



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

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**RESOLUTION NO. 267 Series of 2019**  
**(Re: ACCREDITATION OF TM-11 ENTERPRISES**  
**AS GPS PROVIDER)**

**WHEREAS**, on 2 April 2019, the Committee issued Resolution No. 020 Series of 2019 wherein the committee resolved to deny the Petition for Accreditation as GPS Device Provider of TM-11 Enterprises based on the following grounds:

1. Due to the Applicant's failure to file a verified application as prescribed in Item (II) first paragraph of Memorandum Circular No. 2015-013 dated 4 May 2015;
2. Applicant has submitted photocopy/unauthenticated copies of documents to support its accreditation as a GPS Service Provider as prescribed in Memorandum Circular Nos. 2015-013, 2015-024, and 2016-016;
3. No Complete Description of Business Model is attached;
4. The submitted Business Permit indicates different kind of business not related to GPS business;
5. The submitted BIR Certificate of Registration indicates different line of business not related to GPS business;
6. Insufficient copies of NBI Clearance equivalent to the number of GPS Device Installers and/or Technicians
7. Failure to submit documentary requirements as prescribed under Memorandum Circular Nos. 2015-013 and 2016-016
8. The proposed "GPS Device" model does not conform to the specifications, data format and during operation set forth by the Board in coordination with the DOST-ASTI as prescribed by Item No. 1 GPS Fleet Management under MC No. 2015-013.

**WHEREAS**, Motion for Reconsideration was filed by herein petitioner on April 16, 2019 asserting the following arguments:

1. That movant reconstituted five (5) times when the original application was submitted to receiving the employee as per instruction by Mr. Rene De Jesus to submit said application on 8 May 2018 which was received by Richard Vallacer including the application fee. Mr. Pol of OED also verified such originals before the reconstitution of records dated 7 November 2018;
2. That movant then submitted a compliant GPS similar to SOL INVICTUS GPS provider, the TMrox GPS which is being used by other providers, rather than the same product evaluated three (3) years ago, a GPS sold also by Sol Invictus and other providers listed as passed;
3. That the NBI clearances of movant's employees has been submitted properly thru Mr. Rene de Jesus now lacking two (2) NBI clearances and for five (5) times the records has been reconstituted, such has been juggled and lost;

**WHEREAS**, finding the above arguments raised in the Motion to be with merit and supported by evidence, this committee is well convinced to grant the said Motion;

**NOW THEREFORE**, the Pre Qualification Committee resolves, as it hereby resolved to:

1. **GRANT** the Motion for Reconsideration as it established with merit the allegations contained thereat, **SETTING ASIDE** Resolution No. 020 Series of 2019 dated 2 April 2019, and
2. For the applicant to submit Formal Offer of Evidence containing therein the requirements set forth under **Memorandum Circular Nos. 2015-013, 2015-015A, 2015-024 and 2016-016**, within **Ten (10) days** from receipt hereof without any extension;

**APPROVED AND SIGNED** by the undersigned Chairman and Members of the Committee, this 19 NOV 2019 day of November 2019 at Quezon City, Philippines.

  
**NIDA P. QUIBIC**  
Chairperson  
Per Office Order No. 2019-196

  
**JOEL J. BOLANO**  
Member

  
**ATTY. MARK T. COFINO**  
Member

  
**RENE DE JESUS**  
Member