

RESOLUTION NO. 220 Series of 2020
(Re: MOTION FOR RECONSIDERATION filed by ILIGAN-BALOI-MARAWI-MSU TSC on 04 November 2019)

WHEREAS, ILIGAN-BALOI-MARAWI-MSU TSC has participated in the Selection Process for the issuance of New CPC for NINETY (90) UNITS of UV Express Service (Class 3) on the route CDO, MISAMIS ORIENTAL – MARAWI CITY, LANA O DEL NORTE;

WHEREAS, however, Resolution No. 239, Series of 2019 dated October 17, 2019 was issued by the undersigned members of Committee which resolved to recommend to the Board to DENY the aforesaid Application of ILIGAN-BALOI-MARAWI-MSU TSC on the ground of failure to comply with the documentary requirements set forth under Memorandum Circular No. 2019-013;

WHEREAS, the Applicant-Movant filed a Motion for Reconsideration on November 04, 2019;

WHEREAS, in the said Motion, the Applicant-Movant prayed that he be given a period of ten (10) days to come up and submit the copies of the lacking documentary requirements cited in the subject Resolution No. 239, to wit;

- a. Latest Cooperative Annual Performance Report duly issued by the Cooperative Development Authority;
- b. Undertaking that the units shall be compliant with the specifications and standards under OFG and DTI-PNS;
- c. Undertaking that ILIGAN-BALOI-MARAWI-MSU TSC will immediately comply with the approved LPTRP/DoTr rationalization study;
- d. Fleet Management System will organized vehicle dispatch procedures;
- e. Copies of Letter of Support from property owners/managers regarding access to, or use of, each off-street loading and unloading area in both endpoints;
- f. Proposed garage/depot space pursuant to Memorandum Circular No. 2017-027;
- g. Original or Certified True Copy of the latest Audited Financial Statement and duly stamped "received" by the BIR or its authorized agent banks;
- h. Manner of acquisition for the compliant PUV units identifying the funding source and with the detailed financing plan;

WHEREAS, ILIGAN-BALOI-MARAWI-MSU TSC further manifested that it applied for only THIRTY (30) service units and submitted as set-aside deposit cash good for the 30 units with Php 50,000.00 per service unit vehicle;

WHEREAS, the Qualification Committee has deliberated on the Motion for Reconsideration and revisited the implementing guidelines provided under MC 2019-013 particularly the pertinent items thereat with a view of recommending to the Board the disposition of the subject Motion for Reconsideration;

WHEREAS, Part V enumerates the five (5) stages in the evaluation of Qualification Documents for the selection of a qualified applicant.

- First Stage: Complete Submission of Qualification Documents.
- Second Stage: If two (2) or more applicants PASS the First Stage, Ranking is based on the availability of the number of units.
- Third Stage: If two (2) or more applicants are equally ranked in the Second Stage, Ranking is based on the delivery of schedule of units on first-in-time basis.
- Fourth Stage: If tie still results, preference shall be given to area-based operator-applicants.
- Fifth Stage: If no existing area-based operator passes, public lottery shall be conducted to determine the qualified applicants that will proceed with the CPC application.

WHEREAS, In the First Stage, the evaluation focuses on a PASS or FAIL rating on each of the qualification documents submitted. There is complete submission of qualification documents when an applicant submits all the required qualification documents by submitting the original copies or certified true copies thereof and four (4) photocopies thereof. Failure to submit an original copy or certified true copy of at least one (1) qualification document merits a "FAIL" rating. The applicant will be disqualified if any criterion is rated "FAILED" or if any Qualification Document or attachment is missing;

WHEREAS, the failure of the above named applicant to either submit the required qualification documents or to submit original or certified true copies of the required documents deemed it necessary to rate their qualification documents "FAILED";

WHEREAS, there is no more need to proceed to the Second Stage in two (2) instances: (1) when there is no "qualified" applicant in the First Stage; or (2) there is only one (1) "qualified" applicant in the First Stage;

WHEREAS, No. 2, Part V (Procedures for Qualification and selection of Applicant-Operator) of MC 2019-013 provides that:

"The detailed evaluation of the compliance by the applicant with the Legal, Technical, and Financial Capability Qualification Requirements shall be based solely upon the Qualification Documents submitted."

WHEREAS, It should bear emphasis that in the conduct of PUVMP qualification process, any Committee for that matter shall only deal and evaluate documents submitted prior to the deadline as prescribe under MC 2019-023 on a pass or fail basis


WHEREAS, the Committee cannot be compelled to accept any documentary evidence which were not part of the submitted sealed qualification documents, as to so would taint the very objective to have a transparent and honest process;

WHEREAS, it can be inferred from the enumerations of the lacking documentary requirements that there was no meaningful compliance in the submission of the qualification documents, so that a liberal interpretation of the rules is not applicable;

NOW THEREFORE, the BOARD resolves to as it is hereby resolved to **DENY** the Motion for Reconsideration of ILIGAN-BALOI-MARAWI-MSU TSC, and **AFFIRMS** Resolution No. 239, Series of 2019 dated October 17, 2019.

APPROVED AND SIGNED by the undersigned Chairman and Members of the Committee, this ~~09~~ ⁰⁹ ~~DEC~~ ^{DEC} 2020 of October 2020 at Quezon City, Philippines.


NIDA R. QUBIC
Chairperson


MARISSA PAULA E. MAMAUAG
Member


JOANNE D. ELMEDOLAN
Member


JUDE L. LAXA
Member


MARIE ANGEЛИQUE R. ESTIPONA
Member

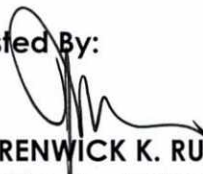
Affirmed by the Board:


Atty. MARTIN B. DELGRA III
Chairman


Engr. RONALDO F. CORPUS
Board Member


P/Col. JOEL C. PERNITO (Ret.)
Board Member

Attested By:


Col. RENWICK K. RUTAQUIO (Ret.)
Regional Director/ OIC-Executive Director