Management Fund.
- D. The parties of this agreement obligate themselves to patronize the sanitary landfill established, managed and operated by SURALLAH LGU by ensuring among themselves that all residual solid wastes generated from their respective jurisdictions and allowed by law for final disposal shall be disposed of only and exclusively at the sanitary landfill established by SURALLAH LGU.

Section 3.1. THE PROVINCIAL GOVERNMENT OF SOUTH COTABATO shall:

- 1. Provide technical and financial assistance in the improvement of the access road from the national highway to the Sanitary landfill site;
- 2. Assist host LGU in developing/maintaining sanitary landfill;
- 3. Assist host LGU in securing necessary permits and approvals from the national government;
- 4. Provide technical assistance for capability building, promotion and advocacy;
- 5. Facilitate and link with other national agencies, donor institutions, service providers for technical and financial assistance that may enhance efficiency of the facility;
- 6. Assist members of the cluster in carrying out an info campaign to ensure social acceptability and understanding of the clustering scheme;
- 7. Lead periodic monitoring of performance of cluster and host LGUs in implementing their SWM programs & in fulfilling their obligations under the cluster agreement;
- 8. Assist the cluster in the formulation of disposal rules and regulations, which will include sanctions for violation of agreements by host & cluster members;
- 9. Assist the cluster in the determination of appropriate and fair tipping fees; help establish a system for its periodic review; and
- 10. Mediate any conflicts that may arise between and among member LGUs.

Section 3.2. THE MUNICIPALITY OF SURALLAH AS HOST LGU shall:

- 1. Ensure that the operation and maintenance of the sanitary landfill shall be in accordance with the specifications and shall pass the criteria established and the legal and technical requirements prescribed by law as well as those that may be imposed by the corresponding authority on the basis of the feasibility study;
- 2. Allow continued access to the sanitary landfill site to all garbage transport vehicles of the other LGUs who are part of the cluster. Other local government units and private entities who may thereafter indicate their commitment and intention to avail of the services of the sanitary landfill, for the disposal of their solid waste subject to the rules and regulations of disposal that may be established and agreed upon by the BOARD;
- 3. Maintain and ensure that the landfill shall remain at the desired sanitary state and shall endeavour to continuously install an internal M&E system for sanitary landfill operations; periodically provide cluster members reports on the status of sanitary landfill operations;
- 4. Issue billing statement to member cluster LGUs five calendar days after every succeeding month.

- b. Elect among themselves the **Chairman, Vice Chairman and Secretary**;

- i. The **Chairman shall be Chief Executive Officer of the Cluster. He/she shall preside over all the meetings of the Board. He/she shall execute all resolutions and decisions of the Board. He/she shall also act as official spokesperson of the Cluster.**
- ii. The **Vice-Chairman shall exercise all powers and perform all duties of the President during the absence or incapacity of the latter and shall perform duties that may be assigned by the Board.**
- iii. The **Secretary shall prepare and keep all the minutes and correspondences of the Board. He/she shall perform duties that may be assigned by the Board.**

- c. Term of Office – three (3) years
- d. The **Municipal Accounting Office** of the host LGU shall maintain its books of account and render its financial reports in accordance with generally accepted accounting and auditing principles.
- e. Quorum for any meeting – consist of majority of the members of the Cluster. Attendance by representative shall be as permitted. A decision shall, as far as practicable, be reached by consensus. If no consensus is reached, decisions shall be arrived at upon a vote of a majority of at least two thirds of all the members of the Board;
- f. Special meetings – upon call by the chairman, at his own initiative, or upon request by any member of the BOARD;
- g. Change of composition of the Cluster, including the acceptance of new members or expulsion of old members as may be provided hereunder shall require the affirmative vote of % of all the members of the BOARD.

Section 5. DISPUTE RESOLUTION
Any disputes between the parties will be lodged before the Provincial Solid Waste Management BOARD (PSWMB) for appropriate action.

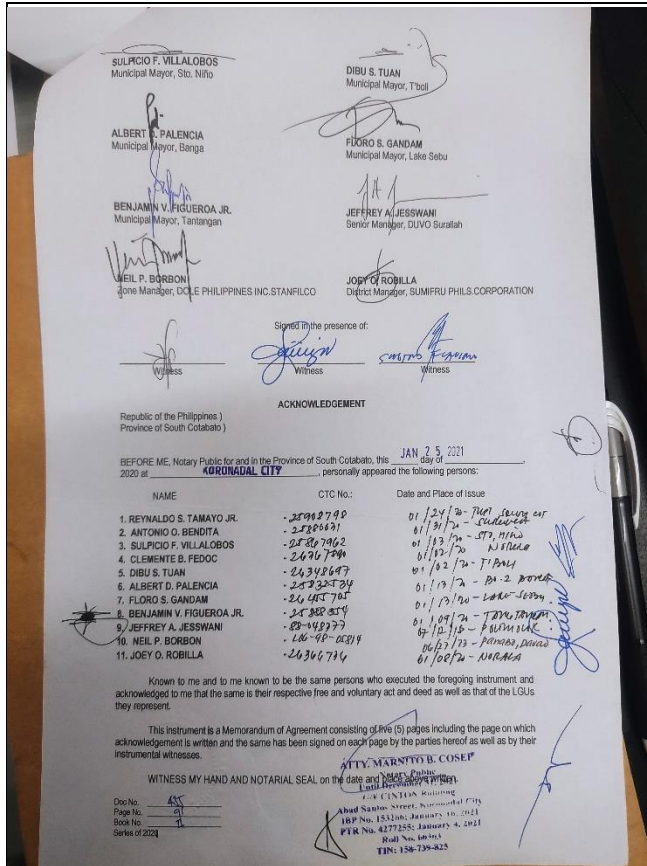
Section 6. EFFECTIVITY
This Agreement shall take effect upon the signing of all the parties hereto and shall remain valid and enforceable for a period of **three (3) years** or renewable for the same period of time subject to the consent of the host LGU.

Section 7. PRE-TERMINATION CLAUSE
The host municipality hereby reserves its right to pre-terminate this agreement on the following grounds:
1. Gross violation of Memorandum of Agreement.

IN WITNESS WHEREOF, the parties hereunto signed this Agreement of SURALLAH SLF CLUSTER FOR SUSTAINABLE SOLID WASTE MANAGEMENT this ___ day of November, 2019 at _____ South Cotabato, Philippines.

PROVINCE OF SOUTH COTABATO
REYNALDO S. TAMAYO JR.
Provincial Governor
ANTONIO O. BENDITA
Municipal Mayor, Surallah
CLEMENTE B. FEDOC
Municipal Mayor, Norala





South Cotabato Province Pooling Resources for a Sanitary Landfill



All the open and controlled dumpsites in the country should have been closed in 2006, if the LGUs complied with the Ecological Solid Waste Management Act of 2000. To date, only about 10% of the LGUs have complied with this mandate because most of them lack the resources to put up a Sanitary Landfill Facility (SLF).

The same law encouraged LGUs to pool resources so that they could jointly address Solid Waste Management (SWM) concerns. So, in 2005, the provincial LGU and its component LGUs started cooperating in the formulation and implementation of their 10-year Integrated SWM plans. They also conducted a series of consultations, workshops and social preparation activities in their communities. The LGUs even underwent training in Waste Assessment and Characterization Studies and took a study tour of the Sto. Tomas, Davao del Norte SWM model. A reflection workshop in November 2006 led to the selection of Surallah as the location of the common waste disposal facility. A consultative meeting in December 2007 resulted in the proposed cluster approach.

In December 2008, six municipal LGUs signed a Memorandum of Agreement with the provincial LGU to establish an SLF that can be shared by a cluster of LGUs. Under the agreement, the provincial LGU provides financial and technical support for the construction of the shared facility. The member LGUs pay the host LGU tipping fees that

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cover the cost of operating and maintaining the facility. By sharing a facility and distributing the cost to operate and maintain the SLF, each LGU was able to comply with RA 9003 at the least possible cost.

The total investment cost incurred for the development of the first cell amounted to PhP12.2 million—PhP5.7 million was shouldered by the municipal government of Surallah while the remaining PhP6.5 million was provided by the provincial government of South Cotabato. The construction of the Cluster SLF started in October 2009 and it started operating in June 2011. The establishment of the Surallah Cluster SLF enabled the provincial government to save PhP46 million.

According to the National Solid Waste Management Commission, the Surallah Cluster SLF is the first and only provincial-led SLF program in the country. It is the only SLF that accepts only residual wastes, which compels the LGUs to observe proper waste segregation, diversion and management. The Design and Monitoring Team is composed of in-house units of the LGU, which enabled the province to save on consultancy and construction costs. The MOA for the SLF cluster provided the institutional mechanism for sustaining the program.

LGUs from all over the country are now trying to replicate the cluster approach in their respective areas and want to learn what institutional arrangements were put in place to elicit the cooperation of LGUs in putting up a cluster SLF. The key lies in enhancing LGU capacities and strengthening linkages as well as entering into public and private partnerships.



Submitted by:

Approved By:
