



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

RESOLUTION NO. 138 Series of 2021
(Re: MOTION FOR RECONSIDERATION FILED BY TEJERO GENEREAL TRIAS CAVITE
TRANSPORT SERVICE COOPERATIVE)

WHEREAS, TEJERO GENEREAL TRIAS CAVITE TRANSPORT SERVICE COOPERATIVE has participated in the Selection Process for PITX – TANZA with the use of THIRTY-EIGHT (38) authorized Class 3 UV units;

WHEREAS, Resolution No. 261, Series of 2019 dated November 19, 2019 was issued by the undersigned members of Committee which resolved to recommend to the Board to DENY the aforesaid Application of TEJERO GENEREAL TRIAS CAVITE TRANSPORT SERVICE COOPERATIVE on the ground of failure to comply with the documentary requirements set forth under Memorandum Circular No. 2019-013;

WHEREAS, A Motion for Reconsideration was filed on December 19, 2019. On January 10, 2020, a Motion to Admit Additional Requirements was also filed. TEJERO GENEREAL TRIAS CAVITE TRANSPORT SERVICE COOPERATIVE contends that they were not apprised of the alleged deficiencies and are now submitting the lacking requirements cited in the subject resolution;

WHEREAS, the Board has deliberated on the Motion for Reconsideration and revisited the implementing guidelines provided under MC 2019-013 particularly the pertinent items thereat;

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, 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;

WHEREAS, Part V further 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, 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, 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, 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 2019-024 on a pass or fail basis;

NOW THEREFORE, the BOARD resolves to as it is hereby resolved to **DENY** the Motion for Reconsideration and the Motion to Admit Additional Requirements of TEJERO GENEREAL TRIAS CAVITE TRANSPORT SERVICE COOPERATIVE and **AFFIRMS** Resolution No. 261, Series of 2019 dated November 19, 2019.

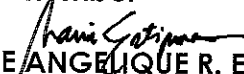
APPROVED AND SIGNED by the undersigned Chairman and Members of the Committee, this 24 NOV 2021 day of NOV 2021 at Quezon City, Philippines.


ROSA MARIA R. CUBOS
Member


JUDE V. LAXA
Member


NIDA P. GUBICO
Chairperson


JOANNE D. ELMEDOLAN
Member


MARIE ANGEЛИQUE R. ESTIPONA
Member

Affirmed by the Board:


Atty. MARTIN B. DEGRA III
Chairman


PCol. JOEL C. PERNITO (Ret.)
Board Member


ENGR. SHERWIN MYLIL S. BEGYAN
Board Member

Attested by:


MARIA KRISTINA E. CASSION
Executive Director