



Republic of the Philippines  
Department of Transportation  
**LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD**  
East Avenue, Diliman, Quezon City

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**RESOLUTION NO. 257 Series of 2019**

(Re: Motion/Letter for Reconsideration filed by Dasmarinas Van Drivers Operators Transport Service Cooperative, Saint Rose Transit, Inc., and MetroExpress Connect, Inc. relative to its application on Dasmariñas, Cavite to Alabang, Muntinlupa route under Memorandum Circular No. 2019-017)

**WHEREAS**, on 28 March 2019, this Board issued Memorandum Circular 2019-017 also known as the "Opening of Applications for the Issuance of New CPC to Operate Public Utility Jitney in Dasmarinas (Cavite) to Alabang (Muntinlupa) under the Initial Implementation of PUVMP" wherein the acceptance of applications for CPC were opened for the subject route to all prospective applicants;

**WHEREAS**, upon following the provisions of Memorandum Circular No. 2019-013 (Consolidated Guidelines on the Process of Issuance of CPC and Provisional Authority /Special Permit under the OFG and PUVMP), the Committee resolved to recommend to the Board to deny the applications of Dasmarinas Van Drivers Operators Transport Service Cooperative, Saint Rose Transit, Inc., and MetroExpress Connect, Inc. as per its issued Resolution Nos. 126, 124 and 128 series of 2019 respectively;

**WHEREAS**, on 10 July 2019, Dasmarinas Van Drivers Operators Transport Service Cooperative filed a Motion for Reconsideration wherein the cooperative stated thus:

"xxx With the submission of the said one (1) missing document, the Undertaking, which is now being submitted, herein applicant believes that there is SUBSTANTIAL COMPLIANCE with all the requirements needed by the Pre-Qualification Committee, hence, applicant deeply moves that the Resolution No. 126 be reconsidered and instead, a recommendation for the approval of the application of herein applicant be submitted to the Board."

**WHEREAS**, Section V-A-2 of Memorandum Circular No. 2019-013 clearly stated thus:

"The detailed evaluation of the compliance by the Applicant-Operator with the Legal, Technical and Financial Capability qualification requirements shall be based solely upon the Qualification Documents submitted."

hence, the submission of the undertaking made by Dasmarinas Van Drivers Operators Transport Service Cooperative shall not affect the initial recommendation of the Committee to the Board;

**WHEREAS**, on 1 August 2019, Saint Rose Transit, Inc. filed a Motion for Reconsideration wherein the corporation stated thus:

"It is our opinion that we have complied and met with all the requirements to achieve a "passed" or "qualified" rating from the committee even without the Letter of Intent, we believe that thru demonstrative actions that we made, we already expressed our intent."

**WHEREAS**, Section V-A-1 of Memorandum Circular No. 2019-013 clearly stated thus:

"The Applicant-Operator shall submit to the concerned Qualification Committee, a letter of intent including its qualification documents (per Section III hereof) xxx "

hence, a Letter of Intent is also a requirement which should have been submitted together with its qualification documents;

**WHEREAS**, on 9 August 2019, MetroExpress Connect, Inc. filed a Letter for Reconsideration wherein the corporation stated thus:

"Finally, as this matter progressed, we find it fitting to manifest the fact that Vista Mall is now officially open, making the current issue moot, and is of no moment in MCI's application as a whole."

**WHEREAS**, while MetroExpress Connect, Inc. submitted a Letter of Support from Vista Mall on a timely manner, it is with their own admittance that the aforementioned mall was still not operational, hence, posing doubt as to the operation of the terminal at the time of the opening proceedings.

**NOW THEREFORE**, for and in consideration of the foregoing premises, the Committee hereby recommends to the Board to:

1. **DENY** the Motions and Letter for Reconsideration filed by Dasmariñas Van Drivers Operators Transport Service Cooperative, Saint Rose Transit, Inc., and MetroExpress Connect for failure to submit/fulfill all documentary requirements at the time of the opening proceedings. This is however without prejudice on their part to re-apply or submit application/qualification documents upon the subject route's re-opening of applications.
2. **RE-OPEN** Dasmariñas, Cavite to Alabang, Muntinlupa route to prospective applicants.

**APPROVED AND SIGNED** by the undersigned Chairperson and Members of the Qualification Committee, this 19<sup>th</sup> day of November 2019 at Quezon City, Philippines.

**ATTY. ZONA RUSSET M. TAMAYO**

Chairperson

**NIDA P. QUIBIC**  
Member

**JOEL J. BOLANO**

Member

**ATTY. MARK T. COFINO**  
Member

Affirmed by the Board:

**ON LEAVE**

**ATTY. MARTIN B. DELGRA, III**

Chairman

**ENGR. RONALDO F. CORPUS**

Board Member

**P/MAJ. GEN. ANTONIO N. GARDIOLA, JR. (Ret.)**

Board Member

Attested by:

**COL. RENWICK K. RUTAQUIO (Ret.)**

Regional Director - RFR0IV/OIC-Executive Director